



5. Introduced by: Specht/Hoehmann

Unan.

March 24, 2022

**RESOLUTION No. 29 of 2022**  
**ADOPTING RECOMMENDATION OF AUDIT COMMITTEE AND APPROVING 2021**  
**FINANCIAL STATEMENTS**

**WHEREAS**, Section 2800(3) of the New York Public Authorities Law requires that the annual financial statements be approved by the Authority Board; and

**WHEREAS**, the attached Rockland County Solid Waste Management Authority d/b/a Rockland Green's audited financial statements were prepared by BST & Co. CPAs, LLP for the period ended December 31, 2021; and

**WHEREAS**, the Audit Committee met on March 9, 2022, reviewed the attached 2021 Financial Statements, and has recommended to the Board that it be approved; now therefore be it

**RESOLVED**, that the Rockland Green Board hereby adopts the recommendation of the Audit Committee and approves the attached audited financial statements prepared by BST & Co. CPAs, LLP, for the period ended December 31, 2021.

**Phillips:** Adopting recommendation of the Audit Committee and approving the 2021 Financial Statements.

**Goldstein:** I would like to introduce Ann DeLuco, Partner at BST & Co. to present the findings of the audit field work and the associated audit work that was done over the last several months.

**DeLuco:** Thank you. I am the new partner on your engagement Paul had to rotate off because of the ABO requirements, but I have been involved for six years now so I am familiar with your account. What you have in front of you is the final financial statements, our opinion and a communication letter. These reports were reviewed in detail with the Audit Committee a few weeks ago. We went through any questions at that point. I am going to go through some highlights and I welcome any questions you may have. Overall, there is an unmodified opinion of these financials which is the highest level of assurance that an auditor can give. Essentially, that means there is no material misstatements and that is the clean opinion you want on a financial statement. When you look at the actual numbers, it was a good year for the Authority as you are probably aware. There was a net income of \$7 million for 2021. Last year it was \$3 million. There was growth in your net income and that resulted in a \$25 million unrestricted net position at the end of the year. That is money you can spend on what you want and is liquid mostly in cash at this point. There is also \$22 million invested in your fixed assets and those are your properties and equipment that you own. A very strong financial position for the year. Most of the reason why you had that increase was the increase in tipping fees, as most of you are aware, things started opening up and commercial businesses were operating again so you saw a lot of tonnage increase just from the municipal side. Construction was back happening so your C&D tonnage increased. The tipping fees were \$5 million over what you budgeted, so that was great news for the Authority. There is \$58 million in debt at this point and that was an increase in the bonding last year for \$35 million for

the MRF construction and also a little bit for the alternative waste, but mostly the MRF construction which is under way. As of December, the Authority spent \$13 million on the MRF and is expected to be open for operation in the fall. Some of the bond funding is still in unspent so that is going to be what is in your restricted investments at the end of the year. That is expected to be mostly spent as soon as the MRF goes into operation. The last thing I want to point out to you in these financials is note #6 that talks about the retirement system. There have been some wild swings with that in the past couple of years and that is a function of the investments that are in the plan. That is valued every month. In March of 2020 the market tanked so your liability increased. In March 2021, investments were back up so that plan is almost fully funded. You have a liability of about \$8,000 at the end of 2021 compared to \$2 million at the end of 2020. Now back to March 2022 investments are back down so you will probably see a swing back up when we are talking next year. So that is just a function of the market and that is always valued at the end of March which is the end of the New York State fiscal year. That is the financial statements and I welcome any questions you may have.

**Phillips:** Does anyone have any questions for Ann?

**DeLucco:** I want to thank Jeremy because he did an excellent job in the conduct of the audit and it went very smoothly. Everything we ask for we get really quick. It was a pleasure to work with you and your staff because we get everything promptly.

**Goldstein:** Thank you.

**Paul:** Can you repeat how many bonds we have.

**DeLucco:** The outstanding debt is disclosed in Note #5. At the end of the year there was about \$58 million in debt. Most of that was the new bond that was issued in 2021.

