

DUTCHESS COUNTY RESOURCE RECOVERY AGENCY

SEPTEMBER 19, 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, K. Williams, Secretary; Board Members, T. E. LeGrand, R. Ledrich, and W. Nussbickel; Agency Staff, W. J. Calogero, D. Walsh and C. Tamney; Agency Counsel, J. Nelson; D. Leibnitz, HDR; L. Carille, Dutchess County Deputy Commissioner, Division of Solid Waste Management and A. Surman, Dutchess County Legislator.

- 1. Regular Session** – Chairman J. Small called the meeting to order at 5:08 pm.
- 2. Minutes** – Chairman J. Small presented the minutes of the May 16, 2013, June 20, 2013 and August 15, 2013 board meetings. The board meeting minutes were deferred until next month's board meeting.
- 3. Operating Report** – D. Walsh reported that the Facility received a total of 11,212 tons of waste in August, 2,300 tons under budget. The year-to-date incoming tonnage is 4,200 tons over budget.
- 4. Engineer Report** – D. Leibnitz reported that on September 18th at 11:37 am the turbine/generator was back in service following a two day start up and testing phase. W. Calogero remarked on the excellent work that was done by all the companies involved in the repair work of the turbine/generator. Reports on the outage are due in from AGT for the Generator and the Wood Group for the overall outage. A brief report was received from Elliot and reviewed by HDR. No report was received from Lufkin Industries.

The Agency met with Covanta regarding the business interruption insurance coverage related to this event. At the present time the preliminary information provided tends to indicate that the business interruption coverage will be insufficient to cover the Agency's damages. Covanta asked for the Agency's claim to be put into writing so that they may use it for the purpose of negotiating with their insurance firm. HDR will be preparing this claim amount for Agency review.

In August, the Facility processed 11,212 tons of MSW with an average availability of 86.4% on the boilers. The pit contains approximately 3000 tons of MSW. At 2:00 pm today a spot check indicated that the Facility was generating 7.9 MW of power from 95,000 pph of steam. It is too early to determine what the generator efficiency will be coming out of the outage.

The Agency and HDR met with the NYSDEC to discuss the draft Part 360 Solid Waste Management Permit conditions. This permit application was originally filed in 2010. There are numerous statements made by the NYSDEC in the document that will need to be addressed.

Following the first meeting, changes to several sections were agreed upon and the NYSDEC will be issuing a second draft in the near future. In addition, the Agency and the NYSDEC discussed the recently issued notice of violation related to the short-term storage of ash and metal on the tipping floor and a temporary permit was issued to allow storage over the Labor Day weekend. Further discussions on this operational requirement are planned.

There were four proposals received September 18th for the Facility Operator. They are scheduled to be reviewed.

5. **Agency Financial Report** – C. Tamney presented the payables in the amount of \$885,494.00. From the pass through charges, T. E. LeGrand inquired about the water, electrical demand charges and lime fees. D. Leibnitz replied that the majority of the water usage came from filling up the two boilers during the outage. The electrical demand charge fees depend upon how many times the power tripped in one month. Further discussion developed on the Facility having its own stand-by generator to help reduce the demand charge fees. The lime fees, which have been generally high, have decreased since the Agency began monitoring the ash. The Operator has been over liming to meet the regulatory requirements and was noted that the usage could still be further reduced. A motion to approve the bills as presented in the amount of \$855,494.00 was made by T. E. LeGrand, seconded by W. Nussbickel and unanimously approved.

The Accounts Receivable Aging summary was reviewed. The City of Poughkeepsie's delinquent account was discussed and mutually agreed that no further action be taken at this time.

6. **Committee Reports** – There were no committee reports.
7. **Public Comment** – There was no public comment.
8. **Executive Session** – At 5:40 pm a motion was made by T. E. LeGrand, seconded by R. Ledrich to move into Executive Session for discussions relating to the hiring of a particular person and/or corporation.
9. **Regular Session** – The meeting resumed back to public session at 6:40 pm.

Resolution No. 775 Authorization for Negotiation Consultant Contract

The Agency's Executive Director is authorized to contract with Henningson, Durham & Richardson Architecture and Engineering, PC as a Negotiation Consultant for the Agency's Facility Operator RFP at the hourly rate proposed, but not to exceed \$22,000 for proposal evaluation, \$95,000 for negotiation, and \$16,000 for contract preparation, plus reimbursables as proposed, which rates and prices will not be exceeded without the prior written consent of the Agency Board. A motion to approve Resolution No. 775 was made by T. E. LeGrand, seconded by W. Nussbickel and unanimously approved.

Resolution No. 776 Clarification of Terms, Proposals for Agency Waste-to-Energy Facility Operator

The Executive Director is authorized to meet with each of the proposers for the purpose of confirming and clarifying the terms of their proposals, as well as any suggested exceptions and alternatives to them. A motion to approve Resolution No. 776 was made by R. Ledrich, seconded by K. Williams and unanimously approved.

With no further business to discuss, a motion at 6:45 pm to adjourn the meeting was made by T. E. LeGrand, seconded by W. Nussbickel and unanimously approved.

Respectfully submitted,

William J. Calogero
Executive Director