

DUTCHESS COUNTY RESOURCE RECOVERY AGENCY

JULY 19, 2018 – 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 W. Nussbickel, Chairman; D. Petrovits, Vice-Chairman; Steven Tinkelman, Treasurer; and Board Members J. Senft; and J. Small; Agency Staff, L. Carille; and Agency Counsel, J. Mackey (by telephone).

1. **Regular Session** – Chairman W. Nussbickel called the meeting to order at 5:00 pm.
2. **Executive Session** – A motion at 5:06 pm to move into Executive Session to discuss settlement of claims involving professional services was made by J. Senft, seconded by S. Tinkelman and unanimously carried.

The meeting moved back into public session at 5:20 pm.

3. **Balanced Scorecard Report** – Boiler #1 had 96.2% availability, Boiler #2 and the Turbine ran at 100% in June. The Net Agency Tons (NAT) for the month was 9,916.42, with an additional 5,534.42 tons of waste diverted. The net energy conversion performance rate in June was 203.1 kWh/NAT. The electric recovery guarantee was not met in June. The ferrous recovery in June was calculated to be 4.56%. The metal guarantee was met. The official wet ash residue was calculated to be 44.42% which exceeded the 32.0 percent guarantee which resulted in a credit back to the Agency of \$49,583.33. The diversion of waste necessary for the scheduled maintenance outage in July resulted in a deduction of \$127,558 and the quarterly reconciliation resulted in a deduction of \$127,337 for not meeting the guarantees for electricity. The value of the submitted invoice for \$379,768.88 to Wheelabrator is considered complete and approved for payment to Wheelabrator.

L. Carille stated that the Agency continued to divert waste in July to maintain an acceptable pit level while work is performed on Unit #1 and Unit #2. In addition, the Operator is currently bypassing waste (transferring from the tipping floor to a MSW transport trailer) to other locations. Unit #1 work was completed July 8 and is running efficiently, although the Operator continues to seek the optimum air inputs to run at maximum conditions. Unit #2 is currently offline while the same work, maintenance on the combustor, is being done as was on Unit #1. The Operator hopes to have everything online and running at maximum capacity by the end of July.

The ash dewatering process has been temporarily suspended, per NYSDEC, due to the need to bypass waste. This process will resume once waste is no longer being bypassed.

4. **Agency Financial Report** – The payables were presented in the amount of \$615,804.34, as amended with the addition of a late GBB Engineering bill. With no further discussion, a motion

to approve the payables for \$615,804.34 was made by J. Senft, seconded by J. Small and unanimously approved.

5. Other Business –

L. Carille spoke about the Agency's Directors and Officers Insurance Policy (D&O) renewal. The Board reviewed the results of the Agency's insurance representative's request for D&O proposals from insurance carriers. After review and discussion of the proposals, a motion was made by W. Nussbickel, seconded by J. Senft and unanimously approved to renew with RSUI Indemnity Co., our carrier since 2002.

S. Tinkelman asked about the large increase in the ash haul and disposal rate with the new contract. L. Carille explained the increase and the lack of options concerning disposal. Discussion among Board members ensued concerning this issue. The Board asked the Executive Director to put the details of the Agency budget impacts, due to this significant increase, in writing to the County to ensure the County is aware of this significant change to the budget.

There was no public comment.

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

DUTCHESS COUNTY RESOURCE RECOVERY AGENCY JULY 19, 2018 – EXECUTIVE SESSION MEETING MINUTES

An Executive Session of the Dutchess County Resource Recovery Agency convened at 5:06 p.m. at the offices of the Agency located at 96 Sand Dock Road, Poughkeepsie, New York. Those present included; W. Nussbickel, Chairman; D. Petrovits, Vice-Chairman; S. Tinkelman, Treasurer; and Board Members J. Senft; and J. Small; Agency Staff, L. Carille; and Agency Counsel, J. Mackey (by telephone).

The Executive Session was to discuss with legal counsel a negotiated resolution of claims. During Executive Session an action was voted on by the Board. The action was to vote on a confidential negotiation of claims and no appropriation of public moneys was undertaken. A motion to approve **Resolution No. 846 – AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE SETTLEMENT AGREEMENT** was made by W. Nussbickel, seconded by J. Small and unanimously approved.

	<u>AYE</u>	<u>NAY</u>
Wayne Nussbickel, Chairman	√	
David Petrovits, Vice-Chairman	√	
Steven Tinkelman, Treasurer	√	
Daniel Denisoff, Secretary,	Absent	
Joseph Small, Board Member	√	
Jeffrey Senft, Board Member	√	