**Phillips:** Thank you, Ann.

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6. Introduced by: Monaghan/Kenny

Unan.

March 24, 2022

### RESOLUTION NO. 30 OF 2022

#### AUTHORIZING APPROVAL OF CHANGE ORDER TO THE DESIGN-BUILD AGREEMENT FOR THE DESIGN-BUILD OF A DUAL STREAM RECYCLABLES PROCESSING SYSTEM AT THE MATERIALS RECOVERY FACILITY

**WHEREAS**, by Resolution No. 21 of 2021, the Board of the Rockland County Solid Waste Management Authority d/b/a Rockland Green (hereinafter "Rockland Green") authorized award of the Design-Build Agreement for the Design-Build of a Dual Stream Recyclables Processing System at the

Materials Recovery Facility in Hillburn, New York between Rockland Green and Van Dyk Baler Corp. (the “Contractor”) dated as of May 28, 2021 (the “Contract”); and

**WHEREAS**, on January 27, 2022 Rockland Green approved a certain modification to the Contract in the form of Change Order 1 pursuant to Resolution No. 13 of 2022; and

**WHEREAS**, changes to the Contract consisting of the removal of enclosures and glass clean up and dust collection modifications are required, and the Contractor has agreed to undertake such modifications for an additional cost of \$91,980.40, to be designated by Change Order No. 2; and

**WHEREAS**, Rockland Green’s Engineer, RRT Engineering, LLC, has reviewed this change order, a copy of which is attached hereto, and agrees with the Change Order for the pricing stated therein; now therefore be it

**RESOLVED**, that Rockland Green hereby approves Change Order No. 2 for an increase in the Fixed Design-Build Price in an amount equal to \$91,980.40 for a total adjusted Fixed Design-Build Price of \$17,232,464.75.

**Phillips:** Jerry would you please explain this change order.

**Damiani:** Resolution #6 is associated with the glass clean up processing system which will enhance the ability of Rockland Green to not be required to pulverize as we run the system every day. This will give us the flexibility to adapt not only to the recycling markets, but as well as to the construction aggregate markets. We should see substantial savings in our per ton cost that we would incur from a potential operator of the facility because we do not intend to pulverize. We will have the ability to pulverize, so with that we added an enhanced destoner which removes the lights and heavies from the recycled glass and we also added an enhanced dust collection system with various pick-up points for the silica because when you are crushing or screening you do create that dust. The idea under this change order will allow Rockland Green to have the flexibility to not pulverize the glass have a flapper gate that we will take the less than 1/8 glass that incurs naturally throughout the system screen that through the trommel also naturally screen the 1/8 and 3/8 product market that material either to a third party at a cost or if we do have preapproved engineering projects that want to incorporate our recycled glass we can provide that which naturally occurs through the screen process or construct our operator to pulverize. Basically, we generate about 5,000 tons a year of recycled glass into the facility. Out of that 5,000 tons, 1,000 tons is trash that are unacceptable items that have been incorporated into your commingled material set out at the curb like ceramics.

**Phillips:** I want our record to note that what you are saying is we may be spending more money now, but it will either bring us in money or reduce our cost in the long run.

**Damiani:** Correct. It will be beneficial for Rockland Green to incorporate this new glass processing system into the design because it will give us the flexibility to adapt to the changing markets. For years we stock piled material and then when we found a project within Rockland County, we paid to transport that material. We gave it away for free, but we paid the cost to transport it through third party truckers.

I have gotten calls on projects now that had the glass sitting there and they want to take it back. I said I can't take it back because I have no idea what it is mixed with. I haven't moved any glass out of there for three years. We can't rely on the old way of managing our glass, but it will give us the ability if somebody has a project we can pulverize and we will not incur that cost of managing through third party.

**Phillips:** We are looking at a change order to increase the amount by how much?

**Damiani:** \$91,980.

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7. Introduced by: Hofstein/Kohut

Unan.

