

DUTCHESS COUNTY RESOURCE RECOVERY AGENCY

AUGUST 18TH, 2011 – 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; R. Mosca, Vice-Chairman, D Nestler, Treasurer; J. Small, Secretary; Board Members; T. E. LeGrand, R. Stephen Lynch, 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, A. Surman, Dutchess County Legislator; J. Loeb, Drake, Loeb, Heller, Kennedy, Gogerty, Gaba & Rodd PLLC; S. Womer, The League of Women Voters, and K. Kraft, City of Poughkeepsie resident.

1. **Regular Session** – Chairman E. Mills called the meeting to order at 5:02 pm.
2. **Executive Session** – Chairman E. Mills presented a Resolution to the Board for the Special Counsel, the Consulting Engineer, and the Agency Executive Director to enter into Executive Session to discuss the Town of Poughkeepsie asserted claim against the Agency for sewage treatment charges and other requests. At 5:03 pm a motion was made by T.E. LeGrand, seconded by D. Nestler and unanimously approved that the Agency convenes into Executive Session.

Resumed to public session at 5:56 pm.

3. **Minutes** – Chairman E. Mills presented the minutes of the July 21, 2011 board meeting. A motion to approve the July 21, 2011 board meeting minutes was made by T. E. LeGrand, seconded by E. Kinkade and unanimously approved.
4. **Operating Report** – D. Walsh informed the Board that the Facility received 13,506 tons of waste in July and budgeted 12,670 tons that resulted in 836 tons over budget. The year-to-date tonnage total is running approximately 11,300 tons ahead of the budget.

The incoming recycling tonnage for the MRF in July was 265 tons, the majority of it being the acceptance of single stream recycling material. The revenue structure changed under the three month pilot program, no service fee paid to the operator, and the revenue generated from transferring the material out for the month resulted in \$5,406.70. Single stream recycling has been transported in by the City of Poughkeepsie, Royal Carting and Waste Management.

The August 6, 2011 Household Hazardous Waste Day was held in Amenia and had 37 attendees. The Pharmaceutical Collection Program was held on the same day at the Agency Facility for local residents with a total of 13 pounds of medications being collected. The Dutchess County Sheriff's Department brought in over 580 pounds of medications collected during a three-month period from collections held at firehouses throughout Dutchess County. The NYSDEC held a collection in August labeled "milk run east of the Hudson", that brought in 45 pounds of medications and the Dutchess County Health Department collected 138 pounds of expired and unused medications. The Resource Recovery Facility incinerated a total of 776 pounds of medications for the month of August. Chairman E. Mills remarked about the

volume kept out of the waterways, the public safety benefit by keeping these prescriptions off of the streets, and how the Resource Recovery Agency provides confirmation of destructions by issuing a certification of final destruction after incineration.

- 5. Engineer Report** – D. Leibnitz informed the Board that since the date of the last board meeting until today the availabilities of Unit Nos. 1 and 2 were 91.00% and 99.4%, respectively. The downtime on Unit No. 1 was due to a few tube leaks in the waterwalls and the economizer. Unit No. 2 only had a single short outage caused by a Central Hudson trip. Turbine-Generator availability was 97.5%. Short duration miscellaneous nuisance trips continue to occur. On August 17th the entire plant was tripped off line by Central Hudson due to a power line failure in the vicinity of the Spackenkill Road substation. Covanta has been in contact with Central Hudson to obtain an explanation.

During a brief control room inspection at noon, both units were running at a reduced rate to manage a short term carbon monoxide excursion. Both units were producing 80,000 pph of steam and generating 5.9 MW of power. The pit presently contains approximately 2800 tons of MSW.

The updated performance summary sheet for 2011 was presented. The efficiency guarantee has been revised to 307 net kWh per ton pursuant to Change Order 19 which was approved last month. In July, the Facility continued to run very well. The boiler capacity utilization based on a waste HHV of 4500 BTU/lb was 98.7 percent. Facility average availability in July was 95.9 percent. July was a very hot month and as such the air cooled condenser of the turbine generator was not running as efficiently as it could be. Overall efficiency for the month of July averaged 286 kWh/ton even though the Facility ran very close to its base design parameters.

