

DUTCHESS COUNTY RESOURCE RECOVERY AGENCY

MAY 22, 2014 – 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; Board Members; W. Nussbickel and D. Petrovits; Agency Staff, W. J. Calogero, D. Walsh and C. Tamney; Agency Counsel, J. Nelson; and D. Leibnitz, HDR.

- 1. Regular Session** – Chairman J. Small called the meeting to order at 5:05 pm.
- 2. Operating Report** – D. Walsh reported that the Facility received 14,252 tons of waste in April which was 1,200 tons over what was budgeted for the month. The year-to-date tonnage is close to 6,000 tons over budget.
- 3. Engineer Report** – D. Leibnitz reported that in April the Facility processed approximately 13,386 tons of MSW with an average availability of 99.0%, 77.5% on 98.2% on Units 1, 2 and the turbine/generator, respectively. The downtime on Unit 2 was primarily due to the conveyor issues. The pit contains approximately 2000 tons of MSW. In April, the Facility was generating power at an efficiency of approximately 263 to 279 kWh per ton of MSW.

The Agency has had some preliminary discussions with the NYSDEC to have the operating permit renewed. The NYSDEC has been notified on the change in operator.

The annual emissions compliance stack test is presently underway. The NYSDEC has been on site. Representatives from HDR are monitoring the test runs and representatives from Wheelabrator are also on site to witness the performance of the Facility. There have been issues related to mechanical failures of various components that have interfered with the performance of the scheduled test runs and the test is presently a day or more behind schedule.

The Agency and HDR are meeting with Covanta to settle all remaining issues and facilitate the transfer of operations to Wheelabrator.

- 4. Agency Financial Report** – C. Tamney presented the payables in the amount of \$1,287,698.25. Chairman J. Small asked if the HDR bill for \$85,540.63 was still part of what was negotiated in the bills from when the Agency negotiated contracts. D. Leibnitz replied that it is and the final bill pertaining to negotiations was in this current billing. D. Petrovits asked if the Van DeWater charges for \$51,582.33 were monthly charges. J. Nelson replied that it is for two months of professional services and how it involves an annual budget of \$99,999.00. These charges were basically all the work that was done on the negotiations of

the Operator contract. A motion to approve the bills as presented for \$1,287,698.25 was made by W. Nussbickel, seconded by K. Williams and unanimously approved.

5. **Other Business** – W. Calogero stated that there had been an accident with the Ford Crown Victoria vehicle and the insurance company has declared the vehicle a total loss. The insurance will pay out \$2,309.35.

The Household Hazardous Waste event on April 5 had 82 participants and the May 3 event had 221 participants. The County contributed to May's event by advertising in the local newspaper.

6. **Public Comment** – There was no public comment.
7. **Executive Session** – At 5:17 pm a motion to move into Executive Session was made from D. Petrovits, seconded by R. Mosca and unanimously approved for discussions relating to the hiring/firing/promotion or demotion of a particular person, firm or corporation.
8. **Regular Session** – The meeting resumed back into public session at 6:03 pm.

Resolution No. 789 – Retention of Counsel, Second Resolution

The Executive Director has submitted a proposed joint retention agreement with Germano & Cahill, PC to provide legal services relating to the volume and pricing of waste which will come to the Facility in the future, and the Agency Board authorized the Executive Director by Resolution No. 787 to have M. Cahill of Germano & Cahill, PC provide legal services at specified rates, and directed the Executive Director to promptly develop with Mr. Cahill and submit to the Agency Board a scope of legal services and a limit on the amount of legal fees to be charged, with fees in excess of that amount to be subject to the prior approval of the Agency Board. The Executive Director has submitted a proposed joint retention agreement with Mr. Cahill's firm, which joint retention agreement has been signed by Mr. Cahill and approved by the County of Dutchess. The Agency Board authorizes the execution of the joint retention agreement with Germano & Cahill, PC as presented. A motion to approve Resolution No. 789 was made by W. Nussbickel, seconded by R. Mosca and unanimously approved.

With no further business to discuss, a motion at 6:05 pm to adjourn the meeting was made by D. Petrovits, seconded by R. Mosca and unanimously approved.

Respectfully submitted,

William J. Calogero
Executive Director