March 24, 2022

**RESOLUTION NO. 31 OF 2022  
AUTHORIZING APPROVAL OF CHANGE ORDERS TO  
CONTRACT FOR FACILITY IMPROVEMENTS – GENERAL  
CONSTRUCTION AT THE MATERIALS RECOVERY FACILITY**

**WHEREAS**, by Resolution No. 56 of 2021, the Board of the Rockland County Solid Waste Management Authority d/b/a Rockland Green (hereinafter “Rockland Green”) authorized award of the contract for Facility Improvements – General Construction at the Materials Recovery Facility (“MRF”) to Butler Construction Group, Inc. (the “Contractor”) dated as of October 13, 2021 (the “Contract”); and

**WHEREAS**, on December 7, 2021 Rockland Green approved certain modifications to the Contract in the form of Change Orders 1, 2 and 3 pursuant to Resolution No. 79 of 2021; and

**WHEREAS**, on January 27, 2022 Rockland Green approved certain modifications to the Contract in the form of Change Orders 4, 6, 7, 9, 10, 12 and 14 pursuant to Resolution No. 14 of 2022; and

**WHEREAS**, on February 24, 2022 Rockland Green approved certain modifications to the Contract in the form of Change Orders 16 and 17 pursuant to Resolution No. 27 of 2022; and

**WHEREAS**, a request by Rockland Green to remove the remaining slab portion in the lobby (Area 3 of the MRF) as it was not shown to be demolished on the structural or architectural drawings, which the Contractor has agreed to undertake for an increase of \$3,580.26, to be designated by Change Order No. 18; and

**WHEREAS**, modifications to the Contract to include grinding of the floor associated with conditions found following the floor removal in the lobby and first floor bathroom of Area 3 of the MRF, which the Contractor has agreed to undertake for an increase of \$6,042.00, to be designated by Change Order No. 19; and

**WHEREAS**, Rockland Green’s Engineer, RRT Engineering, LLC, has reviewed these change orders, copies of which are attached hereto, and agrees with the change orders, the required modifications to the work, the additional scope of work, and pricing; now therefore be it

**RESOLVED**, that Rockland Green hereby approves Change Order No. 18 for an increase in the Contract Price in an amount equal to \$3,580.26; and be it further

**RESOLVED**, that Rockland Green hereby approves Change Order No. 19 for an increase in the Contract Price in an amount equal to \$6042.00; and be it further

**RESOLVED**, that the approval of Change Orders No. 18 and No. 19 shall result in an overall increase of the Contract Price by \$9,622.26 for a total amended Contract Price of \$7,879,646.66 for the Contract.

**Damiani:** There was an area that wasn’t identified on the original as-built drawings where the old conference room that was renovated in 2011 in the administrative offices the concrete slab had to be removed to make way for the new stairs that will lead up to the second floor and that is at a cost of \$3,580. They were given the as-built drawings and it wasn’t on the drawings from 1996. The next change order is associated with grinding the concrete slab on the first-floor area not only in the entrance way but in the locker rooms. The entrance way had carpeting and under the carpeting was ceramic tile and under the tile was the thinset that had to be removed and grinded down. The drawings only showed carpeting in that area. In the locker rooms not only did they have tile, which was incorporated into the original contract, so they had a layer of floor leveling underneath the thinset. So that all had to be removed mechanically and increased the cost by \$6,042.

**Phillips:** For a total of \$9,622.

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8. Introduced by: Soskin/Hoehmann

Unan.

March 24, 2022

**RESOLUTION NO. 32 OF 2022  
AUTHORIZING APPROVAL OF CHANGE ORDERS TO  
THE CONTRACT FOR FACILITY IMPROVEMENTS – PLUMBING AT THE  
MATERIALS RECOVERY FACILITY IN HILLBURN, NEW YORK**

**WHEREAS**, by Resolution No. 66 of 2021, the Board of the Rockland County Solid Waste Management Authority d/b/a Rockland Green (hereinafter “Rockland Green”) authorized award of the Contract for Facility Improvements – Plumbing at the Materials Recovery Facility in Hillburn, New York between Rockland Green and Joe Lombardo Plumbing and Heating of Rockland, Inc. (the “Contractor”) dated as of October 18, 2021 (the “Contract”); and

