

DUTCHESS COUNTY RESOURCE RECOVERY AGENCY DECEMBER 18, 2014 – 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; R. Mosca, Vice-Chairman; W. Nussbickel, Treasurer; K. Williams, Secretary; Board Members; T. LeGrand, D. Petrovits, and R. Frost; 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 M. Holcomb, Wheelabrator Dutchess County LLC.

- 1. Regular Session** – Chairman J. Small called the meeting to order at 5:02 pm.
- 2. Minutes** – Chairman J. Small presented the minutes of the August 21, 2014 board meeting. A motion to approve the August 21, 2014 board meeting minutes was made by R. Mosca, seconded by T. LeGrand and unanimously approved with W. Nussbickel abstaining. Chairman J. Small presented the minutes of the September 18, 2014 board meeting. A motion to approve the September 18, 2014 board meeting minutes was made by K. Williams, seconded by T. LeGrand and unanimously approved. Chairman J. Small presented the minutes of the October 16, 2014 board meeting. A motion to approve the October 16, 2014 board meeting minutes was made by W. Nussbickel, seconded by T. LeGrand and unanimously approved. Chairman J. Small presented the minutes of the November 20, 2014 board meeting. A motion to approve the November 20, 2014 board meeting minutes was made by D. Petrovits, seconded by R. Mosca and unanimously approved.
- 3. Operating Report** – D. Walsh reported that the Facility received 12,157 tons of waste in November exceeding the budget amount by 2,678 tons. The year-to-date tonnage amount as of November 30, 2014 is 11,037 tons over budget.
- 4. Engineer Report** – D. Leibnitz reported that in November the total net Agency tons was 12,152 tons of MSW received. The official performance of the Facility in November was 343.70 net kWh/NAT electrical generation, 4.77% ferrous recovery and 44.97% wet ash generation. In accordance with the Agreement, the percentage ash residue calculated as being over 32% is borne by the Operator. A total of \$61,368.80 was not billed by Wheelabrator on their November invoice. At the end of the year the Agency and Wheelabrator will conduct a reconciliation based on the overall ash generation and NAT of the contract year.

The availability of the Facility for the last 48 days has been 95.9% for Unit 1, 93.2% for Unit 2 and 100% for the turbine generator. Boiler outage work primarily was scheduled repair work inside the units to repair newly discovered air and water leaks. Both units are presently running in the range of 90,000 to 100,000 pph total steam production. The pit presently contains 2500 tons of MSW.

Wheelabrator provided HDR with a detailed list of repair activity performed in November. From December 8 until the 10th Unit 2 was taken off line to replace all soot blowers, the chains, flights and sprockets of the siftings conveyor, and all the controllers of the combustor air control valves. The superheater and economizer screw conveyors along with the new ash conditioner and surge bin were recently received and will be installed along with the bottom ash handling system rehabilitation.

The report for the retesting of Unit No. 2 has been reviewed and commented on by HDR. The Submission of the test report(s) are due to the NYSDEC by December 29th. It was noted that there is a small increase in the inlet concentrations of mercury over the level observed in prior tests. These slightly increased inlet levels are still below the permitted outlet emissions level so it is not considered an issue at this time. It is suspected in the WTE community that the cause is the disposal of compact fluorescent light bulbs, into their MSW instead of properly returning to the point of purchase. HDR and the Agency are looking into various options to reduce the mercury emissions without having to reactivate the carbon injection system.

The annual Facility inspection was delayed last week because the designated inspector became snowbound in the Toronto airport. The new inspection date is December 29th.

- 4. Agency Financial Report** – C. Tamney presented the payables in the amount of \$1,115,468.85. After reviewing the bills, the Board requested additional price quotes for the Agency telephones and the service it uses. Currently the telephone system is maintained through Dutchess County. The Profit and Loss Statement was presented along with a revision to the worksheet now indicating percentages.

A motion to approve the bills as presented in the amount of \$1,115,468.85 was made by T. LeGrand, seconded by R. Mosca and unanimously approved.

D. Petrovits left the meeting at 5:45 pm.

- 5. Public Comment** – There was no public comment.
- 6. Executive Session** – At 5:55 pm a motion to move into Executive Session was made from W. Nussbickel, seconded by R. Mosca and unanimously approved for discussions relating to Covanta's litigation, particular contracts and attorney/client discussions.
- 7. Regular Session** – The meeting resumed back into public session at 6:45pm.

Resolution No. 795 Second Authorization for Partial Settlement

This Resolution authorizes the Executive Director to make payment to Covanta in the amount of \$125,000 for the May and June 2014 SDA O&M fees, in exchange for a releases of all claims and causes of action relating to them, provided that the Agency shall reserve all other claims, causes of action, set off's and defenses which it has or in the future may have against

Covanta and others. A motion to approve Resolution No. 795 was made by J. Small, seconded by R. Mosca and unanimously approved.

With no further business to discuss the meeting was adjourned at 7:15 pm.

Respectfully submitted,

William J. Calogero
Executive Director