

Chairman Phillips called to order the Rockland Green Board meeting for Thursday, January 28, 2021 at 5:00 p.m.

Pledge of Allegiance led by Commissioner Kenny

Roll call by clerk. There is a quorum.

Present

Chairman Phillips
Commissioner Hoehmann
Commissioner Hofstein
Commissioner Kenny
Commissioner Kohut
Commissioner Lynn
Commissioner McGowan

Present

Commissioner Monaghan
Commissioner Paul
Commissioner Powers
Commissioner Soskin
Commissioner Specht
Commissioner Wieder

Absent

Commissioner Hood
Commissioner Jobson
Commissioner Moroney
Commissioner Yeger

Staff

Keith Braunfotel, Jerry Damiani, Jeremy Goldstein, Suzanne Haggerty, Debbie Samuels

Others

Steve Torres, Teno West

Introduced by: Powers/ McGowan

Unan.

January 28, 2021

RESOLUTION NO. 1 OF 2021
ADOPTION OF MINUTES, MEETING OF
NOVEMBER 19, 2020

RESOLVED, that the transcribed Minutes of the Rockland County Solid Waste Management Authority are approved for the meeting November 19, 2020 as recorded by the Clerk and are hereby adopted.

Introduced by: Kenny/Wieder

Unan.

January 28, 2021

**RESOLUTION NO. 2 of 2021
APPOINTING COMMISSIONERS TO THE EXECUTIVE COMMITTEE
OF ROCKLAND GREEN FOR THE YEAR 2021**

WHEREAS, Officers of the Rockland Green Board are chosen each year at the annual January meeting; and

WHEREAS, the following Rockland Green Board Members served as Officers in the year 2020:

Chairman:	Howard Phillips
Vice-Chairman:	George Hoehmann
Vice-Chairman:	Patrick Moroney
Secretary:	Michael Specht
Treasurer:	Phil Soskin
Deputy Treasurer:	Michael Kohut

WHEREAS, the Rockland Green Board has held its Annual Meeting and selected the Officers to serve in the year 2021; now therefore be it

RESOLVED, that the Officers of Rockland Green for the year 2021 shall be as follows:

Chairman:	Howard Phillips
Vice-Chairman:	George Hoehmann
Vice-Chairman:	Patrick Moroney
Secretary:	Michael Specht
Treasurer:	Phil Soskin
Deputy Treasurer:	Michael Kohut

Such Officers shall serve until their successors are appointed and qualified at the next Annual Meeting in January 2022.

Introduced by: Powers/ Kenny

Unan.

January 28, 2021

RESOLUTION NO. 3 of 2021
APPOINTING COMMISSIONERS TO THE AUDIT COMMITTEE FOR THE YEAR 2021
PURSUANT TO THE PUBLIC AUTHORITIES ACCOUNTABILITY ACT OF 2005

WHEREAS, the Public Authorities Accountability Act of 2005 (the “Act”) requires the Rockland Green Board to establish an audit committee of independent members, who should be familiar with corporate financial and accounting practices; and

WHEREAS, the Act requires that the audit committee shall recommend to the Board the hiring of a certified independent accounting firm for Rockland Green; establish the compensation to be paid to the accounting firm; and provide direct oversight of the performance of the independent audit performed by the accounting firm hired for such purposes; and

WHEREAS, the Rockland Green Board desires to comply with the provisions of the Act; and

WHEREAS, the following Rockland Green Board Members served as Officers in the year 2020:

Comm. Howard Phillips

Comm. Lon Hofstein

Comm. Michael Specht

Comm. Phil Soskin

Comm. George Hoehmann; now therefor be it

RESOLVED, that the Rockland Green Board hereby reestablishes an audit committee in accordance with Section 2824 of the Public Authorities Accountability Act of 2005; and be it further

RESOLVED, that the Audit Committee for the year 2021 shall be as follows:

Comm. Howard Phillips

Comm. Lon Hofstein

Comm. Michael Specht

Comm. Phil Soskin

Comm. George Hoehmann

Comm. Michael Kohut; and be it further

RESOLVED, that the members of the Audit Committee shall generally serve for a term of one year, and that the members of such committee shall be selected at Rockland Green’s annual meeting held in January of each year.

Introduced by: Specht/Paul

Unan.

