

DUTCHESS COUNTY RESOURCE RECOVERY AGENCY

DECEMBER 20, 2018 – 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, S. Tinkelman, Treasurer; D. Denisoff, Secretary; J. Small and J. Senft, Board Members; Agency Staff, L. Carille and D. Walsh.

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 November 15, 2018 board meeting. A motion to approve the November 15, 2018 board meeting minutes was made by S. Tinkelman, seconded by D. Petrovits and unanimously approved. Chairman W. Nussbickel presented the minutes of the September 20, 2018 board meeting. A motion to approve the September 20, 2018 board meeting minutes was made by J. Senft, seconded by J. Small and unanimously approved.
3. **Balanced Scorecard Report** – L. Carille informed the Board that the Agency has met the 140,000 tons of deliverable processable waste guarantee to the Facility Operator. The excess service fee credit will reflect any additional waste coming into the Facility until the end of the year. The Net Agency Tons (NAT) for the month of November was 12,576. Performance was down as the turbine remained out of service for 68 days. Half of October, all of November and part of December there was no electrical generation. The boilers were down for a short time while the exhaust trunk to the turbine was being installed. The turbine is back up now and running. In addition, the ferrous recovery efficiency guarantee of 4.0% in November was not met. The official wet ash residue of 32.0 percent guarantee was met. The ash dewatering process is working which benefits both the Agency and the Operator. The value of the submitted invoice for \$782,252.07 is considered complete and approved for payment to Wheelabrator.
4. **Agency Financial Report** – The payables were presented in the amount of \$1,017,859.04. L. Carille stated that there are no legal bills this month but informed the Board that there may be next month as she has asked Agency counsel to look into the Operator's contractual obligation to the Agency. There were no questions regarding the bills submitted. A motion to approve the payables for \$1,017,859.04 was made by D. Denisoff, seconded by D. Petrovits and unanimously approved.

L. Carille reminded the Board that the CPI adjustment factor will go into effect January 1st, which reflects an increase in 2019 for both the Operator's processing fee to the Agency and the Agency's tipping fee charges to all haulers. Municipalities are informed of their increases mid-year for budget purposes.
5. **Committee Reports** - The Governance Committee met to review the Agency's Employee Handbook as did Agency Counsel D. Wise. D. Denisoff stated that there were some minor

changes from the draft version. Part-time hours were increased to 36 hours per week; full-time employees hired post January 2019 will now contribute 20 percent towards their health insurance benefits. Management employees may still be offered 100 percent full health benefit coverage but only under the board's discretion. J. Senft asked if there was a probationary period for employees. L. Carille replied that all new and rehired employees work on a probationary basis for the first six months after their date of hire unless the probation period is waived and the Agency would make that determination to do so. A Resolution to adopt the revised Employee Handbook will follow at the next board meeting.

L. Carille stated that the ten day unused vacation time pay out in any given year, under the Board's discretion, is still a benefit option for all full-time employees and asked if there was any objection this year for an employee to receive that benefit. The board mutually agreed that D. Walsh may be paid for ten days of unused vacation time.

6. **Other Business** - L. Carille spoke of a recent meeting with Wheelabrator's management team. The purpose of the meeting was to further discuss ash transportation at the Facility. After Thanksgiving there was a snow storm in western New York and MBI Trucking was unable to get all of their fleet of trucks to the RRF to haul the ash away to the landfill. The volume of ash began to pile up inside the Facility and a problem arose with not being able to put any more ash on the tipping floor, having to live load trailers upon arrival, and getting trailers to live load and chip away what ash is on the tipping floor at the same time. The normal 4 to 5 trailers needed per day turned into 7 or 8 trailers. It took a little longer to get back to normal. However, during this time, Wheelabrator personnel advised their corporate office that they may need to shut down the plant until the ash is cleared from the tipping floor as they feared a violation may occur from the NYSDEC. This is what prompted such a meeting. The plant was not shut down. The meeting concluded that the Agency and Wheelabrator will continue aggressively to maintain daily communication with both Royal and MBI Trucking on the amount of trailers needed for ash transportation. This includes being able to obtain extra trailers in a timely manner for any inclement weather, holidays, long weekends and if needed alternative landfills.

L. Carille spoke of the positive results arriving from dewatering the ash before transportation. She reminded the Board that along with the contingency approval from NYSDEC to do the procedure, also came a requirement of capital improvements to the Facility. This is necessary in order for the procedure to become a permanent modification to the operating permit. Transportation and disposal fees have been reduced with the process which benefits both the Agency and Wheelabrator. After a brief discussion, the Board mutually agreed that the Agency will split the costs with Wheelabrator on certain capital improvements.

Resolution No. 851 – Authorization for Payment to Wheelabrator Dutchess LLC for Capital Improvements to the Facility

The Agency and Wheelabrator Dutchess LLC have agreed to split the costs of certain capital improvements that are required by NYSDEC to continue dewatering, namely the wall extension in Zone D and properly engineered doors at the loading bay. Wheelabrator has done a Request for Bids for the capital improvements which was presented to the Board for review.

The Executive Director is authorized to add payment to a Wheelabrator monthly invoice as part of the annual reconciliation in an amount not to exceed \$40,000. A motion to approve Resolution No. 851 – Authorization for Payment to Wheelabrator Dutchess LLC for Capital Improvements to the Facility was made by J. Small, seconded by J. Senft and unanimously approved.

Chairman W. Nussbickel announced that a replacement has been appointed for J. Small as his term served on the Resource Recovery Agency Board has ended. He thanked him for his knowledge, his service to the Agency and commitment to Dutchess County.

There were no violations reported from NYSDEC.

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. Small, seconded by D. Denisoff and unanimously carried.