



**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 Day
Commissioner Grant
Commissioner Hoehmann
Commissioner Kohut
Commissioner McGowen
Commissioner Monaghan
Commissioner Moroney
Commissioner Powers
Commissioner Schoenberger
Commissioner Soskin
Commissioner Specht
Commissioner Wieder**

Absent

**Commissioner Hofstein
Commissioner Jobson
Commissioner Lynn
Commissioner Paul**

Staff

**J. Goldstein
S. Haggerty
D. O'Donnell
A. Roppolo
D. Samuels**

Others

**L. Apotheker
P. Goetz
T. Pytlar
A. Tondo
S. Torres
T. West**

The Chairman called to order the Rockland County Solid Waste Management Authority Board of Directors meeting for Thursday, March 22, 2018 at 5:00 p.m.

Pledge of Allegiance led by Commissioner Monaghan

Roll call by Clerk. There is a quorum.

Introduced by: Specht/Soskin

Unan.

March 22, 2018

**RESOLUTION NO. 12 OF 2018
ADOPTION OF MINUTES, MEETING OF
FEBRUARY 22, 2018**

RESOLVED, that the transcribed Minutes of the Rockland County Solid Waste Management Authority are approved for the meeting February 22, 2018 as recorded by the Clerk and are hereby adopted.

Executive Director's Report

Roppolo: The Authority Budget Office has put out policy guidance 18-01, which relates to procurement, which means we will have to update our procurement policy to meet these changes. I would like to confirm who is going on the facilities tour on Monday. We have a bus leaving from Clarkstown at 8 O'clock in the morning.

A special meeting will be held on Monday, March 26, 2018 at 8:00 at the Clarkstown facility.

Kohut: Moved

Powers: Seconded

Engineer's Report

Pytlar: As you recall, we had retained a grant from NYSERDA to do a study on anaerobic digestion development. It was applicable statewide with solid waste and wastewater agencies; however, they used Rockland County as a case study looking for some sites. We are now in the early stages to see what might be the best project for Rockland County. That information will be presented to the staff and the Board for your consideration. We are going to arrange a tour of an existing anaerobic digestion facility. We have arranged to visit a facility in Bristol Connecticut on April 4. This facility was built by a private firm that digests and produces power from food waste. We would like to invite any member of the Authority that would like to attend.

Phillips: Is anyone able to go on April 4. Ted, could you see if you could arrange something a little further out like in May.

Pytlar: Yes, that could be arranged.

Financial Statement Report

Goldstein: I would like to introduce Paul Goetz our auditor from BST & Co. CPAs to present the financial statements.

Goetz: We began our audit in November of 2017 with a plan in process. Most of our fieldwork was conducted in February and just last month it culminated with the draft financial statements that were issued in early March at the Audit Committee. The Audit Committee reviewed the conduct of the audit, the draft financial statement and we went over the required communications. We went over the proposed audit adjustments that were a result of the audit. We also spent a fair amount of time on the County pronouncements that can have an impact the Authority going forward. Meeting with the Audit Committee also gave us an opportunity to talk to the Audit Committee and management about some observations that we had that were a result of the audit. Some of the audit observations that will impact

you going forward is GASB 75. GASB 75 is going to dictate how all governments are going to account for other post-employment benefit obligations. Current GASB 45, which results in the Authority reporting their liability right now of \$5.4 M and that, is embodied within your financial statement. Current accounting says you can record that liability over time to eventually get to your ultimate liability. Right now, your ultimate liability is \$7.1 million.

Phillips: With GASB 75 the liability covers health insurance?

Goetz: The health insurance we provide to retirees upon their retirement.

Phillips: Are there any other benefits in GASB other than health insurance?

Goetz: No, just the retirement benefits. Right now, you have \$7.1 million liability that your actuaries have calculated. Current accounting says you need to move \$5.4 million; and if you check current accounting eventually, you will be obligated to the \$7.1 million. Under new GASB, it says you are going to report that actuarial liability effective December 31, 2018. What that means to the Authority is that you will have a big liability in the financial statements. The state does not allow you to reserve that. You have assets but there is no segregation of assets for that liability. The other GASB that is going to be effective next year is GASB 85. GASB 85 says you need to look at intangible assets. There is a big intangible asset on the books related to the Clarkstown and Haverstraw acquisition a few years ago, that has been hung up on the balance sheet. We are going to have to amortize that cost into operations over a period of time. Both of these GASB's are going to have no impact at all on cash flows to the Authority. It is just going to make your balance sheet look worse.