January 28, 2021

**RESOLUTION NO. 4 of 2021
APPOINTING COMMISSIONERS TO THE FINANCE COMMITTEE
FOR THE YEAR 2021
PURSUANT TO THE 2009 AMENDMENTS TO THE PUBLIC AUTHORITIES LAW**

WHEREAS, the 2009 amendments to the Public Authorities Law requires the Rockland Green Board to establish a finance committee to review proposals for the issuance of debt by the authority and make recommendations; and

WHEREAS, the purpose of the finance committee is to oversee Rockland Green's debt and debt practices and to recommend policies concerning Rockland Green's issuance and management of debt; and

WHEREAS, the Rockland Green Board desires to comply with the provisions of Section 2824(8) of the Public Authorities Law, as amended; and

WHEREAS, the Rockland Green Board has held its Annual Meeting and selected the Officers to serve in the year 2020;

Comm. Howard Phillips

Comm. Aron Wieder

Comm. Jim Monaghan

Comm. Jay Hood Jr.

Comm. George Hoehmann; now therefore be it

RESOLVED, that the Rockland green Board hereby reestablishes a finance committee in accordance with Section 2824 of the Public Authorities Accountability Act of 2005; and be it further

RESOLVED, that the Finance Committee for the year 2021 shall be as follows:

Comm. Howard Phillips

Comm. Aron Wieder

Comm. Jim Monaghan

Comm. Jay Hood Jr.

Comm. George Hoehmann

Comm. Michael Kohut; and be it further

RESOLVED, that the members of the Finance Committee shall generally serve for a term of one year, and that the members of such committee shall be selected at the Rockland Green's annual meeting held in January of each year.

Introduced by: Monaghan/McGowan

Unan.

January 28, 2021

**RESOLUTION NO. 5 of 2021
APPOINTING COMMISSIONERS TO THE GOVERNANCE COMMITTEE
FOR THE YEAR 2021
PURSUANT TO THE PUBLIC AUTHORITIES ACCOUNTABILITY ACT OF 2005**

WHEREAS, the Public Authorities Accountability Act of 2005 (the “Act”) requires the Authority Board to establish a governance committee of independent members, who should advise on any matter incident to the function of the Authority; and

WHEREAS, the Act requires the Rockland Green Board to establish a governance committee of independent members, which shall keep the Board informed of current best governance practices; review corporate governance trends; update Rockland Green's corporate governance principles; and advise appointing authorities on the skills and experiences required of potential board members; and

WHEREAS, the Rockland Green Board desires to comply with the provisions of the Act; and

WHEREAS, the following Rockland Green Board Members served as Officers in the year 2020:

Comm. Howard Phillips

Comm. Larry Lynn

Comm. Mike Kohut

Comm. Stephen Powers

Comm. George Hoehmann

Comm. Phil Soskin; now therefore be it

RESOLVED, that the Rockland Green Board hereby reestablishes a governance committee in accordance with Section 2824 of the Public Authorities Accountability Act of 2005; and be it further

RESOLVED, that the Governance Committee for the year 2021 shall be as follows:

Comm. Howard Phillips

Comm. Larry Lynn

Comm. Mike Kohut

Comm. Stephen Powers

Comm. George Hoehmann

Comm. Phil Soskin; now therefore be it

RESOLVED, that the members of the Governance Committee shall generally serve for a term of one year, and that the members of such committee shall be selected at Rockland Green’s annual meeting held in January of each year.

Introduced By: Kohut/Lynn

Unan.

January 28, 2021

**RESOLUTION NO. 6 of 2021
ADOPTION OF ROCKLAND GREEN’S MISSION STATEMENT**

WHEREAS, Rockland Green is required to annually adopt a mission statement in accordance with the Public Authorities Law; and

WHEREAS, such mission statement was drafted and provides as follows:

“To develop the education, programs and technology to lead the waste prevention, recovery, and responsible disposal movement in Rockland County.”

(the “Mission Statement”); and

WHEREAS, the Rockland Green Board members have read and understand the Mission Statement; now therefore be it

RESOLVED, that Rockland Green hereby adopts the Mission Statement.

Introduced By: Paul/Specht

Unan.

