



**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



1. The Chairman called to order the Rockland County Solid Waste Management Authority Board of Directors meeting for Thursday, January 24, 2019 at 5:00 p.m.

\*\*\*

2. Pledge of Allegiance led by Commissioner Yeger

\*\*\*

3. Roll call by Clerk. There is a quorum.

**Present**

Chairman Phillips  
Commissioner Day  
Commissioner Grant  
Commissioner Hoehmann  
Commissioner Hofstein (arrived 5:07)  
Commissioner Kohut  
Commissioner Lynn  
Commissioner McGowan (arrived 5:10)  
Commissioner Monaghan  
Commissioner Powers  
Commissioner Soskin  
Commissioner Specht  
Commissioner Wieder (arrived 5:08)  
Commissioner Yeger

**Absent**

Commissioner Jobson  
Commissioner Moroney  
Commissioner Paul

**Staff**

Helene Benado, Keith Braunfotel, Joe diFrancesca, Jackie Dodrill, Connie Francabandera, Jeremy Goldstein, Suzanne Haggerty, Denis O'Donnell, Anna Roppolo, Debra Samuels, Kerri Scales, Jen Sheridan

**Others**

Steven Torres, Anthony Tortora, Teno West

[www.rocklandrecycles.com](http://www.rocklandrecycles.com)

    @GreenUpRockland

4. Introduced by: Specht/Hoehmann

Unan.

January 24, 2019

**RESOLUTION No. 1 OF 2019  
ADOPTION OF MINUTES, MEETING OF  
DECEMBER 20, 2018**

**RESOLVED**, that the transcribed Minutes of the Rockland County Solid Waste Management Authority are approved for the meeting December 20, 2018 as recorded by the Clerk and are hereby adopted.

\*\*\*

5. **Executive Director's Report**

**Roppolo:** I want to wish the board a happy new year and I would like to update the board on operational processing results for 2018. In 2018 the Authority's ten facilities processed the following: 325,770 of MSW and C&D; over 33,000 tons of concrete; over 12,000 tons of asphalt; over 25,000 of sludge; over 33,000 tons of recyclables; over 16,000 tons of yard waste; and over 27,000 tons of leaves for a grand total of an excess of 470,000 of materials that we managed.

As previously mentioned, the New York State DEC requested the Authority to present at three glass recycling stakeholder meetings. The glass aggregate that is produced and marketed by the Authority is not marketed anywhere else in the state and the DEC wanted to explore replicating our success in other regions. As I mentioned at the last board meeting, the first stakeholders meeting was held in Rochester at RIT. The second meeting was held on January 10<sup>th</sup> in Hauppauge Long Island. The third meeting was held in Albany on January 17<sup>th</sup>. During the presentation the technical specs, marketing efforts by Denis O'Donnell, challenges and potential solutions to the glass problem were presented. By all accounts the NYSDEC and NYSP2I (NYS Pollution Prevention Institute) were pleased with the response to the presentations as it fostered a dialogue with the stakeholders to explore potential statewide or regional solutions. Many of the stakeholders reiterated that Rockland is the standard to which they aspire as we have a comprehensive materials management program with many components that truly address many of the issues they have and are currently struggling with today. An agency in Long Island has already contacted me about the Authority's glass processing and NYC contacted me to discuss potential beneficial use of sludge processes that they may want to replicate.

Approximately 10 days ago Governor Cuomo announced that a bottle bill expansion and a plastic bag ban will be included in the 2019 Executive Budget. Governor Cuomo intends to expand the Bottle Bill to make most non-alcoholic beverage containers eligible for 5 cent redemption, including those for sports drinks, energy drinks, fruit and vegetable beverages and ready-to-drink teas and coffee. Additionally, Governor Cuomo will advance legislation to ban all single-use plastic bags. The Bottle Bill expansion will include some exceptions for bottles containing dairy milk, milk substitutes, infant formula, syrups and flavorings, medical prescriptions and dietary supplements. Unfortunately, this proposal while trying to reduce sorting and financial burdens on local government recycling programs, it will actually significantly financially impact the Authority's robust curbside recycling program. Based on discussions with our operator and others, we have estimated a potential loss of approximately \$300,000 per year based on current commodity pricing. An

approximate 10% decrease in addition to the 30% decline in MRF pricing because of China's national sword initiative.

