



**ROCKLAND COUNTY
SOLID WASTE MANAGEMENT AUTHORITY**

420 Torne Valley Road, P.O. Box 1217
Hillburn, NY 10931
tel 845-753-2200 fax 845-753-2281

Howard T. Phillips, Jr.
Chairman

Anna Roppolo
Executive Director



Present

Chairman Phillips
Commissioner Grant
Commissioner Kohut
Commissioner Lynn
Commissioner Monaghan
Commissioner Moroney
Commissioner Paul
Commissioner Schoenberger
Commissioner Soskin
Commissioner Stewart

Absent

Commissioner Hoehmann
Commissioner Hofstein
Commissioner Jobson
Commissioner Noto
Commissioner Sherwood
Commissioner Ullman
Commissioner Wieder

Staff

H. Benado
K. Braunfotel
G. Damiani
J. Dodrill
J. Goldstein
S. Haggerty
D. Louis
D. O'Donnell
A. Roppolo
D. Samuel
J. Sheridan

Others

T. West

The Chairman called to order the Rockland County Solid Waste Management Authority Board of Directors meeting for Thursday, December 14, 2017 at 5:15 p.m.

Pledge of Allegiance – Led by Commissioner Grant

Roll call by Clerk. There is a quorum.

Phillips: Motion to go into Executive Session to discuss personnel.

Schoenberger: Moved

Kohut: Seconded

Phillips: Motion to come out of Executive Session.

Kohut: Moved

Paul: Seconded

Introduced by: Stewart/Monaghan

Unan.

December 14, 2017

**RESOLUTION NO. 63 OF 2017
ADOPTION OF MINUTES, MEETING OF NOVEMBER 16, 2017**

RESOLVED, that the transcribed Minutes of the Rockland County Solid Waste Management Authority are approved for the meeting November 16, 2017, as recorded by the Clerk and are hereby adopted.

Roppolo: The Authority went out for proposals for the operations, maintenance and hauling of the Hillburn transfer station and received two proposals. The committee interviewed the proposers and we selected IWS.

Introduced By: Moroney/Soskin

Unan.

December 14, 2017

**RESOLUTION NO. 64 of 2017
ACCEPTING PROPOSAL AND AUTHORIZING EXECUTION OF
THE OPERATION & MAINTENANCE AND HAULING AGREEMENT
FOR THE HILLBURN TRANSFER STATION**

WHEREAS, the Authority owns and maintains the Hillburn Transfer Station located in Hillburn, New York, for the purpose of solid waste management in the County; and

WHEREAS, the Hillburn Transfer Station is operated by IWS Transfer Systems of NY as a subcontractor to Allserveco Inc. (“Allserveco”) pursuant to an agreement with the Authority; and

WHEREAS, the term of the Authority’s agreement with Allserveco Inc. was scheduled to expire on December 31, 2017; and

WHEREAS, on June 29, 2017 the Authority issued a Request for Proposals for the Hillburn Transfer Station, Hillburn, New York, Operation & Maintenance and Hauling Services (RFP 2017-04), as amended, (the “RFP”) to commence following the expiration of the Authority’s existing agreement with MBI; and

WHEREAS, the Authority issued Addenda to the RFP to the potential proposers on August 21, 2017 and August 31; and

WHEREAS, on September 1, 2017, two proposals were received in response to the RFP . One from IWS Transfer Systems of NY, Inc. (“IWS”) and a second proposal from Mr. Bult’s Inc. (“MBI”); and

WHEREAS, the Authority’s Evaluation Committee evaluated the proposals and sought additional clarifying information from each proposer and conducted interviews with each proposer; and

WHEREAS, the Authority's evaluation committee evaluated the proposals including the information obtained during the clarification process, and taking into consideration the technical evaluation factors set forth in the request for proposals, including qualifications, experience, and price, the Evaluation Committee determined that IWS provided the most advantageous proposal for the operation and maintenance of the Bowline Transfer Station; and now therefore be it

RESOLVED, that the proposal of IWS for the prices submitted during the procurement process is hereby accepted; and be it further

RESOLVED, that the Authority hereby authorizes the Executive Director of the Authority to negotiate with IWS and, if negotiations prove successful, execute the Operation & Maintenance and Hauling Agreement for the Hillburn Transfer Station, as such services are described in the specifications set forth in the RFP, as further negotiated, subject to review by Authority Counsel; and be it further

RESOLVED, that the Operation & Maintenance and Hauling Agreement for the Hillburn Transfer Station shall be substantially in the form presented, with such amendments, modifications, changes and omissions thereto as the Executive Director of the Authority may negotiate and approve as in the best interests of the Authority and not inconsistent with the terms of this resolution, and the Operation & Maintenance and Hauling Agreement for the Hillburn Transfer Station shall constitute conclusive evidence of the valid authorization hereunder of any such amendment, modification, change or omission; and be it further

RESOLVED, that the Authority in its sole discretion, has the right to discontinue negotiations with IWS at any time prior to the execution of the Operation & Maintenance and Hauling Agreement for the Hillburn Transfer Station and such agreement shall not be binding and valid until executed by the parties.