January 28, 2021

**RESOLUTION NO. 7 of 2020
RATIFY RENEWAL OF CONTRACT WITH
CLEAN HARBORS ENVIRONMENTAL SERVICES, INC.
FOR OPERATION AND MAINTENANCE OF THE
HOUSEHOLD HAZARDOUS WASTE FACILITY**

WHEREAS, by Resolution No. 11 of 2016, the Rockland County Solid Waste Management Authority d/b/a Rockland Green authorized the award of RFP 2015-21 to Clean Harbors Environmental Services, Inc. for the operation and maintenance of the Household Hazardous Waste Facility; and

WHEREAS, the current five-year term of the agreement expires on April 30, 2021, and Rockland Green desires to renew the agreement for an additional five-year term with revised terms and conditions as attached hereto; now therefore be it

RESOLVED, that the Authority hereby authorizes and agrees to ratify and renew the agreement with Clean Harbors Environmental Services, Inc. for an additional five-year term, through April 30, 2025.

Introduced by: Powers/Hoehmann

Unan.

January 28, 2021

**RESOLUTION NO. 8 OF 2021
AUTHORIZING THE ENGAGEMENT OF
THE WEST GROUP LAW PLLC
FOR LEGAL SERVICES TO ROCKLAND GREEN**

WHEREAS, by board resolution the Rockland County Solid Waste Management Authority d/b/a Rockland Green engaged West Group Law, PLLC to provide legal services; and

WHEREAS, such legal services performed by West Group Law, PLLC have been led by principal Teno A. West, Esq.; and

WHEREAS, Teno A. West, Esq., has been providing legal services to Rockland Green since 1994 and is nationally recognized for his representation of local governments with solid waste management related matters; and

WHEREAS, West Group Law PLLC will provide such legal services to Rockland Green under the terms and conditions as explained in the agreement attached hereto; and now therefore be it

RESOLVED that the Executive Director is hereby authorized to execute a letter of engagement with the West Group Law PLLC for the year 2021,

Source of Funds: Legal SWM Admin 6530-00

Introduced by: Kenny/Hofstein

Unan.

January 28, 2021

**RESOLUTION NO. 9 of 2021
AWARD OF BOND COUNSEL SERVICE AGREEMENT**

WHEREAS, the Rockland County Solid Waste Management Authority d/b/a Rockland Green, is a public benefit corporation, duly organized and existing under the New York State Public Authorities Law, Title 13-M; and

WHEREAS, Rockland Green is in need of Bond Counsel services for the proposed issuance of bonds whose proceeds will be used to provide funds for the Materials Recovery Facility and the Anaerobic Digester Project; and

WHEREAS, Cozen O'Connor has substantial experience and particularized knowledge of tax-exempt and/or taxable bonds; and

WHEREAS, Cozen O'Connor will provide such legal services to Rockland Green under the terms and conditions as explained in the agreement attached hereto; and now therefore be it

RESOLVED, that the Rockland Green Board hereby authorizes and directs the Executive Director to execute a bond counsel services agreement with Cozen O'Connor.

Funding Source: Legal - Existing Bonds 6524-00

Introduced by: Soskin/ Kohut

Unan.

January 28, 2021

**RESOLUTION NO. 10 of 2021
AUTHORIZING RETAINER AGREEMENT WITH
CAPITAL MARKETS ADVISORY, LLC
FOR FINANCIAL ADVISORY SERVICES**

WHEREAS, the financial consulting firm of Capital Markets Advisory, LLC ("CMA") has been providing the Rockland County Solid Waste Management Authority d/b/a Rockland Green with financial advisory services; and

WHEREAS, CMA has proposed in a letter dated January 14, 2021 to provide such services, such as:

- a. analysis of the cost of the financing of potential Agency capital improvements,
- b. analysis of various business plans,
- c. analysis of public versus private ownership and financing for Authority facilities,
- d. financial modeling,
- e. assistance with developing and implementing any bonding or borrowing needs,

- f. analysis of potential bond refundings,
- g. analysis of potential investment vehicles for bond funds, and
- h. advice on such other matters as the Agency may require from time to time; and

WHEREAS, CMA will be compensated for its services for general Rockland Green work at the following hourly rates:

Senior Director -	\$275 per hour
Vice President -	\$225 per hour
Analyst -	\$150 per hour; and

WHEREAS, the letter of agreement shall commence upon the execution of both parties and continue until terminated by either party in writing; now therefore be it

RESOLVED, that the Executive Director is authorized to execute the attached letter of agreement to retain the financial advisory services of CMA.

