

DUTCHESS COUNTY RESOURCE RECOVERY AGENCY

DECEMBER 17, 2020 – MEETING MINUTES

A zoom video conference call meeting of the Dutchess County Resource Recovery Agency initiated at 4:30 p.m. Those in attendance were W. Nussbickel, Chairman; S. Tinkelman, Treasurer; Board Members, J. Senft and D. Michael; Agency Staff, L. Carille and D. Walsh.

1. **Regular Session** – Chairman W. Nussbickel called the meeting to order at 4:30 pm.
2. **Agency Financial Report** – The payables were presented in the amount of \$1,056,048.58. There were no questions regarding the bills submitted. A motion to approve the payables for \$1,056,048.58 was made by J. Senft, seconded by S. Tinkelman and unanimously approved.

The Put or Pay Agreement with Royal Carting was discussed. L. Carille stated that the goal for the Agency was to set the tip fees high enough so that the Agency would not need a net service fee in the coming years. The negotiations were successful as both parties agreed to a significant increase. The new tip fees are outlined in the Resolution that is presented at this meeting.

3. **Committee Reports**

Resolution No. 862 Approval of 2021 Put or Pay SW Disposal Service Agreement

The Agency have conducted negotiations with Panichi Holding Corp. d/b/a Royal Carting Service Company for a four-year Solid Waste Disposal Agreement, pursuant to which Royal will supply the Agency with a minimum of 130,000 tons of processable solid waste. A motion to accept Resolution No. 862 Approval of 2021 Put or Pay Solid Waste Disposal Service Agreement was made by J. Senft, seconded by S. Tinkelman and unanimously approved.

Resolution No. 863 Contract Extension for Professional Legal Services

The Agency counsel, Mackey Butts & Wise, LLP has agreed to continue their services in 2021 with no increase in fees. After a brief discussion, the Board agreed to continue their contract. The Agency Executive Director is hereby authorized to extend the contract with Mackey Butts & Wise, LLP for fiscal year 2021 at the established 2020 rates. A motion to accept Resolution No. 863 Contract Extension for Professional Legal Services was made by J. Senft, seconded by S. Tinkelman and unanimously approved.

Resolution No. 864 Authorization for Professional Engineering Consulting Services Agreement Extension

The Agency's current engineering firm of D&B Engineers and Architects, P.C. employs a NY State licensed engineer which remains a requirement for the specialized and specific requirements needed for a waste-to-energy facility. The Agency is required to produce an annual general facility inspection report under the NY State 6NYCCR Part 360 Solid Waste Management Facilities Regulations which must be submitted by a professional engineer licensed and currently registered to practice in NY State. It is necessary for the Agency to have a firm with the necessary specialized and specific qualifications. The Executive Director is hereby authorized to extend the agreement with D&B Engineers and Architects, P.C. from January 31, 2021 to January 31, 2022. A motion to accept Resolution No. 864 Authorization for Professional Engineering Consulting Services Agreement Extension was made by J. Senft, seconded by S. Tinkelman and unanimously approved.

- 4. Balance Scorecard Report** – L. Carille spoke about the maintenance work to the pit recently performed at the Facility. In order for the work to be done, it was necessary to divert and bypass waste. Royal Carting diverted some of their waste to other locations and Wheelabrator bypassed waste received inside the Facility to other locations. This was done the end of November and early December. While Royal Carting receives tonnage credit for the diverted waste, the Agency also receives credit from Wheelabrator for the loss of tip fees, electric and metals on that waste. The pit work was completed on December 13th along with some needed patch repair work to the tipping floor and the Facility has resumed back to normal operations.

The Agency did meet the 140,000 tonnage guarantee to the Operator on November 27th which will decrease the tonnage charge to the Agency for processing the waste the remainder of the year. The Operator did meet the metals guarantee for November. The scrap metal prices have been increasing each month. However, the electric performance guarantee was not met in November. The quality of waste has been too wet. In addition, there was an ash penalty of \$29,009.12. The submitted invoice for \$749,522.61 is considered complete and approved for payment to Wheelabrator.

- 5. Other Business** – L. Carille informed the Board that the net service fee is estimated to be approximately \$350,000.00. It has not been requested at this time because of the negotiations with Royal Carting on the Put or Pay Solid Waste Disposal Agreement. Royal will prepay 11,000 tons of their January 2021 waste tipping fees in December 2020. This enables the Agency to have sufficient funds to pay the bond principal and interest fee debt due December 31st. The net service

fee request will be delayed until sometime next year. More information will follow once the year end totals are complete.

The Ash haulage agreement is set to extend to December 31, 2021. The adjustment factor in the agreement provides for a fixed 2.1% price adjustment for each renewal year. The Agency is always looking for less costly transportation fees and direct landfill services. Currently there are no other options.

There were no violations reported from NYSDEC.

6. **Personnel** – Currently seeking a part-time weigh scale operator for the afternoon shift. The Board approved payment for 10 unused vacation days for D. Walsh.
7. **Public Comment** – There was no public comment.

With no further business to discuss, at 5:05 pm a motion to adjourn the meeting was made by J. Senft, seconded by D. Michael and unanimously approved.