Braunfotel: We received information from our experts that Tri-County, even though we awarded the bid, they took exceptions to a number of qualifications that makes them not the lowest responsible bidder. I think it is prudent at this point we rescind the bid.

Introduced by: Stewart/Lynn Unan. December 14, 2017

**Resolution No. 65 of 2017
RESCINDING RESOLUTION NO. 58 OF 2017
AUTHORIZING AN AGREEMENT WITH TRI-COUNTY CONTRACTING
FOR INSTALLATION OF ACCESS ROAD**

WHEREAS, the Authority Procurement Policy allows the Authority to make purchases of material, equipment or supplies utilizing the County's existing current competitive procurement list; and

WHEREAS, pursuant to Resolution No. 58 of 2017, the Authority Board authorized the Executive committee to enter into an agreement with Tri-County Contracting for an amount not to exceed \$105,000.00, and

WHEREAS, Tri-County Contracting failed to execute the submitted price form, and

WHEREAS, Tri-County Contracting failed to withdraw any and all exceptions listed within the bid

WHEREAS, it has been determined that the bid for the Emergency Access Construction awarded to Tri-County Contracting be rescinded; now therefore be it;

RESOLVED, Resolution No. 58 of 2017 is hereby rescinded.

Braunfotel: The next responsible bidder was \$13,000 more than Tri-County and that is Downes Tree Service. Remember this is an emergency access road it is not a traditional road that is paved.

Introduced by: Grant/Kohut Unan. December 14, 2017

**Resolution No. 66 of 2017
AWARD OF BID FOR INSTALLATION OF EMERGENCY ACCESS ROAD
AT THE HILLBURN ADMINISTRATIVE OFFICES AND
MATERIALS RECOVERY FACILITY**

WHEREAS, on October 23, 2017, the Authority issued a Request for Bids 2017-21 for installation of an emergency access road at the Hillburn administrative offices and Materials Recovery Facility; and

WHEREAS, Tri County Contracting, Downes Tree Service and Pine Brook Contracting submitted bids in response to the Request for Bids; and

WHEREAS, the Authority engineers reviewed the bids and determined that the bid submitted by Downes Tree Services adhered most reliably to the specifications in the Request for Bids without exception; now therefore be it

RESOLVED, that the Authority Board hereby awards the bid for installation of an emergency access road at the Hillburn administrative offices and Materials Recovery Facility, RFB 2017-21, in the amount of \$118,500.00 to Downes Tree Service, and authorizes the Executive Director to execute an agreement for the performance of the work specified in the bid.

Introduced By: Schoenberger/Stewart Unan.

December 14, 2017

**RESOLUTION No. 67 of 2017
AUTHORIZING DISPOSAL OF SURPLUS EQUIPMENT**

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

WHEREAS, upon occasion, the Authority deems such property to be “Surplus Equipment;” and

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

WHEREAS, the Authority 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 Authority Real and Personal Property (“Property Disposal Guidelines”); and

WHEREAS, it may be desirable for the Authority 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 her staff are hereby authorized to dispose of the Surplus Equipment listed in the attached “Schedule A” in accordance with the Property Disposal Guidelines.

New Business

Braunfotel: Resolution 62 of 2017 was adopted last month about the annual increases and longevity steps. There is a correction that not all longevity steps will be payed January 1st. Employees with an anniversary date between January 1 and June 30 will receive longevity steps on January 1. Employees with an anniversary date between July 1 and December 31 will receive their longevity step on July 1.

Introduced by: RCSWMA Board/RCSWMA Board Unan. December 14, 2017

**RESOLUTION NO. 68 OF 2017
AMENDING RESOLUTION 62 OF 2017**

WHEREAS, the Authority Board determined that the 2018 budget, adopted by Resolution 53 of 2017, be amended to adopt the 2018 salaries for Authority employees; and

WHEREAS, by Resolution 62 of 2017 the employee longevity step and wage increase for the year 2018 was amended and effective for all employees on January 1, 2018; and

WHEREAS, the Authority Board has now determined that the effective date for the longevity step increase will be January 1, 2018 for employees with a hire date in the months January through June and July 1, 2018 for employees with a hire date in the months of July through December; now therefore be it

RESOLVED, the longevity step increase for the year 2018 will be given on January 1, 2018 for employees with a hire date in the months January through June and July 1, 2018 for employees with a hire date in the months of July through December.