HDR reviewed the second quarter Solid Waste Report, Ash Volatiles Test Report, the Draft Part 360 Permit Compliance Certification Report and the Semi-Annual Ash Resting report as required under the existing Part 360 Permit. HDR had no comments and the documents were forwarded to NYSDEC.

The public comment period for the Title V Permit renewal ended July 13, 2011. The NYSDEC reported that no public comments were received. The NYSDEC has completed its review of the permit without subsequent comment. The USEPA has until September 2nd to complete its review of the permit. If no USEPA comments are received, the NYSDEC will issue the new Title V Permit on September 6th or 7th.

The working draft of the Facility's Part 360 Permit has still not been received from the NYSDEC. NYSDEC indicated to HDR that they are awaiting approval of the Local Solid Waste Management Plan. Pursuant to state regulations, if the permit renewal approval is issued late by the NYSDEC, it is generally considered that the current permit remains in effect until the renewal is issued.

- 6. Agency Financial Report** – C. Tamney presented the payables in the amount of \$2,050,730.43. R. Stephen Lynch asked about Capital Market Advisors. W. Calogero responded that they are the Agency's financial advisors that do a required annual report on the

performance of the Agency and of the bonds. This compliance report is sent to the bond trustee. A motion was made by T. E. LeGrand, seconded by D. Nestler and unanimously approved to pay the bills in the amount of \$2,050,730.43.

At the previous board meeting there was a discussion on depreciation and C. Tamney replied that GASB standard requires the Agency to report depreciation.

There were no further questions regarding the Financials.

7. Committee Reports

Audit Committee

R. Mosca of the Audit Committee spoke about the RFP for Professional Auditing Services. The Audit Committee did meet and consider the six positive responses that were received from the RFP. At this point, the Committee is on schedule and is doing some further investigation as to the references that were provided in the responses. The Committee anticipates having their recommendation in by next month's board meeting.

Nominating Committee

T.E. LeGrand of the Nominating Committee presented a new 2011 Slate of Officers and Committee assignments. A motion was made by T. E. LeGrand, seconded by R. Stephen Lynch and unanimously approved to adopt the 2011 Slate of Officers and Committee assignments as presented.

8. Public Comment – There was no public comment.

9. Executive Session – A motion at 6:25 pm to move into Executive Session to discuss the potential hiring of a particular person, firm, or corporation was made by E. Kinkade, seconded by D. Nestler and unanimously approved.

Resumed to public session at 6:56 pm.

Chairman E. Mills spoke of an invoice received from the NYS Department of Environmental Conservation dated 8/08/11 in the amount of \$11,900.00 for environmental monitoring services to be rendered for the period of September 1, 2011 through March 31, 2012. A motion to authorize this payment was made by T.E. LeGrand, seconded by R. Mosca and unanimously approved.

Chairman E. Mills spoke of a letter that is to be written by the Executive Director. This letter will be written to the former planning consultants, Germano and Cahill, that will request a refund of the monies paid for the development of the Solid Waste Management Plan which was submitted to the NYSDEC. The letter will essentially reflect the 231 response comments made by the NYSDEC to the Agency that the plan was found to be inadequate. The Board believes the contract terms were not met and therefore the Agency is entitled to a refund. A

motion was made by T.E. LeGrand, seconded by D. Nestler and unanimously approved to proceed with this letter. All board members are to be provided a copy of this letter.

Chairman E. Mills spoke in regard to the Local Solid Waste Management Plan. A motion was made by E. Kinkade seconded by R. Stephen Lynch and unanimously approved that the Board authorize the Executive Director and Chairman to move forward with negotiating a proposal with MSW Consultants to produce a Local Solid Waste Management Plan. The resulting proposal will be presented to the Agency Board for approval in a special meeting to be announced.

With no further business to discuss, a motion to adjourn the meeting at 7:05 pm was made by D. Nestler seconded by R. Mosca and unanimously approved.

Respectfully submitted,

William J. Calogero
Executive Director