Similar observations that came out of the audit, we had terrific cooperation from management through the audit process and I think that is important for you to know. In addition, we had minimal audit adjustments; so the financial statements you see periodically during the year you should feel comfortable with. Lastly, we had no internal control deficiencies that are required to be reported; we also had no compliance findings as well. The bottom line is you had a positive audit.

The change in net position was \$4.2 million in 2017 so it was a positive year. One favorable thing that happened in 2017, it was a favorable recycling market for much of 2017 that affected the results.

Phillips: We did have favorable year's past and some of the conditions of the future could just easily fluctuate downward as it did upward in this instance. There is a very volatile history there.

Goetz: The other impact is we had significant insurance recovery on the Cocomposting Facility for the damage that was suffered four years ago. The proceeds for that claim came in 2017 so that is a one-time savings. There was also benefit from the transfer of the Clarkstown operations to the Authority. Previously that was contracted out. What did the Authority do with that savings; they paid down some of the bonds in 2017; which is a good use of your money.

The statement of net position is a snapshot of Authority assets, deferred outflows, liabilities and deferred inflows and that gives you your net position. If you look at the net position, there are three categories of net position; investment in capital assets of \$10.4 million that calculation is to what capital assets less debt associated. There are also restrictions on certain net position required by bond indenture of \$4.7

million. The result is then \$21 million worth of net position that is unrestricted and is available to the Authority for future operations. You need to caution on that because you have bond reported liabilities related to the OPEB that will take a chunk of that money. Under next year's accounting, you may see that come down. The good thing of a strong net position of \$21 million it allows you some opportunity to address some of these long-term challenges you may have; and gauge some of the fluctuations in markets that may have been favorable in 2017. The one big concern that should be looked at is you take all of your waste up to Ontario County. The first section of that agreement comes up for renewal in 2019 and pricing could change in 2019.

Phillips: Have we had any indication from them?

Roppolo: No we haven't; but one of the things that we continually do, and this is why the anaerobic digester and looking at other ways of disposal of the waste is important. The landfills only have a certain lifespan and many of the landfills are getting pushback from the residents around them.

Goetz: The other thing I want to caution you on too, is the net pension liabilities. As members of the retirement system, the Authority is responsible for any underfunding of the net pension of the retirement system. We are subject to the difficulties of the markets. If there were a down turn in the market, our share of that debt service liability would go up as well. There are some uncertainties out there in the future that you need to be aware of as well.

The last thing I would like to go over is component units. There was a question last year as to why we refer to the Authority as a component unit of Rockland County.

Phillips: Does anyone have a question on component unit? We discussed this last year and the question was why are we considered a part of Rockland County? Can you give us a brief accounting explanation?

Goetz: The question came up last year and you will see across every page (A Component Unit of the County of Rockland, New York). In an accounting firm, there are definitions as to what a component is and why it is included in the financial statements. If you look at Rockland County's financial statements, they determine that the Authority is a component unit of the County itself. Their determination on that is they effectively have control over the Authority by subject of having the majority of the members appointed to the Board.

Phillips: It is based upon the original charter of the Authority as to how members would be appointed. Since the County Executive and the County Legislature have the majority of appointments, that is the reason why it is a component. Do any of the commissioners have any questions on the audit? Since there are no questions, do we have a motion to accept the audit report?

Introduced by: Moroney/Hoehmann

Unan.

March 22, 2018

**RESOLUTION No. 13 of 2018
ADOPTING RECOMMENDATION OF AUDIT COMMITTEE AND APPROVING
2017 FINANCIAL STATEMENT**

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

WHEREAS, the attached audited financial statement was prepared by BST & Co. CPAs, LLP for the period ended December 31, 2017; and

WHEREAS, the Authority's Audit Committee met on March 8, 2018, reviewed and accepted the attached 2017 Financial Statement, and has recommended to the Authority Board that it be approved; now therefore be it

RESOLVED, that the Authority Board hereby adopts the recommendation of the Audit Committee and approves the attached audited financial statement prepared by BST & Co. CPAs, LLP, for the period ended December 31, 2017.

