

# DUTCHESS COUNTY RESOURCE RECOVERY AGENCY

## DECEMBER 21, 2017 – 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 W. Nussbickel, Chairman, D. Petrovits, Vice-Chairman; S. Tinkelman, Treasurer; D. Lois, Secretary; Board Members; J. Small, D. Denisoff and J. Senft; Agency Staff, L. Carille and D. Walsh.

- 1. Regular Session** – Chairman W. Nussbickel called the meeting to order at 5:03 pm.
- 2. Minutes** – Chairman W. Nussbickel presented the minutes of the October 19, 2017 board meeting. A motion to approve the October 19, 2017 board meeting minutes was made by D. Petrovits, seconded by J. Senft and unanimously approved. Chairman W. Nussbickel presented the minutes of the November 16, 2017 board meeting. A motion to approve the November 16, 2017 board meeting minutes was made by D. Petrovits, seconded by D. Denisoff and unanimously approved.
- 3. Agency Balanced Scorecard Report** – The Net Agency Tons (NAT) for the month was 14,227. The Agency will meet the yearly tonnage guarantee of 140,000 tons of waste to Wheelabrator. The net energy conversion performance rate in November was 225.2 kWh/NAT. The electric recovery guarantee was not met. The ferrous recovery in November was calculated to be 3.43%. The metal guarantee was not met. The official wet ash residue was 33.27 percent of NAT, which exceeded the 32.0 percent guarantee. Wheelabrator has absorbed the additional fee for not meeting the 32.0 percent residue guarantee and reduced their November 2017 invoice in the amount of \$7,342.82. The value of the submitted invoice, totaling \$979,587.18 is considered complete and approved for payment to Wheelabrator.

S. Tinkelman asked if the volume of trash has increased significantly with the holidays. L. Carille replied that this is not known yet. This type of trash, referred to as “trash fluff” consists of wrapping paper, ribbons, bows, etc. and is very light in weight which does not add very much to the weights coming in. In the past, the volume of waste has seen a decrease in the months of January and February.

There were no violations from NYSDEC.

L. Carille stated that the RFP for Ash Disposal & Transportation will be issued in early January 2018. The current ash contract expires July 1, 2018. The new state regulations requires water to be drained from the ash before transportation and outlines a procedure to do it. J. Small asked why it can't be done now. L. Carille replied that it was done at one time; however, the state issued a notice of violation because inside the building on the north side of the tipping floor, there is supposed to be only bypass waste stored there, not ash. The Agency cannot do this procedure without the approval from NYSDEC. The Agency has been waiting a long time for the NYSDEC to grant approval to begin that process again. There is the risk of getting another notice of violation without that formal approval. J. Small asked what a notice of

violation does. L. Carille replied that it could carry a financial penalty. J. Small suggested writing a letter to the NYSDEC stating that in anticipation of complying with your new regulations the Agency will be doing the ash dewatering process in advance.

L. Carille spoke about the inbound scale and how it was unable to pass a repeatability weight test from the Dutchess County Bureau of Weights and Measures. That scale has been marked out of service. Wheelabrator has agreed to bring a temporary scale in until a new scale can be put in place. In the meantime, the outbound scale is being used to weigh both incoming and outgoing waste.

Tipping fees for 2018 will be increased by .50 cents per ton. The gate rate will be \$83.00 per ton. The CPI percentage increase paid to the operator matches the same percentage increase added on to tipping fees.

J. Small asked about the functionality of the turbine since it went through a major overhaul. L. Carille replied that the electric guarantee was not met for November and she doesn't have an answer yet as to why the numbers were not better. The waste has been wet, heavy and pushed quickly through the burning process.

J. Small asked if the Agency reached its bonus spot yet on the processing reduction rate paid to the Operator. L. Carille replied yes, the Agency reached the 140,000 ton delivery guarantee to the Operator in December.

4. **Agency Financial Report** – The payables were presented in the amount of \$1,201,708.31. With no further discussion, a motion to approve the payables for \$1,201,708.31 was made by J. Small, seconded by D. Denisoff and unanimously approved.

The Profit and Loss Analysis statement was reviewed, noting the net service fee for the month is at \$8,340. L. Carille concluded that the main reason for the increase in expenses was due to the engineering service fees that included the annual Facility inspection.

J. Small inquired about the current funds in the Special Investment account. Since those funds will be used to pay for the upcoming bond payment and also for the Covanta settlement fees, he asked if the Agency will be prefunding enough money for future claims as it relates to the bond holders and if the Agency will need to go to the County for financial assistance. L. Carille replied, hopefully not, and referenced to the investment reserve account that always has to be funded 110 percent of the current year's debt service cost.

5. **Other Business** – L. Carille spoke about the Town of Poughkeepsie agreement that will dissolve the issue over the host community benefit payments. She spoke with the Town Supervisor and he will be pursuing this mutual agreement set forth at their next board meeting.

The Agency 2018 Board Meeting schedule of meeting dates was presented. A motion to accept the dates as presented was made by J. Senft, seconded by J. Small and unanimously approved.

**6. Executive Session** - A motion at 5:30 pm to move into Executive Session was made by D. Petrovits, seconded by J. Senft and unanimously carried to discuss proposed, pending or current litigation.

The meeting resumed back to public session at 6:03 pm. There was no public comment and no decisions made during Executive Session.

With no further business to discuss at 6:05 pm a motion to adjourn the meeting was made by D. Petrovits, seconded by J. Senft and unanimously carried.