

# DUTCHESS COUNTY RESOURCE RECOVERY AGENCY

## DECEMBER 20, 2012 – 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 E. Mills, Chairman; J. Small, Vice-Chairman; Board Members T. E. LeGrand and K. Williams; Agency Staff, W. J. Calogero, D. Walsh and C. Tamney; Agency Counsel, J. Nelson; L. Carille, Dutchess County Solid Waste Coordinator; M. Cavaliere, Covanta Hudson Valley Renewable Energy LLC, and A. Surman, Dutchess County Legislator.

- 1. Regular Session** – Chairman E. Mills called the meeting to order at 5:08 pm.
- 2. Minutes** – Chairman E. Mills presented the minutes of the November 29, 2012 board meeting. A motion to approve the November 29, 2012 board meeting minutes was made by T. E. LeGrand, seconded by J. Small and unanimously approved.
- 3. Operating Report** – D. Walsh reported that the budget set on tonnage for incoming waste for the month of November was 9,480 tons and the Facility received a total of 13,462 tons, 3,982 tons over budget. The year-to-date tonnage is at 147,310 which is more than 20,000 tons over budget.

The MRF received 355 tons of recyclables for the month of November and generated \$8,506 in single stream recycling revenue and \$1,200 in fiber market sharing revenue.

- 4. Engineer Report** – W. Calogero reported that from November 24, 2012 until December 19, 2012 the Facility has operated with an availability of 95%, 93.0% and 100% on Unit Nos. 1, 2 and the Turbine-Generator, respectively. There was a 50 hour outage on Unit No. 2 to repair an economizer tube leak and a 30 hour outage on Unit No. 1 to replace the outboard bearing of the induced draft fan as well as to repair a small leak in the unit's water wall.

During a telephone call into the control room on December 18<sup>th</sup>, the Facility was operational with only Unit No. 2 running as the induced draft fan bearing was in the process of being replaced. The Facility was producing 45,000 pph of steam and generating approximately 3 MW of power. The pit was low and contained approximately 1000 tons of MSW.

In November, the Facility processed MSW at a capacity utilization of 100%. The average processing rate during the month was 451 tons per day. The overall availability was 95.1%. The Facility produced 66,076 kilo-pounds of steam. Energy efficiency was estimated to be 323 net kWh/ton which is above the 307 net kWh/ton target efficiency. The 2012 annual average, after final December data has been received and after corrections have been made for UCC's, is expected to be at or near the 307 net kWh/ton guarantee.

In November, the rate of lime use averaged approximately 28 pounds of lime per ton of MSW, which is consistent with the historical rate of lime use under Covanta's management.

5. **Agency Financial Report** – C. Tamney presented the payables in the amount of \$1,744,496.79. Chairman E. Mills asked if the HDR bill submitted for \$18,577.61 includes any special advice that has been received in respect to the operator request for proposal. W. Calogero responded that it does. A motion to approve the bills as presented in the amount of \$1,744,496.79 was made by J. Small, seconded by K. Williams and unanimously approved.

There were no further questions regarding the Financials.

## 6. **Committee Reports**

### **Nominating Committee**

T. E. LeGrand presented a proposed revision to the Agency Board 2012 slate of officers, committee assignments and committee chairs which includes new board member, K. Williams.

### **Resolution No. 750 Revised Officers and Committee Appointments**

This Resolution adopts the proposed slate of officers, committee assignments and committee chairs as presented. A motion to adopt Resolution No. 750 was made by T. E. LeGrand, seconded by J. Small and unanimously approved.

### **Facilities & Recycling Committee**

T. E. LeGrand informed the Board that he visited the MRF along with W. Calogero to view the equipment at the Facility. W. Calogero received an offer of \$80,000 for the baling equipment and \$15,000 for the scale. Both offers include removal. Chairman E. Mills reminded the Board of the Public Authorities Law and the Agency's disposal guidelines to follow. There are some equipment items that were funded by the NYSDEC and the State since has informed the Agency that any sale, lease or other disposal of equipment acquired under a state assistance contract requires the advance written approval of the NYSDEC. Further, it is possible, but not yet confirmed, that failure to continue operation of the MRF equipment may result in a demand by the NYSDEC for repayment of a portion of the grant funding. Further review of the state assistance grant contracts is still needed and will be done by Agency Counsel, J. Nelson.