Phillips: We engaged in a contract with Joel Dichter last year in reference to SUEZ and he did a very good job for us. I have heard from a tremendous amount of residents and so have the other Supervisor's since the new federal tax rate went from a 35% corporate tax rate to a 21% which is a tremendous windfall for Orange and Rockland. Joel can you tell us what these numbers represent and what your plan of attack is.

Dichter: I have been practicing company utility law for 30 years; and handling electric, gas and water cases. This O&R case has come before the commission and this case never should have been brought given the change in the corporate tax rates. Going from 35% to 21% rate there has been a windfall in utility current rates. Although it is coming in as an increase on the electric side \$20 million or 2.3% which is a \$13 million savings. They plan to take those saving and pass them back to consumers over 46 years. There is over \$30 million that is available to offset this rate increase.

It is true on the gas side; there is a \$4.5 million increase and there is a \$5 million tax savings. There are other savings available to move to increase their allowed return of equity from 9% to 9.75%. The result of that is \$5 million increase in rates just from that issue alone. Then there are issues related to the storm front; what are they doing to protect the system and make sure they respond more quickly to outages as they occur. The proposal that is made by them in the rate meter really has very little for that. There only proposal is what they call non-wiring so they are looking at changing some transformer banks in Ramapo. The other things are more software related as well as they have their meter reading that they are putting into place. They put in 70,000 smart readers in Rockland County and the total number is about 220,000 so they have a ways to go on that as well.

Phillips: We have had a number of complaints on the smart readers. I am not saying it is not a good idea, but a number of residents are saying it really spiked their rates. Not just \$20 or \$30, in some instances a \$100 to \$200 increase over this past winter. I think that is something that is not accounted for in the rate request. O&R could actually see a big spike in the revenue with these new meters.

Dichter: In fact, they have actually built in a \$6 million decrease in revenues on the electric side.

Phillips: Do any commissioners have any questions?

Powers: What is your hourly rate?

Dichter: The hourly rate in this case is \$325.

Powers: I am under the impression you are doing this for other towns also.

Dichter: Yes, five Towns have joined in addition to the Authority.

Powers: So you are not charging each one \$325.

Dichter: It will be split among each Town.

Phillips: Unless the County of Rockland would like to join in and add some funds, they would be more than welcome to.

Powers: I know the County is doing this in-house.

Phillips: If the County would like to join in, they would be more than welcomed. I think this is really a great idea and I think it is a prudent idea when you have somebody who is submerged in the field and has a tremendous amount of experience. Joel you worked for Yonkers and White Plains and you have been doing this for how many years?

Dichter: Over 30 years.

Phillips: We are dividing the cost with the Towns based upon population, but last year the Authority agreed to put in \$15,000 to participate. I think this is a great idea and I think the ratepayers of Rockland County deserve to have representation of an expert fighting for them.

**Introduced By: Kohut/Hoehmann
Grant - Recused**

Unan.

March 22, 2018

RESOLUTION NO. 14 OF 2018

**AUTHORIZING THE AUTHORITY TO SHARE THE COST OF LEGAL SERVICES
PERFORMED BY DICHTER LAW LLC AS PART OF THE MUNICIPAL CONSORTIUM IN
SUPPORT OF REASONABLE
ORANGE & ROCKLAND RATES**

WHEREAS, the Authority considers it in its best interests to join the Municipal Consortium in Support of Reasonable Orange and Rockland rates in connection with O&R 2018 Rate Case 18-E-0067 before the Public Service Commission; and

WHEREAS, the Authority has received a proposal from Dichter Law LLC to represent and provide legal services to the Authority as part of its share in connection with the case before the Public Service Commission; and

WHEREAS, the Municipal Consortium has requested the Authority's participation in the cost sharing for legal fees Dichter Law LLC, to represent the Group in the pending case; and now, therefore be it

RESOLVED, that the Authority Board hereby authorizes the Executive Director to enter into an agreement with Dichter Law LLC, in a form approved by General Counsel, to represent it as part of the Municipal Consortium; and be it further

RESOLVED, that the Authority's share for this legal work shall not exceed the amount of \$15,000.00 without prior approval.

