

DUTCHESS COUNTY RESOURCE RECOVERY AGENCY DECEMBER 10TH, 2009 – 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. Conners, Chairman, D. Nestler, Treasurer; Board Members, T. E. LeGrand, E. Mills and R. Stephen Lynch; Agency Staff, W. J. Calogero, and D. Walsh; J. Nelson, Agency Counsel; D. Leibnitz, HDR; and R. Chance, Covanta Hudson Valley Renewable Energy.

- 1. Regular Session** – W. Conners called the meeting to order at 5:20 pm.
- 2. Minutes** – W. Conners presented the minutes of the September 17th, 2009 Board Meeting. A motion to approve the minutes was made by E. Mills, seconded by T. E. LeGrand and unanimously approved.

W. Conners presented the minutes of the October 15th, 2009 Board Meeting. T. E. LeGrand abstained from approval and D. Nestler was absent during the presentation; therefore, the minutes were deferred until the next board meeting.

W. Conners presented the minutes of the October 26th, 2009 Board Meeting. A motion to approve the minutes was made by E. Mills, seconded by T. E. LeGrand and unanimously approved.

3. Operating Report - D. Walsh

D. Walsh informed the Board that the incoming tonnage for the month of October was under budget by 1,125 tons and the y-t-d tonnage was 4,300 tons under budget. November's incoming tonnage improved as it exceeded the amount set for the monthly budget by 300 tons. The facility y-t-d incoming tonnage still remains under budget; however, down to 4,000 tons. Total projection of waste for the year is estimated to be close to 150,000 tons.

The MRF incoming tonnage saw very little change. Hudson Baylor brought over less commingled in November than they did in October. The revenue sharing came from the fiber market only. With the benchmarks still set high by Hudson Baylor it ultimately brings no revenue in for the sale of commingled recyclables. Total projection for incoming recyclables for the year is estimated to be 12,500 tons, possibly close to 13,000 tons. W. J. Calogero mentioned that we still are not getting the volume of recyclables that we should be getting into the MRF especially with the fiber industry market pricing on the rise, making the carters market the material directly, thus leaving less volume for recycling at the MRF.

November 7, 2009 Household Hazardous Waste day had 180 attendees. A total of 232 pounds of medications were collected for the medications disposal event for residents held on the same day. The Agency's two collections at the facility and the NYS DEC's New Paltz collection brought in a total of 505 pounds of medications. Next year the plan is to have the

program start earlier in the year and to be independent from the Household Hazardous Waste collection days. Both programs are certainly proving to be successful events.

4. Clean Air Update – D. Leibnitz

D. Leibnitz reported that the facility operations have been very good. Unit No. 1 has had an availability of 94.5 percent and Unit No. 2 has been 99.4 percent. The lower availability on Unit No. 1 was due to a scheduled boiler wash. The turbine/generator availability was 96.1 percent. There were some broken bolts on the coupling between the turbine and the reduction gear, which created a vibration problem. Since it's repair it has been operating satisfactorily. The existing transformer is still operating well. Covanta has started engineering the installation details of the replacement transformer. The installation is presently scheduled for March/April 2010.

HDR has been working with Covanta to complete the modifications to the Maintenance and Operations manual for the facility. Remaining works includes the modifications to the ash residue management plan and greenhouse gas estimating methods. New regulation 40 CFR 98 will require that the facility estimate and report the mass emissions of carbon dioxide in 2010. In 2011 certified flow monitors will be required to be installed to record the mass emissions. An estimated cost of this equipment is between sixty one and sixty five thousand dollars. The installation is an additional cost, which will bring the total cost up to be approximately one hundred thousand dollars. The flow monitors have to be in place and operating by the end of 2010. Covanta is in the process of developing the requirements for the equipment needed at the facility.

The new superheater will be installed on December 13th. Unit No. 2 will undergo a scheduled outage to install the new superheater, perform a boiler wash and conduct a standard waterwall ultrasonic thickness inspection test and repair program. Stack access modifications by Fairway Testing will be conducted during the Unit No. 2 outage. The outage is scheduled to end on December 19th.