For your consideration on tonight's agenda, we have an updated procurement policy and credit card policy. Jeremy Goldstein will briefly explain the credit card policy and if you have any questions on the updated procurement policy, Keith Braunfotel would be able to answer.

**Goldstein:** Thank you Anna. Recently the Authority has encountered several expenses that the Authority could not pay for without a credit card or check. That is the impetus on the policy for consideration tonight. A couple of examples of them are some software related expenses the company would not take a check. In addition, the social media team has been trying to create and advertise to increase our social media presence and you cannot purchase without a credit card. That is a little bit of history and it is necessary at this time.

**Phillips:** Thank you. Move to accept the report by the Executive Director.

**Kohut:** Moved

**Grant:** Seconded

**Kohut:** Since we started social media, how are we doing with getting followers?

**Roppolo:** I don't have those statistics here, but I will get them for you.

**Kohut:** I just want to see if it is working.

**Roppolo:** We can look at *Twitter, Facebook and Instagram* is that what you are looking for.

**Kohut:** Yes.

\*\*\*

6. Introduced By: Hofstein/Wieder

Unan.

January 24, 2019

**RESOLUTION No. 2 of 2019  
ADOPTION OF AUTHORITY MISSION STATEMENT**

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

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

*"We shall serve the people of Rockland County well by providing needed solid waste management services in order to protect and enhance our environment in a high quality, ethical, courteous, timely and cost effective manner"*

(the "Mission Statement"); and

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

**RESOLVED**, that the Authority hereby adopts the Mission Statement.

\*\*\*

7. **Phillips**: Appointing Commissioners to the Executive Committee of the Authority for the Year 2019. I am going to table this resolution until the next meeting.
8. **Phillips**: Authority needs to establish an Audit Committee, Governance Committee and a Finance Committee. Anyone that is currently an officer on the Authority should not chair any of these committees. These committees will meet at least two times a year or more if the committee wants to.

Introduced by: Lynn/Powers

Unan.

January 24, 2019

**Resolution No. 3 of 2019  
APPOINTING COMMISSIONERS TO THE AUDIT COMMITTEE FOR THE YEAR 2019  
PURSUANT TO THE PUBLIC AUTHORITIES ACCOUNTABILITY ACT OF 2005**

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

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

**WHEREAS**, the Authority Board desires to comply with the provisions of the Act; now therefore be it

**RESOLVED**, that the Authority Board hereby establishes an audit committee and a governance committee in accordance with Section 2824 of the Public Authorities Accountability Act of 2005; and be it further

**RESOLVED**, that the Audit Committee for the year 2019 shall be as follows:

Comm. Howard Phillips  
Comm. Lon Hofstein  
Comm. Michael Specht  
Comm. Phil Soskin  
Comm. George Hoehmann; and be it further

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

\*\*\*

9. Introduced by: Wieder/Monaghan

Unan.

January 24, 2019

**Resolution No. 4 of 2019**

**APPOINTING COMMISSIONERS TO THE GOVERNANCE COMMITTEE  
FOR THE YEAR 2019  
PURSUANT TO THE PUBLIC AUTHORITIES ACCOUNTABILITY ACT OF 2005**

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

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

**WHEREAS**, the Authority Board desires to comply with the provisions of the Act; now therefore be it

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

**RESOLVED**, that the Governance Committee for the year 2019 shall be as follows:

Comm. Howard Phillips  
Comm. Larry Lynn  
Comm. Mike Kohut  
Comm. Stephen Powers  
Comm. George Hoehmann; and be it further

**RESOLVED**, that the members of the Governance Committee shall generally serve for a term of one year, and that the members of such committee shall be selected at the Authority's annual meeting held in January of each year; and be it further

\*\*\*

10. Introduced by: Kohut/Specht

Unan.

January 24, 2019

**Resolution No. 5 of 2019  
APPOINTING COMMISSIONERS TO THE FINANCE COMMITTEE FOR THE YEAR 2019  
PURSUANT TO THE 2009 AMENDMENTS TO THE PUBLIC AUTHORITIES LAW**

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

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

**WHEREAS**, the Authority Board desires to comply with the provisions of Section 2824(8) of the Public Authorities Law, as amended; now therefore be it

**RESOLVED**, that the Authority Board hereby establishes an audit committee and a governance committee in accordance with Section 2824 of the Public Authorities Accountability Act of 2005; and be it further

**RESOLVED**, that the Finance Committee for the year 2019 shall be as follows:

Comm. Howard Phillips  
Comm. Aron Wieder  
Comm. Jim Monaghan  
Comm. Michael Grant  
Comm. George Hoehmann; and be it further

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

\*\*\*

11. Introduced by: Soskin/Hofstein

Unan.