Introduced By: Monaghan/Hoehmann

Unan.

March 22, 2018

RESOLUTION No. 15 of 2018

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

West: The Authority went out to bid for the replacement of the Hillburn transfer station floor RFB 2018-01. Five bids were received and publically opened on March 5. The bids that were received were as follows: \$493,600 from Champion Maintenance Contractors, \$1,020,525 from Upstate Concrete, \$1,151,300 from A-Tek Concrete, \$1,275,183 from Montana Contracting and \$1,942,500 from McNamee Construction Inc. The lowest priced bid submitted by Champion Maintenance Contractors of \$493,600 was formally withdrawn by Champion on March 13 due to multiple errors in its unit pricing and take off. The next lowest bid was by Upstate Concrete and Masonry for \$1,020,525 was determined by the Authority based on the review by the Authority’s independent engineer and special counsel that Upstate’s bid reflected project experience that did not adequately reflect the projects similar in scope, size and character of that proposed for the Hillburn tip floor replacement project. The contract calls for services involving a project exceeding more the \$1 million in cost. Upstate indicated in its bid response that they have not completed a project exceeding more than \$255,000. The Authority’s consulting engineer and special counsel and staff recommended that the next lowest bidder of A-Tech Concrete of \$1,151,300 be awarded for the replacement of the Hillburn tip floor.

Phillips: Jeff could you make a few comments in review of these bid proposals.

Heath: Primarily, what we were looking for was a reference check in terms of similar in scope and character in the type of work the next bidders had. We reviewed all of the references and requested more through the Authority for Upstate. Upstate submitted four more references and I believe three of them we already had. The conclusion is really relative to the context of the project, which is demolition of about 70 feet by 115 foot 15 inch thick floor, demotion of a partition wall that is 13 feet high and about 100 feet long, installation of 1-inch thick steel plate along the back push walls and sidewalls. More importantly, it involves the phasing of the work in order to keep the transfer station operations going. This is a little bit different and unusual relative to simply tearing out a floor and putting it back down. There is a fair amount of coordination that is required and a fair amount of prep of making sure we get the information in and submittals in. Additionally, there are strict schedule requirements particularly for the phase I work with limited advantages. We considered all of that and although certainly it is not a reflection on whether the next apparent low bidder could put down bracket work, we

think there is just more to it relative to coordination. Our concerns are really with the original second low bidder than apparent low bidder. It is related to those extended situations and certain stamps that this project would involve. In discussions with the Authority staff and their input, as well, it did lead into more discussions on experience and representative project work. So with that and consultations with legal counsel and with equal checks and due diligence on the next bidder, and their experience level and the type of projects they have done, we expressed what our primary concerns were that was with respect to the matching the character and nature and scope of this project. Based on those results, it was deemed and recommended to go to the next bidder.

Phillips: The next lowest bid was submitted by Upstate Concrete & Masonry for \$1,020,525, but it was determined based upon the review of the Authority's independent engineer and special counsel not the be responsible for this project. Whereas, the basis of this determination is described in the findings, statements attached hereto. Whereas, the next lowest priced bid was submitted therefore by A-Tech Concrete Co., for \$1,151,300. After review of the bid and references submitted by A-Tech, A-Tech was determined to responsible. Therefore, A-Tech was found to be the lowest responsible bidder and therefore, the bid submitted by A-Tech in response to the RFB is hereby accepted and be it resolved the Authority hereby awards the contract for the Hillburn Transfer Station concrete floor replacement pursuant to the RFB to A-Tech concrete company. Further, resolved that the Authority authorizes the Executive Director of the Authority to execute the contract for the Hillburn Transfer Station concrete floor replacement pursuant to the RFB in accordance with the terms thereof and therefore resolved the Authority, in its sole discretion, has the right to rescind the award at any time prior to the execution of the contract for the Hillburn Transfer Station concrete floor replacement and such agreement shall not be binding and valid until executed by the parties.

Introduced by: Hoehmann/Kohut

Unan.