**WHEREAS**, the existing 4” storm leader on the second floor must be relocated because it interferes with the new water closet carrier location due to the as-built drawings showing the storm

leader in a different location, and the Contractor has agreed to perform such work for an amount equal to \$3,196.25, to be designated as Change Order No. 1; and

**WHEREAS**, the urinal re-rough must be relocated to meet code requirements, and the Contractor has agreed to undertake such work for an amount equal to \$4,989.50, to be designated as Change Order No. 3; and

**WHEREAS**, Rockland Green's Engineer, RRT Engineering, LLC, has reviewed these change orders, copies of which are attached hereto, and agrees with the Change Orders for modifications to the work for the values stated therein; now therefore be it

**RESOLVED**, that Rockland Green hereby approves Change Order No. 1 for an increase in the Contract Price in an amount equal to \$3,196.25; and be it further

**RESOLVED**, that Rockland Green hereby approves Change Order No. 3 for an increase in the Contract Price in an amount equal to \$4,989.50; and be it further

**RESOLVED**, that the approval of Change Orders No. 1 and No. 3 shall increase the Contract Price by \$8,185.75 for a total amended Contract Price of \$373,185.75 for the Contract.

**Damiani:** On the second floor we need to remove a 4-inch storm leader that was not identified on the original as-built drawings. That pipe had to be moved 5 inches for the amount \$3,196. The second change order in the of \$4,989, we tried to utilize the existing plumbing fixtures and layout, but it doesn't meet code and ADA compliance.

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9. Introduced by: Hoehmann/Spocht

Unan.

March 24, 2022

**RESOLUTION NO. 33 OF 2022  
AUTHORIZING APPROVAL OF CHANGE ORDERS TO  
THE CONTRACT FOR FACILITY IMPROVEMENTS – FIRE PROTECTION SYSTEM  
AT THE MATERIALS RECOVERY FACILITY IN HILLBURN, NEW YORK**

**WHEREAS**, by Resolution No. 68 of 2021, the Board of the Rockland County Solid Waste Management Authority d/b/a Rockland Green (hereinafter "Rockland Green") authorized award of the Contract for Facility Improvements – Fire Protection System at the Materials Recovery Facility in Hillburn, New York (the "MRF") between Rockland Green and W&M Sprinkler NYC, LLC d/b/a W&M Fire Protection Services (the "Contractor") dated as of October 18, 2021 (the "Contract"); and

**WHEREAS**, on February 24, 2022 Rockland Green approved certain modifications to the Contract in the form of Change Orders No. FA-01 and No. FP-7 pursuant to Resolution No. 24 of 2022; and

**WHEREAS**, a portion of the fire sprinkler main in Zone 4 (the west side) of Area 2 of the MRF must be relocated to under the platform (to eliminate interference with the clearance above the employee platform), and the Contractor has agreed to such modification for an additional amount equal to \$14,686.45, to be designated as Change Order No. FP-1A; and

**WHEREAS**, a portion of the fire sprinkler main in Zone 4 (the west side) of Area 2 of the MRF must be removed because it interferes with the clearance above the employee platform, and the Contractor has agreed to such modification for an additional amount equal to \$3,085.96, to be designated as Change Order No. FP-1B; and

**WHEREAS**, the Contractor previously had installed the portion fire sprinkler main in Area 2 above the employee platform as originally designed which is now being uninstalled and relocated pursuant Change Orders No. FP-1A and No. FP-1B, which was included in the original Contract Price for an amount equal to \$4,043.00 (of which the Contractor has agreed to absorb 25% of such amount), which is designated and acknowledged in Change Order No. FP-1C; and

**WHEREAS**, with respect to Area 3 of the MRF, (i) the fire department connection to the front wall of the building must be relocated to provide Orange & Rockland with sufficient clearance, (ii) the Fire Marshall is requiring that the fire department connection be replaced with a single five-inch storz connection, and (iii) the exterior piece of piping for the drain for the system is corroding and must be replaced, and the Contractor has agreed to undertake such modifications for an amount equal to \$5,420.30, to be designated as Change Order No. FP-5; and