Funding Source: Accounting & Finance 6501-00

Introduced By: Kohut/Wieder

Unan.

January 28, 2021

**RESOLUTION NO. 11 of 2021
AUTHORIZING THE RETENTION OF
STERLING ENVIRONMENTAL ENGINEERING, P.C.
FOR ENGINEERING SERVICES**

WHEREAS, Sterling Environmental Engineering, P.C. (“Sterling”) provides engineering and permit compliance services to the Rockland County Solid Waste Management Authority d/b/a Rockland Green and has worked to reduce the cost and scope of various capital projects, regulatory enforcement matters, spill response, construction supervision and services involving routine solid waste management operations improvements; and

WHEREAS, Sterling is an engineering firm that has rendered other engineering consulting services to Rockland Green, and is well qualified to perform these services; and

WHEREAS, additional advice and engineering consultations may be required to complete various projects for the year 2021 under the terms and conditions as explained in the agreement as attached hereto; now therefore be it

RESOLVED, that the Rockland Green Board hereby authorizes the Executive Director to execute such documents and perform other activities that may be necessary to carry out the intent of this resolution.

Funding Source: Engineering 6506-00

Introduced by: Hoehmann/Spocht

Unan.

January 28, 2021

**RESOLUTION NO. 12 OF 2021
AUTHORIZING EXECUTION OF AN AGREEMENT WITH RRT DESIGN &
CONSTRUCTIONS FOR ENGINEERING CONSULTING SERVICES AT THE HILLBURN
MATERIALS RECOVERY FACILITY**

WHEREAS, the Rockland County Solid Waste Management Authority d/b/a/ Rockland Green is in need of continuing, on-call consulting engineering services at the Materials Recovery Facility (“MRF”); and

WHEREAS, RRT Design & Constructions (“RRT”) has rendered on-call engineering consulting services to the Authority for the MRF since 2018; and

WHEREAS, RRT has submitted a proposed professional services agreement to provide design, engineering, construction management, operations management consulting and technical consulting services; and

WHEREAS, RRT has demonstrated professionalism, expertise and specialized knowledge that has benefitted Rockland Green; now, therefore be it

RESOLVED, that the Executive Director is hereby authorized to enter into the proposed Professional Services Agreement with RRT for the year 2021.

Funding Source: Capital Fund

Introduced by: Kohut/Soskin

Unan.

January 28, 2021

**RESOLUTION NO. 13 of 2021
AUTHORIZING RETAINER AGREEMENT WITH
ENVIRONMENTAL DESIGN & RESEARCH
FOR LANDSCAPE ARCHITECTURE & ENVIRONMENTAL SERVICES**

WHEREAS, the engineering consulting firm of Environmental Design and Research Services (“EDR”) has been providing the Rockland County Solid Waste Management Authority d/b/a Rockland Green with ongoing engineering advisory services; and

WHEREAS, Rockland Green is in need of continuing, on-call consulting engineering services; and

WHEREAS, EDR will provide such services to Rockland Green under the terms and conditions as explained in the agreement attached hereto; and now therefore be it

RESOLVED that the Executive Director is hereby authorized to execute a letter of engagement with the Environmental Design & Research for the year 2021,

Funding Source: Engineering 6506-00

Introduced by: Powers/Kenny

Unan.

January 28, 2021

**RESOLUTION NO. 14 OF 2021
AUTHORIZING THE EXECUTION OF AN ENGINEERING CONSULTING SERVICES
AGREEMENT WITH
D&B ENGINEERS AND ARCHITECTS, P.C.**

WHEREAS, D&B Engineers and Architects, P.C., (“D&B”) has been providing the Rockland County Solid Waste Management Authority d/b/a Rockland Green with engineering consulting services since 2012; and

WHEREAS, D&B has substantial experience and particularized knowledge of Rockland Green’s facilities and operations; and

WHEREAS, Rockland Green received from D&B a letter dated July 28, 2020 entitled “2021 Budget Information” attached hereto, for ADG Facility Project Development Services; and

RESOLVED, that the Executive Director is hereby authorized to enter into an agreement with D&B for engineering consulting services.

Funding Source: Engineering 6506-00

Introduced By: Hoehmann/Specht

Unan.