March 22, 2018

**Resolution No. 16 of 2018
AWARD OF CONTRACT FOR
THE HILLBURN TRANSFER STATION CONCRETE FLOOR REPLACEMENT
RFB 2018-01**

WHEREAS, the Rockland County Solid Waste Management Authority (the "Authority") is a Public Authority 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 Authority Law of the State of New York; and

WHEREAS, the concrete floor of the Authority's Transfer Station in Hillburn, New York (hereinafter "the Transfer Station") must be replaced; and

WHEREAS, pursuant to its powers granted under the Act, on January 16, 2018 the Authority issued Request for Bids No. 2018-01, as amended, to procure a contractor to perform such work (the "RFB"); and

WHEREAS, on March 5, 2018 the Authority publicly opened the five (5) bids it received in response to the RFB; and

WHEREAS, the bids received were as follows: (i) \$493,600.00 from Champion Maintenance Contractors, Inc., (ii) \$1,020,525.00 from Upstate Concrete & Masonry Contracting Co., Inc., (iii) \$1,151,300.00 from A-Tech Concrete Co., Inc., (iv) \$1,275,183.00 from Montana Contracting, and (v) \$1,942,500.00 from McNamee Construction, Inc.; and

WHEREAS, the lowest priced bid, submitted by Champion Maintenance Contractors, Inc. (“Champion”), was formally withdrawn by Champion on March 13, 2018 due to multiple errors in its unit pricing and take off; and

WHEREAS, the next lowest priced bid was submitted by Upstate Concrete & Masonry Co., Inc. for \$1,020,525.00, but it was determined by the Authority, based on the review by the Authority’s independent engineer, to be not responsible for this project; and

WHEREAS, the basis for such determination is described in a findings statement attached hereto; and

WHEREAS, the next lowest priced bid was submitted by A-Tech Concrete Co., Inc. (“A-Tech”) for \$1,151,300.00, and after a review of the bid and references submitted by A-Tech, A-Tech was determined to be responsible; now therefore be it

RESOLVED, that A-Tech was found to be the lowest responsible bidder, and, therefore, the bid submitted by A-Tech in response to the RFB is hereby accepted; and be it further

RESOLVED, that the Authority hereby awards the contract for the Hillburn Transfer Station Concrete Floor Replacement pursuant to the RFB to A-Tech Concrete Co., Inc.; and be it further

RESOLVED, that the Authority authorizes the Executive Director of the Authority to execute the contract for the Hillburn Transfer Station Concrete Floor Replacement pursuant to the RFB in accordance with the terms thereof; and be it further

RESOLVED, that the Authority, in its sole discretion, has the right to rescind this award at any time prior to the execution of the contract for the Hillburn Transfer Station Concrete Floor Replacement and such agreement shall not be binding and valid until executed by the parties.

Phillips: Are there any questions for our counsel or engineer?

Wieder: In attachment I it says, “the project cost for the largest reference project listed by Upstate in its bid was 25% of the project cost bid by Upstate for the Hillburn Transfer Station concrete floor replacement. Upstate’s listed requisite experience appears to relate primarily to curb and sidewalk work, which is substantially different from the work to be performed pursuant to the RFB”. The fact that they only had 25% of all projects based upon this is that something that would move us in terms of who we pick? It sounds irrelevant to me that the project that Upstate listed was 25% of the project cost. I was wondering if that alone would be an issue. If I had to do one block of curbs, and I’m bidding for five blocks, that is only 20%. On the other hand, the other item was that they didn’t have any experience on what they were bidding. Where does that 25% come into play?

Phillips: We asked something similar in the Executive Committee meeting. I have found in my experience, using your scenario of curbs, if this was a similar job we experienced just recently where we hired a contractor and he gave us a price and he was only used to doing smaller jobs and this time he was awarded a bid five streets belgium block curb. He submitted his price and we asked are you sure you can keep up with this work and do it in the time in the manner in which it requires and also complete it at a cost that you submitted. In addition, he went back to his numbers and came back to us. We asked again a third time and asked are you sure and we awarded the bid to him. Not even half way through the job, he came to us and said I am way in over my head. I have experience where I have seen that going from smaller jobs to much larger jobs, does make a difference. Jeff do you want to embellish on your experience with findings.

