

- Chairman Phillips called to order the Rockland Green Board meeting for Thursday, June 24, 2021, at 5:00 p.m.

- Pledge of Allegiance led by Commissioner Monaghan

- Roll call by clerk. There is a quorum.

Present

Chairman Phillips
Commissioner Kohut
Commissioner Monaghan
Commissioner Moroney
Commissioner Paul

Present

Commissioner Powers
Commissioner Soskin
Commissioner Specht
Commissioner Wieder

Absent

Commissioner Hoehmann
Commissioner Hofstein
Commissioner Hood
Commissioner Jobson
Commissioner Kenny
Commissioner Lynn
Commissioner McGowan
Commissioner Yeger

Staff

Jerry Damiani, Jeremy Goldstein, Suzanne Haggerty, Ken Murphy, Debbie Samuels

Others

Jeff Heath, Stephanie Kosmos, Steve Torres

Phillips: Commissioner Hoehmann sends his apologies he is unable to attend tonight's meeting because he had to be in court this evening.

- Introduced by: Specht/Paul

Unan.

June 24, 2021

RESOLUTION NO. 49 OF 2021
ADOPTION OF MINUTES, MEETING OF
MAY 27, 2021

RESOLVED, that the transcribed Minutes of the Rockland County Solid Waste Management Authority d/b/a Rockland Green are approved for the meeting May 27, 2021, as recorded by the Clerk and are hereby adopted.

5. Introduced by: Specht/Wieder

Unan.

June 24, 2021

RESOLUTION NO. 50 OF 2021
AUTHORIZING EXECUTION OF
AN INTERGOVERNMENTAL SOLID WASTE COLLECTION,
TRANSPORTATION AND DISPOSAL AGREEMENT
WITH THE VILLAGE OF AIRMONT

WHEREAS, the Rockland County Solid Waste Management Authority, d/b/a Rockland Green (hereinafter “Rockland Green”) is a Public Benefit Corporation, duly organized and existing under the Rockland County Solid Waste Management Authority Act, (the “Act”) and set forth under Title 13-M of the Public Authorities Law of the State of New York, and,

WHEREAS, the Village of Airmont, New York (hereinafter “the Village”) requested that Rockland Green enter into a contract with the Village to take responsibility for residential solid waste collection, transportation and disposal services in the Village, and,

WHEREAS, pursuant to its powers granted under the Act, Rockland Green has the power to perform such collection and to levy a fee for such services against the real property owners of the Village, and,

WHEREAS, in order to determine the costs to Rockland Green for delivering such services, Rockland Green is in the process of preparing a Request for Proposals (the “RFP”) for the collection, transportation and disposal of solid waste generated in the Village, and, therefore it is hereby,

RESOLVED, that the Executive Director of Rockland Green is hereby authorized to execute an Intergovernmental Solid Waste Collection, Transportation and Disposal Agreement with the Village to enable Rockland Green to perform such services on behalf of the Village, and be it further

RESOLVED, that the Intergovernmental Solid Waste Collection, Transportation and Disposal Agreement between Rockland Green and the Village shall be substantially in the form presented at this meeting, with such amendments, modifications, changes and omissions thereto as the Executive Director of Rockland Green may negotiate and approve as in the best interests of Rockland Green and not inconsistent with the terms of this resolution, and the Intergovernmental Solid Waste Collection, Transportation and Disposal Agreement shall constitute conclusive evidence of the valid authorization hereunder of any such amendment, modification, change or omission; and be it further

RESOLVED, that the Executive Director is hereby authorized to issue the RFP for the collection, transportation and disposal of solid waste in the Village, and be it further

RESOLVED, that the Executive Director is hereby authorized to execute such other documents and perform such other actions as may be necessary to carry out the intent of this resolution.

6. Introduced By: Kohut/Moroney

Unan.

June 24, 2021

RESOLUTION NO. 51 OF 2021**AUTHORIZING NOTICE TO THE ROCKLAND COUNTY LEGISLATURE OF INTENT TO ACQUIRE AN IRREVOCABLE LICENSE COUPLED WITH A LEASEHOLD INTEREST IN THE REAL PROPERTY LOCATED AT 25 N. AIRMONT ROAD, AIRMONT, ROCKLAND COUNTY, NEW YORK**

WHEREAS, the Rockland County Solid Waste Management Authority, d/b/a Rockland Green (hereinafter “Rockland Green”) owns and operates a materials recovery facility (the “MRF”) located at 420 Torne Valley Road, Hillburn, New York; and

WHEREAS, Rockland Green plans to make significant renovations and modifications to the MRF, including the construction of a dual stream recyclables processing system (the “DSR Processing System”); and