**WHEREAS**, with respect to Area 2 of the MRF, (i) the Fire Marshall is requiring that the fire department connection be replaced with a five-inch storz connection, and (ii) the exterior piece of piping for the drain for the system is corroding and must be replaced, and the Contractor has agreed to undertake such modifications for an amount equal to \$2,741.74, to be designated as Change Order No. FP-6; and

**WHEREAS**, the rental of the lift required in connection with the sprinkler piping for Zone 4 (the west side) of Area 2 of the MRF must be extended, and the Contractor has agreed to such extension for an amount equal to \$3,430.68, to be designated as Change Order no. FP-8; and

**WHEREAS**, a portion of the fire sprinkler main in Zone 3 (the east side) of Area 2 of the MRF must be relocated to eliminate interference with the clearance above the employee platform, and the Contractor has agreed to such modification for an additional amount equal to \$7,490.14, to be designated as Change Order No. 2; and

**WHEREAS**, the rental lift required in connection with the sprinkler piping for Zone 3 (the east side) of Area 2 of the MRF must be extended, and the Contractor has agreed to such extension for an additional amount equal to \$1,746.93, to be designated as Change Order No. FP-9; and

**WHEREAS**, Rockland Green's Engineer, RRT Engineering, LLC, has reviewed these change orders, copies of which are attached hereto, and agrees with the Change Orders for modification to the work for the pricing stated therein; now therefore be it

**RESOLVED**, that Rockland Green hereby approves Change Order No. FP-1A for an increase in the Contract Price in an amount equal to \$14,686.45; and be it further



**RESOLVED**, that Rockland Green hereby approves Change Order No. FP-1B for an increase in the Contract Price in an amount equal to \$3,085.96; and be it further

**RESOLVED**, that Rockland Green hereby approves Change Order No. FP-1C which relates to Work that was included in the original Contract Price; and be it further

**RESOLVED**, that Rockland Green hereby approves Change Order No. FP-5 for an increase in the Contract Price in an amount equal to \$5,420.30; and be it further

**RESOLVED**, that Rockland Green hereby approves Change Order No. FP-6 for an increase in the Contract Price in an amount equal to \$2,741.74; and be it further

**RESOLVED**, that Rockland Green hereby approves Change Order No. FP-8 for an increase in the Contract Price in an amount equal to \$3,430.68; and be it further

**RESOLVED**, that Rockland Green hereby approves Change Order No. 2 for an increase in the Contract Price in an amount equal to \$7,490.14; and be it further

**RESOLVED**, that Rockland Green hereby approves Change Order No. FP-9 for an increase in the Contract Price in an amount equal to \$1,746.93; and be it further

**RESOLVED**, that the approval of Change Orders FP-1A, FP-1B, FP-1C, FP-5, FP-6, FP-8, 2 and FP-9 shall result in an overall increase in the Contract Price in an amount equal to \$38,602.20 for a total amended Contract Price of \$988,789.35.

**Damiani:** These change orders have to do with the West side and East side fire suppression systems that were originally installed, but there was a conflict with the design of the equipment. On the East side and the West side there are platforms the design and the installation of the system meets code. However, it is not in an ideal location for an operator to have his staff up on the platform sorting material in presort so there is a change order in the amount of \$14,686 to relocate the fire suppression system underneath the platform. The next two change orders identify the work associated with removing the existing and install the fire suppression system that was installed under this contract and then reinstall it so the main is connected. One change order is in the amount of \$3,085 and the next change order is in the amount of \$4,043. The next two change order have to do with the relocation of the fire connection. There are two fire ports on the Northeast side of the building. If 44 Control responds with a pumper truck, they can directly pump their water. The fire suppression system currently has a two-inch port and the fire inspector wanted it replaced with one single five inch as well as it is in the way of the electrical disconnect switch associated with our transformer. That change order is in the amount of \$5,420. The office of Fire and Emergency Service and the Hillburn Fire Department who responds to our facility, on the West side of our facility the fire connection has two two-inch ports and it was recommended to install one five-inch port at a cost of \$2,741. There are two additional change orders one in the amount of \$3,430 and \$1,746 all associated with the extension of the lift rentals associated with the work moving that fire suppression system both on the West and the East side. It was just coordination between W&M and our engineers going back and forth in have the right response. Unfortunately, we have to incur those costs due to time that it took to provide appropriate response. On the East side, because of that fire suppression system installed and we have to install it in a different location basically there is an elbow that has to be rotated