January 28, 2021

**RESOLUTION NO. 15 of 2021
AUTHORIZING DISPOSAL OF SURPLUS EQUIPMENT**

WHEREAS, in the course of its operations, Rockland Green accumulates unneeded, worn-out or obsolete equipment, computers, furniture, machinery, tools, parts and vehicles which for it has no need; and

WHEREAS, upon occasion, Rockland Green deems such property to be “Surplus Equipment”; and

WHEREAS, Rockland Green has recently determined that certain pieces of equipment identified on the attached “Schedule A” are Surplus Equipment; and

WHEREAS, Rockland Green has the discretion to dispose of Surplus Equipment by various methods, including sale, auction, competitive bidding, and private negotiation, as set forth in its Guidelines for Disposal of Rockland Green Real and Personal Property (“Property Disposal Guidelines”); and

WHEREAS, it may be desirable for Rockland Green to negotiate disposition of pieces of Surplus Equipment with municipalities that need such equipment in a manner that may benefit the taxpayers of Rockland County, provided that such disposition is consistent with the Property Disposal Guidelines; now therefore be it

RESOLVED, that the Executive Director or his staff are hereby authorized to dispose of the Surplus Equipment listed in the attached “Schedule A” in accordance with the Property Disposal Guidelines.

Introduced by: Hofstein/Kenny

Unan.

January 28, 2021

**RESOLUTION NO. 16 of 2021
AWARD OF CONTRACT FOR MODIFICATIONS TO THE RECYCLABLES
PREPROCESSING FACILITY LOCATED IN HILLBURN
RFP NO. 2020-14**

WHEREAS, on December 8, 2020, Rockland Green issued a Request for Proposal RFP 2020-14 for the purpose of procuring professional services for the demolition of processing equipment at Rockland Green’s Recycling Preprocessing Facility and the construction of a pushwall (the “RFP 2020-14”); and

WHEREAS, two proposals were submitted in response to RFP 2020-14; and

WHEREAS, the proposals received in response to the RFP 2020-14 were from Specialty Construction Systems Inc. (“SCS”) with a total proposed price of \$762,900.00 and Two Brothers Contracting (“TBC”) with a total proposed price of \$301,880.00; and

WHEREAS, Rockland Green reviewed the proposals received and determined that the proposal submitted by TBC, conformed to the specifications in the Request for Proposal; now therefore be it

RESOLVED, that the Rockland Green Board hereby awards the contract for the demolition of processing equipment at Rockland Green's Recycling Preprocessing Facility and the construction of a pushwall, RFP No. 2020-14, in the amount of \$301,880.00, to Two Brothers Contractors, and authorizes the Chairman to execute a draft agreement, for the performance of the work specified in the proposal; and be it further

RESOLVED, that Rockland Green, in its sole discretion, has the right to rescind this award at any time prior to the execution of the agreement for demolition of processing equipment at Rockland Green's Recycling Preprocessing Facility and the construction of a pushwall, and such agreement shall not be binding and valid until executed by the parties.

Funding Source: Capitol Fund

Phillips: Executive Director can you give a brief synopsis of what this resolution contains.

Damiani: Thank you Mr. Chairman. Rockland Green put out a request for proposals to demolish the equipment at the recyclables preprocessing facility. We received two proposals and the lowest was from Two Brothers Contractors. We have worked with TBC before and they will be demolishing the existing equipment in the Hillburn Transfer Station. I need the space inside the transfer station for when we make the improvements in the MRF. We will have to have two of our streams go into the transfer station.

New Business

Phillips: Counsel, do we have any new business?

Braunfotel: Thank you Mr. Chairman. We have two items for new business. Consistent with the Controller's office we must complete the ABO training. Contact Debra Samuels my paralegal or Suzanne Haggerty the Board Clerk to help you get the link. You can complete the training on your own time. The second order of business is to appoint three laborers into open vacancies. The positions are already established and funded. The first one is Kyle Goodman from the Town of Stony Point.

Introduced by: Monaghan/Kohut

Unan.

