

DUTCHESS COUNTY RESOURCE RECOVERY AGENCY

MAY 16, 2013 – MEETING MINUTES

A meeting of the Dutchess County Resource Recovery Agency convened at 5:00 p.m. at the offices of the Agency located at 96 Sand Dock Road, Poughkeepsie, New York. Those present included J. Small, Chairman, R. Mosca, Vice-Chairman, K. Williams, Secretary, and R. Ledrich, Board Member; Agency Staff, W. J. Calogero, D. Walsh and C. Tamney; Agency Counsel, J. Nelson; D. Leibnitz, HDR; A. Surman, Dutchess County Legislator, and J. Loeb, Drake, Loeb Heller Kennedy Gogerty Gaba & Rodd PLLC (Special Counsel).

1. **Regular Session** – Chairman J. Small called the meeting to order at 5:06 pm.
2. **Executive Session** – At 5:07 pm a motion was made by R. Mosca, seconded by R. Ledrich and unanimously approved to move into Attorney/Client Session with Special Counsel.

The meeting resumed back to public session at 5:23 pm.

3. **Minutes** – Chairman J. Small presented the minutes of the April 18, 2013 board meeting. Approval of the April 18, 2013 minutes was deferred until next month's board meeting.
4. **Operating Report** – D. Walsh reported that the Facility received a total of 13,127 tons of waste in April, 111 tons over the monthly budget. The year-to-date tonnage remains 9,000 tons over budget.

The Household Hazardous Waste Day in May was held at the Pawling Fire Department. There were more residents participating this year than last year at this location, approximately 110 total.

5. **Engineer Report** – D. Leibnitz reported that from the end of the outage on April 22, 2013 until May 15, 2013 the Facility has operated with an availability of 82.3%, 92.4% and 100% on Unit Nos. 1, 2 and the Turbine-Generator, respectively. There were three separate water-wall tube leaks that occurred following the outage.

During a control room inspection today the Facility was producing 96,000 pph of steam and generating approximately 7.6 MW of power. The pit contained approximately 2700 tons of MSW.

In the 30 days of April, because of the Spring outage, the Facility processed MSW at a Capacity Utilization of 74.6%. The average processing rate during the month was 356 tons per day. The overall availability was 71.8%. The Facility produced 49,311 kilo-pounds of steam. Energy efficiency was estimated to be 220 net kWh/ton. It is noted that in the 24 operating

days since the end of the outage the energy efficiency has been approximately 334 net kWh/ton.

In April the rate of lime use averaged approximately 27 pounds of lime per ton of MSW, which is slightly lower than Covanta's average rate of use.

The moisture content of the ash residue still remains an ongoing concern. During the last several weeks the quality of the ash has been improving. The average in May to date has been 35% moisture. The air heater has been replaced which has helped improve the quality of ash. Covanta is able to control the burning process much better. HDR will continue to monitor the ash moisture.

The Spring outage started on April 10 and was completed on April 22. In response to written concerns by HDR over the length of time between the latest turbine/generator major preventive maintenance outages, Covanta hired the firm of Harvard Nondestructive Testing to perform interim testing and analyses services. HDR was told by the operator that they are waiting for corporate approval before releasing a copy of the report to the Agency. Covanta has committed to a full turbine/generator preventive maintenance outage during the Fall 2013 outage.

The Annual Emissions Compliance Test is scheduled to be conducted from May 20 – 24, 2013.

6. **Agency Financial Report** – C. Tamney presented the payables in the amount of \$1,141,432.79. A motion to approve the bills as presented in the amount of \$1,141,432.79 was made by R. Mosca, seconded by R. Ledrich and unanimously approved.

Under the Agency's Balance Sheet, J. Small questioned as to why the net assets would have decreased when there was additional revenue received in the past month. C. Tamney replied that it is because of the many accruals. The additional income received does not affect the accruals. It was noted that the accruals increased by \$600,000.00 this past month.

7. **Public Comment** – There was no public comment.
8. **Executive Session** – At 5:45 pm a motion was made by R. Ledrich, seconded by R. Mosca and unanimously approved to move into an Attorney/Client session for discussions relating to the hiring/firing of a particular corporation.

The meeting resumed back to public session at 6:22 pm.

Resolution No. 763 – Consent of the Agency for Central Hudson Gas & Electric Corporation to Present an Application for Site Plan Approval to the Town of Poughkeepsie Planning Board

The Agency as the owner of the property which is the subject of the site plan application by Central Hudson for the 50' wide easement, hereby consents to the submittal to the Planning

Board of the site plan application and such other documents as may be required and authorizes the Chairman of the Agency to execute the consent of the property owner to permit the site plan review to proceed. A motion to adopt Resolution No. 763 was made by R. Mosca, seconded by R. Ledrich and unanimously approved.

Resolution No. 764 – Consent of the Agency for the Town of Poughkeepsie Planning Board to Serve as Lead Agency for the SEQR Review of the Application for Site Plan Approval Made by Central Hudson Gas & Electric Corporation

The Agency as the owner of the property which is the subject of the site plan application by Central Hudson for the 50' wide easement, hereby consents to the Planning Board serving as Lead Agency in the SEQR review of the site plan application and authorizes a certified copy of this resolution be presented to the Planning Board. A motion to approve Resolution No. 764 was made by R. Mosca, seconded by R. Ledrich and unanimously approved.

Resolution No. 765 – Authorization for Negotiation Consultant RFP

The Agency's Executive Director is authorized to release and publish notice of a Negotiation Consultant RFP in substantially the form presented to the Agency Board on May 16, 2013. A motion to approve Resolution No. 765 was made by R. Ledrich, seconded by R. Mosca and unanimously approved.

Resolution No. 766 – Power Sales Agreement Dating

The Agency's Executive Director is authorized to confirm that the Agency's agreement with Central Hudson for the Power Sales Agreement was effective as of January 15, 1988. A motion to approve Resolution No. 766 was made by R. Mosca, seconded by R. Ledrich and unanimously approved.

9. **Other Business** – The delinquent account of Robison's Refuse was discussed. A proposal was made by Royal Carting to pay the full amount of tipping fees incurred under the account of Robison's Refuse in addition to one-half of the accrued finance charges. Chairman J. Small noted that he agreed to the terms only because pursuing further legal action and other costs involved would cost the Agency more money than what is owed. A motion to accept the proposal from Royal Carting was made by R. Mosca, seconded by R. Ledrich and unanimously approved.

With no further business to discuss, the meeting was adjourned at 6:30 pm.

Respectfully submitted,

William J. Calogero
Executive Director