WHEREAS, in order to facilitate the renovations and modifications to the MRF, including the construction of the DSR Processing System, Rockland Green will be forced to temporarily discontinue current operations at the MRF; and

WHEREAS, while operations at the MRF are temporarily discontinued, Rockland Green will be required to divert recyclable materials that would otherwise be delivered to the MRF to an alternate facility or facilities; and

WHEREAS, Rockland Green has sufficient capacity at the Recyclables Preprocessing Facility (the “RPF”) located at 50 Baler Blvd., Hillburn, New York to receive significant quantities of such recyclable materials, but it does not have sufficient capacity at the RPF to receive all such recyclable materials; and

WHEREAS, Interstate Waste Services (“IWS”) owns and operates a materials recovery facility (the “IWS Facility”) located at 25 N. Airmont Road, Airmont, New York; and

WHEREAS, Rockland Green desires to obtain from IWS an irrevocable license coupled with a leasehold interest in a portion of the IWS Facility for the temporary diversion and processing of those recyclable materials for which Rockland Green does not have sufficient capacity at the RPF; and

WHEREAS, IWS desires to grant Rockland Green an irrevocable license coupled with a leasehold interest in a portion of the IWS Facility for the temporary diversion and processing of such recyclable materials; and

WHEREAS, Rockland Green is authorized to acquire an interest in real property pursuant to item (3) of Section 2053-e of Rockland Green’s enabling legislation, Title 13-M of the Public Authorities Law (the “Act”); and

WHEREAS, Section 2053-f of the Act specifies that Rockland Green shall not acquire any interest in real property unless at least 45 days’ prior notice of the acquisition of any interest in real property by Rockland Green has been given to the Rockland County Legislature and no objection by resolution of the Rockland County Legislature shall have been made and delivered within such 45 days; now therefore be it

RESOLVED, that the Board of Rockland Green directs the Executive Director or Authority Counsel to notify the Rockland County Legislature of its intent to acquire an irrevocable license coupled with a leasehold interest in a portion of the IWS Facility in accordance with Section 2053-f of the Act.

Damiani: Our Act states for us to notify the County Legislature anytime we have interest in a property. For the MRF improvement we are going to look to divert commercial cardboard to the IWS facility in Airmont.

7. **Introduced By: Powers/Wieder**

Unan.

June 24, 2021

RESOLUTION NO. 52 of 2021

**STATE ENVIRONMENTAL QUALITY REVIEW
FOR LEASE AND IRREVOCABLE LICENSE OF INTERSTATE WASTE SERVICES
FACILITY LOCATED AT 25 N. AIRMONT ROAD, AIRMONT**

WHEREAS, under the New York State Environmental Quality Review Act (“SEQRA”) environmental review must be conducted if a proposed action requires funding or permitting by a public entity; and

WHEREAS, the Rockland County Solid Waste Management Authority d/b/a Rockland Green (hereinafter “Rockland Green”) desires to enter into an irrevocable license coupled with a leasehold interest for a portion of a materials recovery facility owned by Interstate Waste Services (“IWS”) and located at 25 N. Airmont Road, Airmont, New York (the “Premises”), and

WHEREAS, in accordance with the provisions of 6 CRR-NY 617.6 (b)(1), where a single agency is involved, that agency will be the “Lead Agency” for SEQRA purposes; and

WHEREAS, Rockland Green, as project sponsor, is acting as the Lead Agency; and

WHEREAS, Rockland Green, as Lead Agency, following review of 6 CRR-NY Part 617, has determined the proposed irrevocable license and leasehold of the Premises is considered an Unlisted Action under SEQRA and, as such, a short Environmental Assessment Form (“EAF”), an executed copy of which is attached hereto as Exhibit A, has been completed by the Lead Agency pursuant to the strictures of 6 CRR-NY 617.6 (a)(3); now therefore be it

RESOLVED, that the Rockland Green Board hereby declares that Rockland Green has acted as Lead Agency for the purpose of conducting an environmental review of the proposed acquisition of the Premises as required under SEQRA; and be it further

RESOLVED, that the Rockland Green Board hereby declares that Rockland Green, as Lead Agency, has (i) conducted the required SEQRA environmental review for the proposed irrevocable license and leasehold interest of the Premises; (ii) followed all applicable protocols in accordance with and as required by all relevant rules and regulations in connection therewith including, without limitation, those rules and regulations promulgated under 6 CRR-NY Part 617; and (iii) reached a determination that Rockland Green’s lease and irrevocable license of the Premises will not have any significant adverse impact on the environment; and be it further

RESOLVED, the Rockland Green Board will prepare, or cause to be prepared, a Negative Declaration in accordance with the applicable provisions of SEQRA, thereby setting forth the determination of non-significance reached by the Authority in connection with the SEQRA environmental review conducted by Rockland Green as indicated hereunder.