up under the beam to provide clearance and it does meet code currently, but again there will be an operator three or four employees up on that platform and that pipe will be very close within three or four inches of them. If they have to pull a pallet down or pull mixed ridged plastic down that won't be going through the remainder of the system the beam would be in the way. RRT recommended this change order in the amount of \$7,490.

**Phillips:** Are there any questions on these change orders, the total amount is \$38,602

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10. Introduced by: Monaghan/Kenny                      Unan.                      March 24, 2022

**Resolution No. 34 of 2022**

**RESCINDING RESOLUTION NO. 18 OF 2022  
AUTHORIZING AWARD OF CONTRACT FOR COMPOST STORAGE ROOF  
REPLACEMENT AT THE COCOMPOSTING FACILITY  
RFP NO. 2021-19**

**WHEREAS**, on October 12, 2021, the Rockland County Solid Waste Management Authority, d/b/a Rockland Green (hereinafter "Rockland Green") issued a Request for Proposals (RFP-2021-19) ("RFP") for removal, disposal, and roof replacement at the Biosolids Co-Composting Facility 400 Torne Valley Road, Hillburn, NY 10931; and

**WHEREAS**, on January 27, 2022, by Board Resolution 2022-18, RFP 2021-19 was awarded to VAD Contractors Inc.; and

**WHEREAS**, the contract between Rockland Green and VAD Contractors Inc., was not executed due to the failure of VAD Contractors Inc. to comply with contract insurance requirements and;

**WHEREAS**, Rockland Green has concluded that VAD Contractors is unable to provide the required insurance documentation for performance of the work specified in the proposal; and

**WHEREAS**, the second price proposal was submitted by Structural Contracting Services, Inc. ("S.C.S., Inc.") in the amount of \$178, 000.00; and

**WHEREAS**, Rockland Green has reviewed and determined that S.C.S., Inc is able to complete the requested roof repair work; now therefore be it

**RESOLVED**, that Resolution No. 18 of 2022 is hereby rescinded; and be it further

**RESOLVED**, that the Rockland Green Board hereby awards the contract for removal, disposal, and roof replacement at the Biosolids Co-Composting Facility 400 Torne Valley Road, RFP No. 2021-19, to Structural Contracting Services, Inc. in the amount of \$178,000.00, and authorizes the Executive

Director 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 removal, disposal, and roof replacement at the Biosolids Co-Composting Facility 400 Torne Valley Road, and such agreement shall not be binding and valid until executed by the parties.

**Damiani:** The Board awarded in January a contract to VAD to do the partial replacement of the Co-Composting Facility long term storage structure. Through the contract process it was discovered that VAD did not have the insurance that we require, nor would he remove the exclusions to the New York State Department of Labor Law. That would have put us in a position and us at risk if any of his employees got injured.

**Phillips:** What you're saying is the low bidder although he bid on a project, he did not fulfill the insurance requirements.

**Damiani:** He did not have the limits that we requested. We tried to work with him and given the scope and the size of the project we actually reduced the pollution liability limit. He still couldn't meet that requirement. He would not remove the exclusions of the New York State Labor Law which basically would allow his employees to sue Rockland Green if they got injured. With that we made the decision to go after his surety that is 5% of the contract amount. The next qualified proposer has all the insurances that we require and he has been vetted.