5. Agency Financial Report – W. J. Calogero

W. J. Calogero presented the payables in the amount of \$1,512,414.47 and noted that it is not a complete list as there will be a few additions to come in before the 15th of the month. At the last board meeting there were a few invoices held back from payment. R. Stephen Lynch explained that the Finance Committee reviewed the Robertson, Overbey charges from last month in the amount of \$18,345.05, which seemed excessive of what was done, and concluded that payment cannot be withheld. In addition to complying with the Agency's procurement policy, engagements need to be better managed as to the scope of service, having estimated and not-to-exceed fees, etc. Since those things were not done, there was no basis for withholding payment. E. Mills asked about the Brinckerhoff bill for \$16,500.00. W. J. Calogero replied that it is a 2009 yearly charge for the review of the Agency's policies. E. Mills replied that for 2010 if Brinckerhoff is going to do this type of consulting service they need

to send the Agency an agreement beforehand listing the scope of work they will be doing so that we may have a better understanding and justification for their charges. Also asked were the Greater Southern Dutchess dues for \$275. This is for the membership to the Southern Dutchess Chamber of Commerce. T. E. LeGrand asked about a wire transfer under the SDA O&M fees for \$62,500.00. W. J. Calogero replied that it is for the additional fees from the maintenance package and is distributed throughout the course of the year for a total of \$750,000.00. A motion to approve the payables for \$1,512,414.47, along with a few forthcoming routine bills, was made by D. Nestler, seconded by E. Mills and unanimously approved.

6. Other Business

W. J. Calogero spoke of the property line over at the MRF on Fulton Street. J. Nelson further discussed the issue over the lot line adjustment. W. E. James & Associates, the surveyor, needs to complete the work. W. J. Calogero asked for authorization to proceed to finish the \$3,800.00 job by W. E. James & Associates and to get the property line straightened out. After much discussion it was decided to issue a Resolution over the matter and to include the following statement, "The Executive Director is authorized to contract with W. E. James and thereafter to spend the balance of the \$3,800.00 with W. E. James for the purpose of completing the lot line realignment process and obtaining the necessary descriptions to allow for recording of transfer documents in the Dutchess County clerks office and the survey to be certified to Dutchess County and DCRRA." A motion to approve this Resolution was made by E. Mills, seconded by T.E. LeGrand and unanimously approved.

The schedule of the Agency Board Meetings for 2010 was presented. T. E. LeGrand suggested a schedule for the Household Hazardous Waste days be composed as soon as the dates are finalized.

7. Committee Reports

E. Mills spoke of the Whistleblower Policy and how it is a result of several meetings from the Governance Committee and commended C. Chale for her time in helping to put it all together. E. Mills was also recognized for his efforts as well. A motion to adopt Resolution No. 691 Whistleblower Policy was made by E. Mills, seconded by T. E. LeGrand and unanimously approved.

The Code of Ethics Policy was briefly discussed and agreed that it will be sent back to the Governance Committee to be reviewed again with the understanding that the policy will be adopted by the first quarter of 2010.

Resolution No. 690 – Municipal Recycling State Assistance Program

This Resolution authorizes the filing of an application for state assistance from the Household Hazardous Waste state assistance program and signing of the associated state contract. The

Agency plans on having the same number of Household Hazardous Waste collection day events for 2010. A motion to adopt Resolution No. 690 was made by E. Mills, seconded by T.E. LeGrand and unanimously approved.

8. Public Comment

There was no public comment.

A motion to move into Executive session at 6:25 pm for the purpose of considering the hiring of a particular person, firm or corporation was made by E. Mills and unanimously approved.

Resumed regular session at 7:40 pm.

The current Steuben County ash contract is due for renewal. More options are needed regarding the transportation and disposal fees. A motion to grant a three-month extension until a final decision can be made was moved by R. Stephen Lynch, seconded by E. Mills and unanimously approved.

With no further business to discuss a motion to adjourn the meeting at 7:45 pm was made by E. Mills and unanimously approved.

Respectfully submitted,

William J. Calogero
Executive Director