

# DUTCHESS COUNTY RESOURCE RECOVERY AGENCY

## OCTOBER 19, 2017 – 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; D. Lois, Secretary; Board Members; J. Small, D. Denisoff and J. Senft,; Agency Staff, L. Carille and D. Walsh; and J. Metzger, Dutchess County Legislator.

- 1. Regular Session** – Chairman W. Nussbickel called the meeting to order at 5:00 pm.
- 2. Minutes** – Chairman W. Nussbickel presented the minutes of the August 17, 2017 board meeting. A motion to approve the August 17, 2017 board meeting minutes was made by D. Petrovits, seconded by D. Denisoff and unanimously approved.
- 3. Operating Report** – The Facility received 12,248 tons of waste for the month of September. It became necessary to divert 427 tons during the month of September since the turbine had to be shutdown to do various small repairs. The turbine was offline for 12 days. The Facility is running under the yearly set budget by 4,170 tons.
- 4. Facility Report** – The Net Agency Tons (NAT) for the month was 12,243.59. The Facility sold 2028.56 MW to Central Hudson. The net energy conversion performance rate in September was 165.7 kWh/NAT. The electric recovery guarantee was not met. The ferrous recovery in September was calculated to be 4.30%. The metal guarantee was met. The official wet ash residue was 39.88 percent of NAT, which exceeded the 32.0 percent guarantee. Wheelabrator has absorbed the additional fee for not meeting the 32.0 percent residue guarantee and reduced their September 2017 invoice in the amount of \$39,386.45. The 427.03 tons of waste that was diverted during the turbine repairs resulted in a net reduction of the service fee of \$9,673.81. The quarterly reconciliation was completed for the electric and metals which resulted in a reduction of the Service Fee of \$138,931.16. The value of the submitted invoice, totaling \$644,293.68 is considered complete and approved for payment to Wheelabrator.

Boiler No. 1 availability was 97.6% due to a tube repair and ash drag conveyor repair. Boiler No. 2 availability was 98.6% due to a tube repair. L. Carille stated that the turbine did have to be taken out and shipped to New Hampshire where there were a lot of small repairs done, but nothing major like back in the spring time. Turbine availability was 55.4 %.

One NYSDEC inspection was completed with no violations noted.

L. Carille presented a summary sheet from 2008 on the yearly Facility boiler and turbine percentage availability rate. The data was requested from the last board meeting for informational purposes.

5. **Agency Financial Report** – The payables were presented in the amount of \$897,105.49. With no further discussion, a motion to approve the payables for \$897,105.49 was made by D. Petrovits, seconded by D. Lois and unanimously approved.

The Profit and Loss Analysis statement was reviewed and J. Small remarked how the net service fee for the year is showing a negative number of (\$94,281) and asked if the County will be paying the Agency. L. Carille stated that in the past it has been rolled into the next net service fee amount requested by the Agency to the County. Currently, the balance the County would owe the Agency is \$888,067.67, that has not been taken by the Agency.

J. Small asked when the ash contract will expire. L. Carille replied July 2018. The Agency will be issuing an RFP within the next few months. There has not been any regulatory movement on other alternatives for the ash. Discussion ensued.

6. **Other Business** – L. Carille presented the 2018 Budget which is based on the Agency receiving 154,000 tons of waste for the year with energy sales based on perfect conditions. There was a slight increase in tipping fees so the average is higher than in the past. The Finance Committee previously reviewed the budget and made no changes. The fluctuating metals recycling revenue and the 2017 Series bond refunding impact on the budget was further discussed.

#### **Resolution No. 835 - 2018 Budget Adoption**

The 2018 budget is hereby adopted, and the Agency's Interim Executive Director is authorized to forward the same to the County of Dutchess and to the Authority Budget Office. A motion to adopt Resolution No. 835 – 2018 Budget Adoption was made by J. Senft, seconded by D. Denisoff and unanimously carried.

L. Carille spoke about the Request for Proposals for Professional Auditing Services. There were three responses. The companies that responded were Bonadio Group; O'Connor, Davies, Munns & Dobbins; and RBT CPAs. The Audit Committee reviewed each of the proposals in detail, including the background experience of the proposers and the financial terms proposed by each of them. After review and consideration the Agency Board finds RBT CPAs to be the most responsive to the Agency's proposal and to provide the best value to the Agency and taxpayers of Dutchess County.

#### **Resolution No. 836 – Retention of Auditor**

The Interim Executive Director is authorized to execute a contract for audit and supplemental services for the fiscal years ending December 31, 2017 through December 31, 2019; with two additional single-year extensions at the Agency's option and terms acceptable to the Agency Board and consistent with the Agency's Request for Proposal. A motion to adopt Resolution No. 836 – Retention of Auditor was made by D. Petrovits, seconded by D. Denisoff and unanimously carried.

L. Carille spoke of how the Agency is required to produce an annual general Facility inspection report to the NYSDEC from a NY State licensed professional engineer. Since the Agency's current engineering firm, GBB, does not have a NY State licensed professional engineer on staff, they have recommended the firm, RRT Engineering, LLC, a NY State licensed engineering firm, to perform the annual inspection of the Facility. GBB will work with RRT to perform the inspection and GBB will write the required annual bond statement based on the annual inspection report. J. Senft suggested next year to look earlier in the year to seek other NY State licensed engineers possibly local that may have competitive fees.

**Resolution No. 837 – Authorization for Professional Engineering Consulting Services**

The Interim Executive Director is authorized to hire RRT Engineering, LLC for the required annual general Facility inspection report for a lump sum fee of \$19,800, which is inclusive of RRT's and GBB's reporting and travel expenses. A motion to adopt Resolution No. 837 – Authorization for Professional Engineering Consulting Services was made by J. Senft, seconded by D. Petrovits and unanimously carried.

- 7. Executive Session** - A motion at 5:40 pm to move into Executive Session was made by D. Lois, seconded by D. Denisoff and unanimously carried to discuss proposed, pending or current litigation.

The meeting resumed back to public session at 5:55 pm. There was no public comment.

With no further business to discuss at 5:58 pm a motion to adjourn the meeting was made by J. Senft, seconded by D. Petrovits and unanimously carried.