8. Introduced By: Soskin/Moroney

Unan.

June 24, 2021

RESOLUTION NO. 53 OF 2021

AUTHORIZING THE NEGOTIATION AND ACQUISITION OF AN IRREVOCABLE LICENSE AND LEASEHOLD INTEREST IN A PORTION OF INTERSTATE WASTE SERVICES FACILITY AND PROPERTY LOCATED AT 25 N. AIRMONT ROAD, AIRMONT, NEW YORK AND RELATED ACTIONS

WHEREAS, the Rockland County Solid Waste Management Authority d/b/a Rockland Green (hereinafter “Rockland Green”) owns and operates a materials recovery facility (the “MRF”) located at 420 Torne Valley Road, Hillburn, New York; and

WHEREAS, Rockland Green plans to make significant renovations and modifications to the MRF; and

WHEREAS, in order to facilitate the renovations and modifications to be made to the MRF, Rockland Green is interested in acquiring an irrevocable license coupled with a leasehold interest in a portion of the Interstate Waste Services (“IWS”) materials recovery facility located at 25 N. Airmont Road, Airmont, New York (the “IWS Facility”) for the temporary diversion and processing of materials during such renovations and modifications to the MRF, and

WHEREAS, Rockland Green is authorized to acquire real property pursuant to item (3) of Section 2053-e of Rockland Green’s enabling legislation, Title 13-M of the Public Authorities Law (the “Act”); and

WHEREAS, Section 2053-f of the Act specifies that Rockland Green shall not acquire any interest in real property unless at least 45 days’ prior notice of the acquisition of any interest in real property by Rockland Green has been given to the Rockland County Legislature and no objection by resolution of the Rockland County Legislature shall have been made and delivered within such 45 days; and

WHEREAS, Rockland Green has authorized both the Executive Director or Authority Counsel to notify the Rockland County Legislature of its intent to acquire an irrevocable license coupled with a leasehold interest in a portion of the IWS Facility in compliance with Section 2053-f of the Act; and

WHEREAS, in addition to the foregoing, due diligence and the negotiation of an irrevocable license coupled with a leasehold interest in real property agreement (the “Agreement”) are required prior to the acquisition of such interest in real property by Rockland Green; now therefore be it

RESOLVED, that the Rockland Green Board authorizes Rockland Green’s acquisition of an irrevocable license coupled with a leasehold interest in a portion of the IWS Facility on terms and conditions not inconsistent with the Term Sheet attached hereto in the form of Exhibit A, subject to the completion of due diligence and the satisfactory negotiation of the Agreement, and provided no objection of the Rockland County Legislature by resolution shall have been provided as set forth in Section 2053-f of the Act; and be it further

RESOLVED, that the Rockland Green Board hereby authorizes the Chairman or the Executive Director to (i) perform all due diligence required, (ii) negotiate the terms and conditions of the Agreement with the representatives of IWS, which Agreement shall contain, among other usual and customary terms and conditions, the terms and conditions set forth on the Term Sheet attached hereto in the form of Exhibit A, which shall not be inconsistent with this resolution, and (iii) execute the final version of such Agreement and take all other and further action required to facilitate and consummate Rockland Green’s acquisition of an irrevocable license coupled with a leasehold interest in a portion of the IWS Facility.

Damiani: IWS through the irrevocable license and lease hold agreement will set aside a percentage of their existing tip floor for cardboard. We will direct our commercial haulers to deliver cardboard collected to that facility. There will be a cost savings.

9. **Introduced: Paul/Moroney**

Unan.

June 24, 2021

RESOLUTION No. 54 OF 2021

CANCELATION OF JULY 22, 2021, MEETING

WHEREAS, the Chairman may elect to cancel or reschedule any single regular monthly meeting for lack of any business to be transacted or anticipated lack of a quorum, therefore be it

RESOLVED, that the regular monthly meeting, originally scheduled for July 22, 2021, shall be canceled.

10. New Business

Phillips: Do we have any new business or comments?

Monaghan: I have heard you are inspecting the recycling bins in Stony Point, and I was wondering how that is going.

Damiani: We are working in Haverstraw, Piermont, Stony Point and Wesley Hills for the second week. Only 52% of all residential units we are working in have actually set out so there is a lot of room for improvement. In the second week there was more compliance.

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

Monaghan: Moved

Specht: Seconded

The meeting was adjourned at 5:30 p.m.

Respectfully submitted,
Suzanne Haggerty