Heath: I think that is well said, Chairman; I don't think the issue is much the dollar value as it is the character, scope and the stamps of the projects that we are looking for in terms of similar projects we were looking for. Clearly, we looked at the dollar value, but dollar value lends itself to a variety of different things. You have the size of the project, but you also have the nature and area of scope of the projects.

Phillips: This is nothing like new curbs and sidewalks?

Heath: Curbs and sidewalks are very different then what we are looking at here. With replacement, concrete there is also reinforcing and some slab drainage systems relative to leachate there is also managing of the leachate during on-going operations. There is sidewalk demolition and sidewall demolition, which is not flat demolition. There are some hefty steel plates that may require some cranes for those to be put in place. So it is the whole and above everything, it is the coordination and the timing with our current operations. I'm hesitant to put anybody into a little box and make judgements on that. We are really looking at it from an overall strength of what this project requires.

Phillips: I reasked all the members and none of us are familiar with any of these contractors; except one of them did some minor work in Clarkstown. Jeff, were you familiar with any of these contractors before this?

Heath: I don't believe so. I know they all work in the area.

Wieder: I see two things. The only experience they have is 25% of this net project. The other thing is Upstate requisite experience appears to relate primarily to curb and sidewalk work. Even for the sidewalk work, it was only 25% of this job?

Heath: The size of the projects range from less than \$10,000 to \$255,000. That is the size of the projects that they submitted.

Wieder: It was only for curbs and sidewalks?

Heath: It was primarily for curbs and sidewalks; there were some concrete repairs. They have done some slab work, it wasn't evident to us with the information that was provided, but that was the full range. Therefore, when they talk about that is was the largest sized project that was presented.

Wieder: Even for the curbs and sidewalks?

Heath: Even for the curbs and sidewalks.

Tondo: My name is Angelo Tondo and I represent Upstate Concrete. We have been doing concrete work since the 1980's. I know that the reference list that we supplied to the Authority primarily said curbs and sidewalks, but these are only brief descriptions because it is something that we claim to do everywhere. When Ms. Louis asked me for 3 more references, we gave her 4 specific references on reinforced concrete slabs. We actually specialize in reinforced concrete slabs and I came into this business doing reinforced concrete slabs. I was a cement finisher in New York State for 12 years and for Local 5 for an additional 12 years. Primarily they are not all sidewalks and curbs many of those jobs contained reinforced concrete slabs with rebar. We are 100% confident that we can do this job for the Authority without any hesitation at all.

Phillips: We really need to depend upon the advice of our consultants.

Tondo: A large part of this job is the steel plates that go on push walls, which is going to be subbed out by a reputable steel contractor that we noted. Now you are talking about a \$600,000 job that we are going to do with our own forces and it actually is even less than that because we are going to sub out the pressure drop that goes in between the push wall and the steel plate.

Phillips: I appreciate everything you are saying. I am going to make a proposal for you. If everybody looks at the last resolve, the Authority is in sole discretion, has the right to rescind any award at any time prior to the execution of the contract. Therefore, I am going to ask staff if you, Anna, could designate whomever you would like from the Authority to go through this with Angelo one more time. If you come back with a different opinion, I think the Authority will reconsider. We do want to get this done in a timely manner. All right Angelo, will you do that?

Tondo: I would love that opportunity. Upstate Concrete would like to shine for you and would really like to have this on our books.

Phillips: We don't want to spend any more taxpayer money than we have to. We want to save the Authority money; we are all very conscience about that. We will give you this opportunity and we will wait to hear back.

Roppolo: Would you like us to come back to the Authority Board next month.

Phillips: I think you can come back after Jeff reviews everything and you can come back with a recommendation one way or the other. If it is the same, we do not have to do anything. If it is different, we can canvas everybody to see if we need a special meeting. We do want to get this job started.

Moroney: We discussed briefly in Executive Committee about numbering containers coming into the Authority.

Phillips: Yes. We want to make a recommendation to the County Executive and Legislature to authorize the Health Department to identify by number all containers that they certify through the Rockland County Health Department. Do we have a motion and second to have a resolution to recommend that.

