

DUTCHESS COUNTY RESOURCE RECOVERY AGENCY

JUNE 27TH, 2012 – 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 E. Mills, Chairman; J. Small, Secretary, Board Members T. E. LeGrand and E. Kinkade; Agency Staff, W. J. Calogero, D. Walsh and C. Tamney; Agency Counsel, J. Nelson; D. Leibnitz, HDR; M. Cavaliere, Covanta Hudson Valley Renewable Energy LLC; and L. Carille, Dutchess County Solid Waste Coordinator.

- 1. Regular Session** – Chairman E. Mills called the meeting to order at 5:18 pm. Chairman E. Mills received notification from R. Rolison, Chairman of the County Legislature, that D. Nestler has tendered his resignation from the Resource Recovery Agency Board to be effective July 1, 2012. Chairman E. Mills thanked D. Nestler for his many years of service to the Agency and wished him well in his future plans.
- 2. Minutes** – Chairman E. Mills presented the minutes of the May 17, 2012 board meeting. Approval of the minutes was deferred until next month's board meeting.
- 3. Operating Report** – D. Walsh reported that the budget set for incoming waste tonnage for the month of May was 13,131 tons and the Facility received a total of 14,800 tons, 1,670 tons over budget. The year-to-date tonnage continues to remain ahead of budget by over 11,000 tons.

The MRF received 334 tons of recyclables for the month of May, a slight increase from April's tonnage, and had \$6,687 worth of revenue from the recyclables.

The June Household Hazardous Waste Day was held at the Agency. There were 160 attendees. A large volume of chemicals were collected along with a moderate amount of electronics. Prescription medications were collected the same day. The total volume collected was 75 pounds.

- 4. Engineer Report** – D. Leibnitz informed the Board that from May 17, 2012 until June 26, 2012 the Facility has operated with an average availability of 96.7%, 98.9% on Unit Nos. 1, 2 and the Turbine-generator, respectively. The outage on Unit No. 2 was for a boiler wash. Short outages on the Turbine-Generator were due to a vibration trip for a total 8 hours and a control valve malfunction for 1hour.

During a brief control room inspection at 2:00 pm, the Facility was running at a normal high rate. Unit Nos. 1 and 2 were producing 112,000 pph of steam and generating approximately 9.0 MW of power. The pit presently contains approximately 1500 tons of MSW.

The updated Performance summary sheet was presented. In May, the Facility processed MSW at a Capacity Utilization of 107.5%. The high capacity utilization is due to high processing rates. The average processing rate during the month was 503 tons per day. The overall availability was 99.0%. The Facility produced 71,036 kilo-pounds of steam. Efficiency was measured at 294 net kWh/ton.

The annual emissions compliance test was completed on April 27th and all tests passed. The test results were submitted to the NYSDEC on June 21, 2012.

HDR, the Agency, and Covanta continued with weekly meetings to resolve the annual reconciliation documents of 2008, 2009, 2010 and 2011, among other topics. The next meeting is scheduled for tomorrow morning.

The recent high rate of lime use is being addressed by Covanta.

- 5. Agency Financial Report** – C. Tamney presented the payables in the amount of \$1,282,622.83. E. Kinkade inquired about the HDR Engineering service bill for \$22,366.91. D. Leibnitz replied that it is a normal bill for this time of year and how there has been numerous tests done during that period. Since the engineering budget is set for \$15,000 per month, E. Kinkade suggested that the budget next year be developed differently and be reflected as a seasonal budget. Chairman E. Mills inquired about the NYSDEC bill for \$15,500. W. Calogero replied that there was an increase this year as the state has assigned a new person to weekly monitor the Facility. The fee started last year as \$12,000 for seven months and now is \$15,500 for the year. E. Kinkade asked about the pass through CEMS expense and if those high fees are part of the discussions with Covanta. W. Calogero replied that Covanta states the gas usage is the Facility's actual usage and the vendor bills are submitted with Covanta's invoices. Discussions with Covanta have been about all pass through expenses incurred with them. A motion to pay the bills as presented for \$1,282,622.83 was made by T. E. LeGrand, seconded by J. Small and unanimously approved.

Chairman E. Mills noted that the Accounts Receivable summary indicates the Town of Poughkeepsie account has a credit of about \$121,000. This is the remaining credit from the recent Town of Poughkeepsie sewer disposal agreement settlement with the Agency. The credit will be reduced every month against the Town's tipping fee charges in accordance with that Agreement, which was executed this past May. The delinquent account of Robison's Refuse was reviewed and J. Nelson replied that he has recently prepared and submitted a letter to Robison's Refuse regarding those unpaid tipping fees due to the Agency.

6. Committee Reports

Nominating Committee

T. E. LeGrand presented a new Resource Recovery Agency Slate of Officers. E. Mills will continue as Chairman of the Board, J. Small will become Vice-Chairman, R. Mosca will become Secretary, E. Kinkade will become Treasurer and T. E. LeGrand will continue as a

board member. In addition, there were new committee assignments. A motion to adopt the Slate of Officers was made by T. E. LeGrand, seconded by J. Small. Roll Call Vote: T.E. LeGrand, J. Small, E. Kinkade, and E. Mills all voted unanimously in favor to adopt the Resource Recovery Agency Slate of Officers and Committee assignments.

Finance Committee

E. Kinkade reported that Toski & Company, the Agency auditors, have been contacted by telephone with respect to the net service fee and host community benefit issues and that a future meeting to further discuss these issues will be held.

Chairman E. Mills reported that J. Loeb, special counsel for the Agency, is tentatively scheduled to attend the August board meeting to update the Board over unsettled Town of Poughkeepsie matters.

Governance Committee

Chairman E. Mills reported that the Dutchess County Attorney wrote a letter to W. Calogero in reference to the State Authority Budget Office (ABO) training requirement that directors must participate in as board members of an Authority and if any board members did not fulfill their requirement they need to do so. Upcoming ABO online training session dates were given.

7. **Public Comment** – L. Carille provided an update on the Dutchess County Solid Waste Management Plan. She met with NYSDEC representatives along with the County Executive, staff, and the Legislature Chairman to discuss the Plan. It was mutually agreed that as the County continues writing the Plan, they would openly share the information with the NYSDEC, namely T. Laibach and M. Brand. She is pleased to report that there has been positive feedback on what has been done. A July 1, 2012 final draft preparation date was given to the NYSDEC, which has been met, and they are presently awaiting comments back from the last few chapters submitted of the draft plan. The Plan will be shown to the Agency, Agency Board, and the County Legislature before it is put out to the public.
8. **Executive Session** – At 6:00 pm, a motion to move into Executive Session for a discussion relating to the hiring/firing of a particular vendor and for discussions relating to contractual matters was made by T. E. LeGrand, seconded by J. Small and unanimously approved.

The meeting resumed back to public session at 6:50 pm.

A Resolution was presented for the retention of bond counsel. A motion was made by T. E. LeGrand, seconded by E. Kinkade and unanimously approved to have the local municipal bond attorney firm of Rapport Meyers assist in the early retirement of the Agency's 1999A bonds. The Agency's maintained debt service reserve fund will be used to make the final payment due on those bonds. The retainer agreement is with C. Chale for professional legal services on the terms proposed, not to exceed \$3000 for fees plus disbursements.

With no further business to discuss, a motion at 6:52 pm to adjourn the meeting was made by T. E. LeGrand, seconded by J. Small and unanimously approved.

Respectfully submitted,

William J. Calogero
Executive Director