**Phillips:** I don't see any alternative and I think you did a good job on this.

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11. Introduced by: **Rockland Green Board/  
Rockland Green Board**                      **Unan.**                      **March 24, 2022**

#### **RESOLUTION NO. 35 OF 2022**

#### **ACCEPTING RESIGNATION OF WEIGHER II TO ROCKLAND GREEN**

**WHEREAS;** Teresa Fortier has been employed since 2008 by Rockland Green as a Weigher II; and

**WHEREAS;** Teresa Fortier has tendered her resignation for the position of Weigher II for Rockland Green, effective March 30, 2022, therefore it is hereby

**RESOLVED;** the resignation of Teresa Fortier as designated Weigher II for Rockland Green is hereby accepted; and be it further

**RESOLVED;** the Executive Director is hereby authorized to sign and file all necessary forms, returns and documents as may be required statutorily in connection with the above matter and to take all such actions and do all such things from time to time in this regard.

**Phillips:** We wish Teresa Godspeed and best wishes in her retirement.

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## 12. New Business

**Phillips:** I understand we have two items under new business Executive Director?

**Damiani:** Yes, Mr. Chairman. The first resolution is memorializing the assignment of the recycling rebate to the Town of Orangetown from the Village of South Nyack as a result of their dissolution effective April 1. Basically, this will allow Rockland Green to issue the recycling rebate that all the towns and villages receive quarterly directly to the Town of Orangetown.

**Introduced by: Kenny/Lynn**

**Unan.**

**March 24, 2022**

### **Resolution No. 36 of 2022**

#### **ASSIGNMENT OF THE RECYCLING REBATE TO THE TOWN OF ORANGETOWN FROM THE VILLAGE OF SOUTH NYACK AS A RESULT OF ITS DISSOLUTION, EFFECTIVE APRIL 1, 2022**

**WHEREAS,** on January 1, 2019, Rockland Green entered into an Intermunicipal Recyclables Collection, Transportation and Processing Agreement (“IMA”) with the Village of South Nyack; and

**WHEREAS,** the Village of South Nyack will be dissolving as of April 1, 2022 and has served notice that they wish to assign their rights and obligations under this “IMA” to the Town of Orangetown; and

**WHEREAS,** the Town of Orangetown will be assuming responsibility for South Nyack-related matters; now therefore be it

**RESOLVED,** that Rockland Green will assign, as of April 1, 2022, the recycling rebate check payments, otherwise due to the Village of South Nyack, for the remainder of 2022, to the Town of Orangetown. The terms and conditions of the “IMA” with the Village of South Nyack will otherwise stay intact for the remainder of 2022. The contractual hauler (Capasso) will be directed by Rockland Green to designate loads from the Village of South Nyack as Orangetown loads so as to achieve the purpose of calculating future recyclable rebate check amounts that will now be issued directly to the Town of Orangetown for the remainder of 2022.

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**Phillips:** We have other new business in reference to floor repairs.

**Damiani:** Yes. Annually we are required to by our operating permit to inspect our tip floors every year. Operations works with our engineers from EDR and we inspect the three transfer stations tip floors and identify wear and cracks and what has to be sealed to prevent any leachate from entering into and underneath the slab and contaminating soil. With that said, there was excess wear not only at the Hillburn Transfer Station and West Nyack and at the Haverstraw Facility, so we went out for procurement and received one proposer and the proposal was returned in the amount of \$887,637. Through negotiations with staff, we were able to negotiate the contractor down to \$701,022 to repair our existing transfer station tip floor and fill in the cracks at all three facilities. This work will be done over the weekends so there will be minimal downtime. The benefit of utilizing this product Euclid 404 allows us to turn the facility over on a Friday afternoon and get the facility back online Monday morning at 6:00 a.m.