Braunfotel: There is a new proposal for vacation buyback for 2017 balances. The balances are going to be paid out in the following options; a lump sum of 100% by December 31, 2017 or November 30, 2018. Option two is a lump sum pay out of 50% by December 31, 2017 and 50% by November 30, 2018. Option three is to convert 100% of their vacation time to sick time under retirement social security law section 41(j). The last option is for the employee to choose any percentage they want to choose. The other proposal is the employees can carryover one week which is 5 working days of their 2017 balance.

Phillips: Has this been distributed to the employees?

Braunfotel: This has not been distributed yet, it will be distributed tomorrow, if approved.

Introduced by: RCSWMA Board/ RCSWMA Board Unan. December 14, 2017

**RESOLUTION NO. 69 OF 2017
EMPLOYEE VACATION ACCRUAL BUY-BACK**

WHEREAS, all Authority employees will not be allowed to carry over vacation time balances with the exclusion of one week's time; and

WHEREAS, there will be a modification during 2017 and 2018 to ensure all Authority employees have depleted their current and prior accrued Vacation time (except one (1) week); and

WHEREAS, any accumulated vacation time must be reduced to zero, with exception of one (1) week, through one of the following options:

- 1. Lump sum pay out of 100% by 12/31/17 or 11/30/18.**
- 2. Lump sum pay out of 50% by 12/31/17 and 50% by 11/30/18.**
- 3. Convert 100% of vacation time to sick time, which can be used to increase pension benefits, as per Section 41(j) of the Retirement and Social Security Law (RSSL).**
- 4. Any combination of options 2-3 above.**

WHEREAS, vacation time currently accrued through 12/31/17 may be taken through 12/31/18 provided it does not impact Authority staffing levels and pre-approved by your immediate Supervisor and the Executive Director; and

WHEREAS, all vacation time requests must be submitted to your immediate supervisor by 3/31/18. Consideration with regard to vacation time will be reviewed as received; now therefor be it

RESOLVED, all Authority employee vacation accrual accounts will be depleted on or before December 31, 2018.

Braunfotel: The handbook committee is still working on the remainder of the employee handbook. But something that is pressing for 2018 is the handbook will no longer have the vacation schedule listed. It will be amended for all employees those currently employed and for the future employees beginning January 1, 2018 employees within their 1st to 4th year of service will receive 10 days vacation, employees between their 5th and 9th year of service will receive 15 days vacation and 10th year including the rest of their career will receive 20 days vacation.

Phillips: In addition, employees continue to receive 5 personal days.

Braunfotel: That is correct.

On roll call the following answered to their name:

**Ayes: Commissioner Phillips
Commissioner Soskin
Commissioner Schoenberger
Commissioner Monaghan
Commissioner Stewart
Commissioner Lynn
Commissioner Kohut
Commissioner Grant
Commissioner Paul**

December 14, 2017

Nay: Commissioner Moroney

**RESOLUTION NO. 70 OF 2017
AMENDING EMPLOYEE VACATION POLICY**

WHEREAS, all full-time Authority employees are entitled to annual leave, which is credited on January 1st of each year for the current year’s expected service; and

WHEREAS, new employees are credited with their pro rata share of vacation time upon hire. At the time that employment ends, all employees will not be paid for vacation time that they did not accrue on a pro rata basis; and

WHEREAS, annual leave is intended for use within the calendar year. Carryover of vacation leave balance to the next calendar year is limited to one week; and

WHEREAS, the use of annual leave must be requested and approved in advance by the employee's supervisor and the Executive Director in order to maintain adequate staffing at all times; and

WHEREAS, based on the first day of employment, the following vacation day allowance applies:

Upon the completion of the First (1st) Year of Employment each employee is entitled to ten (10) vacation days.

Upon the completion of the Fifth (5th) Year of Employment each employee is entitled to fifteen (15) vacation days.

Upon the completion of the Tenth (10th) Year of Employment each employee is entitled to twenty (20) vacation days.

Part-time employees are entitled to annual leave as well as other types of leave. All leave time for part-time employees are pro-rated.

; now therefore be it

RESOLVED, the amended RCSWMA employee vacation policy will be effective January 1, 2018.

Phillips: Do we have any other new business?

Stewart: I would like to thank the Board for your service to the Solid Waste Authority and let you all know I appreciate the opportunity to serve over the past few years. I wish everyone good luck.

Phillips: On behalf of all the Commissioners we want to thank you for your dedicated service and any ideas for not only us but the people of Rockland County which were some excellent ideas. We are going to miss you and wish you the very best and we hope you stay in touch.

Stewart: I have worked hard to get Mr. Day up to speed on all the issues.

Phillips: Thank you. Since there is no other new business and no public comment being offered, do we have a motion to adjourn?

Stewart: Moved

Schoenberger: Seconded

The meeting was adjourned at 6:10 p.m.

Respectfully submitted,
Suzanne Haggerty