January 28, 2021

**RESOLUTION NO. 17 of 2021
TO PROVISIONALLY APPOINT A LABORER TO
ROCKLAND GREEN**

WHEREAS, the Rockland Green has determined that it needs to fill the position of Laborer; and

WHEREAS, Kyle Goodman has sought the position, and appears to be qualified; now therefore be it

RESOLVED, Kyle Goodman is hereby selected provisionally for the position of Laborer to serve in such capacity, subject to approval of his application by the Rockland County Personnel Department, effective immediately upon such approval, and be it further

RESOLVED, that the compensation for such services shall be the sum of \$48,500.00 annually; and be it further

RESOLVED, that the Laborer shall perform a minimum of 40 hours of services per week; and be it further

RESOLVED, that Kyle Goodman, appointed to the position of Laborer, is subject to a term of probation of twenty-six (26) weeks and at the satisfactory completion of the probationary period this resolution be sent to the Rockland County Department of Personnel in order to effectuate the appointment; and be it further

RESOLVED, that the Executive Director is hereby authorized and directed to provide a compensation package as defined by the Rockland Green Employee Handbook dated October 22, 2020.

Funding Source: Salaries/Contingency Fund

Phillips: The next two will be subject to approval of Rockland County Personnel.

Braunfotel: The next person is Gregory White from the Town of Ramapo and James Campbell from the Town of Stony Point.

Introduced by: Monaghan/Wieder

Unan.

January 28, 2021

**RESOLUTION NO. 18 of 2021
TO PROVISIONALLY APPOINT A LABORER TO
ROCKLAND GREEN**

WHEREAS, the Rockland Green has determined that it needs to fill the position of Laborer; and

WHEREAS, James Campbell has sought the position, and appears to be qualified; now therefore
be it

RESOLVED, James Campbell is hereby selected provisionally for the position of Laborer to serve
in such capacity, subject to approval of his application by the Rockland County Personnel Department,
effective immediately upon such approval, and be it further

RESOLVED, that the compensation for such services shall be the sum of \$48,500.00 annually; and
be it further

RESOLVED, that the Laborer shall perform a minimum of 40 hours of services per week; and be it
further

RESOLVED, that James Campbell, appointed to the position of Laborer, is subject to a term of
probation of twenty-six (26) weeks and at the satisfactory completion of the probationary period this
resolution be sent to the Rockland County Department of Personnel in order to effectuate the appointment;
and be it further

RESOLVED, that the Executive Director is hereby authorized and directed to provide a
compensation package as defined by the Rockland Green Employee Handbook dated October 22, 2020.

Funding Source: Salaries/Contingency Fund

Introduced by: Monaghan/Wieder

Unan.

January 28, 2021

**RESOLUTION NO. 19 of 2021
TO PROVISIONALLY APPOINT A LABORER TO
ROCKLAND GREEN**

WHEREAS, the Rockland Green has determined that it needs to fill the position of Laborer; and

WHEREAS, Gregory White has sought the position, and appears to be qualified; now therefore be
it

RESOLVED, Gregory White is hereby selected provisionally for the position of Laborer to serve in such capacity, subject to approval of his application by the Rockland County Personnel Department, effective immediately upon such approval, and be it further

RESOLVED, that the compensation for such services shall be the sum of \$48,500.00 annually; and be it further

RESOLVED, that the Laborer shall perform a minimum of 40 hours of services per week; and be it further

RESOLVED, that Gregory White, appointed to the position of Laborer, is subject to a term of probation of twenty-six (26) weeks and at the satisfactory completion of the probationary period this resolution be sent to the Rockland County Department of Personnel in order to effectuate the appointment; and be it further

RESOLVED, that the Executive Director is hereby authorized and directed to provide a compensation package as defined by the Rockland Green Employee Handbook dated October 22, 2020.

Funding Source: Salaries/Contingency Fund

Phillips: Do we have any new business? Any members have business to bring before the Board? Will the Executive Director give us a brief summary of how we are progressing at our new building and offices?

Damiani: Since COVID is still happening we are not looking into doing the expansion yet for the education and outreach center. But we have made good strides in and focused on putting signage up. The signage at the rear of the building is going up next week and the block letters for the Main Street side are still being worked on.

Phillips: We are putting up a plaque on the inside of the building with all the commissioner names as well. Executive Director is there anything else you would like to bring before the Board?

Damiani: No.

Phillips: Since there are no other questions or comments, do we have a motion to adjourn?

Soskin: Moved

Powers: Seconded

The meeting was adjourned at 5:35 p.m.

Respectfully submitted,
Suzanne Haggerty