**Introduced by: Paul/Hofstein**

**Unan.**

**March 24, 2022**

**Resolution No. 37 of 2022**

**AWARD OF CONTRACT FOR TIP FLOOR REPAIRS  
AT THE THREE MSW TRANSFER STATIONS  
RFP NO. 2022-01**

**WHEREAS**, on February 15, 2022, Rockland Green issued a Request for Proposal RFP 2022-01 for the purpose of seeking proposals for tip floor repair at the three MSW Transfer Stations (the “RFP 2022-01”); and

**WHEREAS**, the Euclid 404 concrete overlay product is a specialized product that comes with an extended warranty from the manufacturer for application to concrete surfaces exposed to “high wear”, the manufacturer certifies installers of their product through an in-house training program. However, the manufacturer only certifies a single installer in each region of the country. Therefore, to solicit more proposals, invitations to propose on RFP-2022-01 were sent to other certified installers of the Euclid 404 product throughout the country but only the local installer chose to submit a proposal; and

**WHEREAS**, on March 11, 2022, one proposal was submitted in response to RFP 2022-01; and

**WHEREAS**, Rockland Green reviewed the proposal submitted by Infrastructure Repair Service, LLC. (IRS), and determined that the proposal conforms to the specifications in the Request for Proposal; now therefore be it

**RESOLVED**, that the Rockland Green Board hereby awards the contract for tip floor repair at the three MSW Transfer Stations, RFP No. 2022-01, to Infrastructure Repair Service, LLC., in the negotiated amount of \$701,022.00, and authorizes the Executive Director 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 tip floor repairs at the three MSW Transfer Stations, and such agreement shall not be binding and valid until executed by the parties.

Funding Source: Unrestricted Funds

**Monaghan:** It is a resurfacing, not a replacement?

**Damiani:** It is a resurfacing in select areas that we identified where and what needs to be replaced. For example, in Hillburn we replaced the entire tip floor in 2018 and certain areas of that tip floor especially in Bays 2 and 3 there is excess of 6 inches of wear and that is just from operations.

**Phillips:** This material is a stronger bonding material?

**Damiani:** It performs well against impacts and excessive wear in our operations. We used this in West Nyack and we have little wear in those areas that is was used.

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**Phillips:** I have one item I would like to discuss with everyone. I received a call from the owner of a trailer park in our sister town Stony Point and they did bring up a very good point. The fact that many of those people are probably on a fixed income but if you are in a residential house, you pay residential tipping fees. If you are in a trailer park, you pay commercial tipping fees. It is not an easy thing, the only thing in talking to our Executive Director we have to make sure they are not using commercial vehicles because a lot of them put out containers and they pick up the containers. I do think we should explore looking into this to see if we can try to remove a burden from them, because they are just going to pass it on to the renters of the trailers. Does anyone disagree with that? They are the most vulnerable, but if there is a way in which we can come up with to charge them residential and find a solution. I don't know if we can convince them to have their garbage collected by compactors instead of roll-offs. Executive Director what is your insights on that?

**Damiani:** We could look within the County and see how many trailer parks there are within Rockland County and see who those haulers are and have discussions with them. The concern from Rockland Green would be the commingling of residential and commercial to avoid the increase in tip fee.

**Phillips:** Does anyone mind if Jerry goes out and explores this and come back to see if there is a solution.

With that we also talked about getting everyone together to visit the Materials Recovery Facility in May to see the progress that is being made. When are we looking to open the facility?

**Damiani:** Late Fall. There is a slide show on our website that shows the improvements from day one up through last week. They started framing out all the second-floor offices and the lower-level

bathrooms are in progress. There were some delays with the equipment. Last week we were supposed to receive three containers from the port and they were delayed. Next week we are supposed to receive five containers. The electrical, HVAC and plumbing contractors have been onsite and now the fire suppression contractor will be onsite.

**Phillips:** Do we have any comments from the Commissioners?

**Kohut:** Do we need to discuss renovations at the Nanuet office or is that for a future meeting.

**Phillips:** We will discuss that at a future meeting. Do we have any comments from the public? Since there is no public comment, do we have a motion to adjourn?

Motion to adjourn.

**Hoehmann:** Moved

**Specht:** Seconded

The meeting was adjourned at 5:40 p.m.

Respectfully submitted,  
Suzanne Haggerty