Introduced by: Moroney/Hoehmann

Unan.

March 22, 2018

**RESOLUTION No. 17 OF 2018
ROCKLAND COUNTY DEPARTMENT OF HEALTH
FLOW CONTROL PERMITTING RECOMENDATION**

WHEREAS, pursuant to Resolution No. 28 of 2008, the Rockland County Solid Waste Management Authority (the "Authority") entered into a memorandum of understanding ("MOU") with the County of Rockland (the "County"), dated June 2, 2008, regarding each party's roles and responsibilities as to the rights and obligations of each related to the implementation and enforcement of the enacted County Flow Control Law, Chapter 350 of the Laws of Rockland County *et seq.* (the "Flow Control Law"); and

WHEREAS, the MOU allows the Rockland County Department of Health ("RCDOH") to provide effective permitting, licensing and enforcement of the Flow Control Law; and

WHEREAS, pursuant to the MOU, the Authority and the County formalized an agreement with the RCDOH for provision and reimbursement of expenses for effective licensing and enforcement of the Flow Control Law; and

WHEREAS, the Rockland County Solid Waste Management Authority Board has determined that requiring carters to identify all of their containers by uniformly displaying numbers upon them would make enforcement of the Flow Control Law easier and more effective; now therefore be it

RESOLVED, the Rockland County Solid Waste Management Authority Board now formally recommends to the Rockland County Executive and the Rockland County Legislature that, all carters should be required to identify their containers by uniformly displaying numbers upon them; and be it further

RESOLVED, the Rockland County Solid Waste Management Authority Board recommends that the cost of numbering the containers should be at the carters' expense; and be it further

RESOLVED, the Rockland County Solid Waste Management Authority Board recommends to the Rockland County Executive and the Rockland County Legislature that the requirement to number carter containers should be part of the RCDOH's permitting process; and be it further

RESOLVED, the Rockland County Solid Waste Management Authority Board authorizes this Resolution and an accompanying explanatory letter to be forwarded to the Rockland County Executive and the Chairperson of the Rockland County Legislature for their review and consideration.

Wieder: Can you explain what the motion is.

Phillips: The inspectors of the Rockland County Health Department go out to ensure the integrity of the waste that comes into the Solid Waste Authority. We want to identify the containers that are carrying all different types of waste that we accept. We believe, based upon some discussions we have had with employees, that it would be very helpful if it was required during the permit process that these containers be numbered so they can be easily identified by the employees of the Health Department who are doing the inspections and going out and ensuring the integrity of each container that comes into the Solid Waste Authority.

Wieder: Who would number these containers?

Phillips: The carters would be required to if the County Executive and Legislature make it a part of the permitting process. The carter would be responsible to number the containers. Many municipalities require their garbage trucks to be numbered.

Powers: At no additional cost to the County then, correct?

Phillips: No.

Day: Can we get the exact wording read into the record.

West: Whereas, the Rockland County Solid Waste Management Authority requests to the Rockland County Legislature and the Rockland County Executive to recommend to the Department of Health to require that carters identify containers by number at the carters sole cost for identification in connection with the Rockland County Solid Waste Management Authority's Flow Control Law before such car may be permitted or licensed by the Department of Health.

Day: We are talking about roll-off containers?

West: Yes, roll-off containers used in construction process.

Phillips: Are there any other type of containers or vehicle coming in?

Roppolo: We will look into it.

West: The intent is to identify containers used in construction projects to identify the containers coming to the Solid Waste Authority through flow control.

Moroney: That is the intent of the resolution. Some of these containers are going to other places. The Solid Waste Authority is losing money because these containers are being taken to somewhere else. This will help the Department of Health employees to identify the containers and see if the trailer is almost full to capacity and the next day it is empty and it doesn't come through the Solid Waste Authority. Then they have the ability to track and fine the people who are taking the container somewhere else.

Phillips: We would also want the carters to uniformly display the number on the container in the same place or multiple places.

Phillips: Is there any other new business? Since there is no other new business, do we have a motion to adjourn?

Wieder: Moved

Schoenberger: Seconded

The meeting was adjourned at 5:55 p.m.

Respectfully submitted,
Suzanne Haggerty