The MRF truck scale was not an item purchased with state assistance grants and can be acted upon sooner.

## **Resolution No. 751 Surplus Property Disposal**

This Resolution declares the MRF scale as “surplus” and directs the Executive Director to advertise the MRF scale for sale by bid in the Poughkeepsie Journal and on the Agency website, and will determine the successful bidder at a future Agency meeting. Chairman E. Mills requested that the estimating value and other identifying characteristics; i.e., name, model number, and size of the MRF truck scale be listed in the Resolution. A motion to approve amended Resolution No. 751 that includes the additional description being Emery Winslow Model No. H84-10060-10 TA, 60’ long by 10’ wide truck scale with an estimated value of \$15,000 was made by T. E. LeGrand, seconded by K. Williams and unanimously approved.

7. **Public Comment** – L. Carille informed the Board that interviews are presently being done for the Solid Waste Compliance Inspector position and there should be an inspector working by mid January. The Solid Waste Department will not exist as of January 1, 2013. It will be a division of Planning and Development. There will no longer be a Commissioner position; it will be a Director within the division of solid waste.

L. Carille advised that three medication take-back containers were purchased by the County Sheriff’s Dept. They are looking to place them in permanent locations within various police departments throughout the County and to arrange to have the medications transported to the RRF for proper disposal.

L. Carille stated that the County licensing rules and regulations and local solid waste and recycling laws need updating and she has been meeting with the local County Attorney to do that. She is still working with the NYSDEC regarding the Solid Waste Management Plan and has had a verbal approval from them to start a public process. It is presently in the hands of the County Executive.

8. **Executive Session** – At 5:44 pm a motion was made by T. E. LeGrand, seconded by J. Small and unanimously approved to move into Executive Session for the purposes of discussing contractual matters.
9. **Regular Session** – The meeting resumed back to public session at 6:40 pm.

## **Resolution No. 752 Notice to Auditor**

This Resolution authorizes the Executive Director to advise Toski, Schaefer & Co. that the Agency will terminate the contract with them effective January 1, 2013 and it also requests the submission of a final bill for any requested services which have been satisfactorily rendered to the Agency and for which Toski has not been compensated. Such a bill is to be submitted to the Agency Board for consideration at a future Agency board meeting. A motion to approve Resolution No. 752 was made by T. E. LeGrand, seconded by J. Small and unanimously approved.

**Resolution No. 753 Retention of Auditor**

This Resolution authorizes the Executive Director to execute a retainer agreement for audit and supplemental services for the years 2013, 2014, and 2015, including the 2012 audit with Sedore & Co consistent with their proposal dated July 25, 2011 and submitted to the Agency in August 2011. A motion to approve Resolution No. 753 was made by K. Williams, seconded by T. E. LeGrand and unanimously approved.

Chairman E. Mills noted that in the 2011 Request for Proposals issued by the Agency for Professional Auditing Services, Sedore had submitted the second lowest price for the Annual Audit of Financial Statements of the six firms who had responded. The Annual Audit is the primary service rendered to the Agency each year by the Auditor.

**Resolution No. 754 Metals Contract**

This Resolution authorizes the Executive Director to execute a contract clarification and modification with Upstate Shredding, LLC effective on January 1, 2013 to provide that a ton shall be defined as 2,240 pounds, subject to Upstate Shredding, LLC waiving any claim it may have for a refund of payments made to the Agency, and provided that all other terms of the contract remain the same. The Executive Director is authorized to exercise the Agency's option to extend the contract, as clarified and modified, for a one year period from March 1, 2013 through February 28, 2014. A motion to approve Resolution No. 754 was made by T. E. LeGrand, seconded by J. Small and unanimously approved.

J. Nelson advised that a gross or long ton (2,240 pounds) is a standard accepted measure in the metals industry.

With no further business to discuss, the meeting was adjourned at 6:47 pm.

Respectfully submitted,

William J. Calogero  
Executive Director