

# DUTCHESS COUNTY RESOURCE RECOVERY AGENCY

## DECEMBER 15, 2022 – MEETING MINUTES

A meeting of the Dutchess County Resource Recovery Agency convened at 4:30 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; Board Members, J. Senft, V. DiMaso, and J. Miccio; Agency Staff, K. Russell, D. Walsh; and W. O'Neil, Deputy Dutchess County Executive.

- 1. Regular Session** – Chairman W. Nussbickel called the meeting to order at 4:35 pm.
- 2. Minutes** – Chairman W. Nussbickel presented the minutes of the August 18, 2022 board meeting. A motion to approve the August 18, 2022 board meeting minutes was made by W. Nussbickel, seconded by D. Petrovits and unanimously carried. Chairman W. Nussbickel presented the minutes of the September 20, 2022 Special Meeting. A motion to approve the September 20, 2022 Special Meeting minutes was made by W. Nussbickel, seconded by D. Petrovits and unanimously carried. Chairman W. Nussbickel presented the minutes of the October 25, 2022 board meeting minutes. A motion to approve the October 25, 2022 board meeting minutes was made by W. Nussbickel, seconded by D. Petrovits and unanimously carried.
- 3. Balanced Scorecard Report** – K. Russell spoke of the repairs on Boiler No. 2 that Win Waste has scheduled to begin on January 9, 2023 and on February 20, 2023 repair work will begin on Boiler No. 1. Combustor tube replacement, t-grate rebuild, and inspections are among the list of repairs. All repairs are expected to be completed by March.

With the pit level high, Win Waste continued to transfer waste out in November and will continue to do so throughout December. They want the pit level to be maintained at 2,200 tons. Royal also diverted waste at the end of the month. The electrical and metals performance guarantees were not met in November. Ash penalty resulted in \$17,901.97. The submitted invoice for \$685,706.35 is considered complete and approved for payment to Win Waste Innovations.

Win Waste has placed a full time Manager on site, James Pierce. The communication has improved with the Agency. He routinely updates the Agency every morning on the daily and forthcoming Facility operations.

The metals contract with Baroni Recycling was revised. There has been a large amount of trash mixed in with the metals along with a higher volume of ash which resulted in the rejection of several containers. The Agency agreed to accept back any non-metal material at no charge and Baroni Recycling agreed to pay the Agency an additional 10 percent for the metals.

- 4. Agency Financial Report** – The payables were presented in the amount of \$964,018.16.

There were no questions regarding the Financials. A motion to approve the payables for \$964,018.16 was made by D. Petrovits, seconded by J. Senft and unanimously approved.

There was no net service fee in November and will not be one for the year end. The year-to-date net service fee remains in the black with a balance as of November 30, 2022 of \$1,278,133.00.

5. **Other Business** – The Agency received two proposals for environmental consulting and professional engineering services in 2023; D&B Engineers and Architects and TRC Companies. The scope of work, and the terms and conditions were the same for both proposers. The difference came in their fees. After a brief discussion, the Board agreed to use D&B Engineers and Architects, the current Agency firm, which proposed the least cost for all services.

#### **Resolution No. 877 – Authorization for Professional Engineering Consulting Services**

The reports and services provided by an engineering firm for a waste-to-energy facility are a very specialized services and it is in the best interest of the Agency to have a firm with the necessary specialized and specific qualifications to provide all required engineering services to such a Facility. The Agency received two proposals for engineering services and considered the proposer's relevant experience, proposed project costs, skill and ability to perform the services required in addition to contractual experience with waste-to-energy facilities. The Executive Director is authorized to hire D&B Engineers and Architects for engineering services for 2023. Resolution No. 877 – Authorization for Professional Engineering Consulting Services was presented by D. Petrovits, seconded by J. Senft and unanimously approved.

W. O'Neil spoke of his discussions with Win Waste and Royal Carting about the continual waste diversions asked of Royal Carting throughout this year. It was agreed to not hold Royal accountable to their contractual waste tonnage. Win Waste will not hold the Agency accountable to deliver the guaranteed annual tonnage thereby eliminating any shortfall payments. Additional discussions regarding tonnage Royal diverted in the first half of the year not recorded by the Agency or Win Waste remain unsettled.

There were no violations reported from NYSDEC.

6. **Public Comment** – There was no public comment.

With no further business to discuss, at 5:15 pm a motion to adjourn the meeting was made by J. Miccio, seconded by D. Petrovits and unanimously carried.