January 24, 2019

**RESOLUTION NO. 6 OF 2019  
ADOPT REVISED PROCUREMENT POLICY  
FOR THE ROCKLAND COUNTY SOLID WASTE MANAGEMENT AUTHORITY**

**WHEREAS**, the Rockland County Solid Waste Management Authority (the "Authority") was formed in accordance with section 2053(c) et seq. of the Public Authority Law of the State of New York (the "Act"),

and resolution no. 301 of 1994 of the County Legislature to implement certain provisions of the SWMP/GEIS and to construct solid waste management facilities; and

**WHEREAS**, the Authority adopted policies and procedures for the procurement of goods and services on January, 26, 1995 and

**WHEREAS**, the policy has been previously revised and amended on June, 24, 1999, July, 27, 2000, September 23, 2004 and July 24, 2014; and

**WHEREAS**, the Authority has determined it would be in its best interests to adopt a revised policies and procedures for the procurement of goods and services ("Procurement Policy"); and

**WHEREAS**, the Procurement Policy is attached hereto; now therefore be it

**RESOLVED**, that the Authority Board hereby authorizes and approves the Procurement Policy, and such policy replaces any procurement policies previously approved by the Authority Board; and be it further

**RESOLVED**, that the Executive Director has the responsibility to administer the Authority's Procurement Policy and shall establish any written procedures for the operation of the Procurement Policy deemed necessary or proper in connection therewith

**Braunfotel:** We currently have a Procurement Policy in place. The Procurement Policy allowed us to purchase goods and services. It defines how these goods and services require a bid or a verbal understanding. Currently, goods and services that require more than \$25,000 require us to get Board approval. The new Procurement Policy requests that anything above \$100,000 would need Board approval. Anything below \$100,000 would be three written quotes. Right now, our procurement policy says that anything that is \$1,000, we can just get competitive quotes on the phone. We are asking for that amount to be increased to \$5,000.

**Phillips:** Are there any questions on the Procurement Policy?

**Powers:** Do we have best value?

**Braunfotel:** Yes. We have best value, Request For Proposal for certain circumstances, we have and we can piggyback state, county, town and quasi-governmental piggybacking through purchasing. That is how we really want to purchase through county or state contract.

**Yeger:** Does that mean we don't have to take the lowest bidder?

**Braunfotel:** Yes, through analysis of the lowest responsible bidder.

**Yeger:** The one thing that I ask. I don't necessarily have an issue with raising the ceiling from \$25,000 to \$100,000. However, what I do want is that any time the lowest bidder is not the one that is chosen, that the entire Board will vote on that.

**Phillips:** I think that is a good idea.

**Braunfotel:** Any time we require a bid the Board will be making the decision. The only time that a quote would not be accepted as the lowest would be when a team of people deciding that and they would report to you who we chose and why we chose.

**Phillips:** I think that is a good idea for them to come to the Board if it is not the lowest. The only situation that there should be an exemption for is if there is an emergency. With that said, I would encourage all the Commissioners, if you know vendors or contractors that could do business with the Authority, I urge you to send them to the Authority so they can be on file so they can be called to provide a quote.

**Braunfotel:** So your concern Commissioner Yeger is?

**Yeger:** I think the Chairman already suggested that it would be a good idea for the entire Board to vote whenever the lowest bidder is not the one that is chosen.

**Phillips:** I think that is a good idea.

**Yeger:** Thank you Mr. Chairman, I appreciate it.

\*\*\*

12. **Introduced by: Monaghan/Powers**

**Unan.**

**January 24, 2019**

**RESOLUTION No. 7 of 2019  
ADOPT CREDIT CARD POLICY**

**WHEREAS**, the Rockland County Solid Waste Management Authority (the "Authority"), is a public benefit corporation, duly organized and existing under Title 13-M of the Public Authorities Law of the State of New York; and

**WHEREAS**, the Authority has adopted policies and procedures for the benefit and safety of the Authority and its employees; and

**WHEREAS**, the Authority wishes to adopt rules governing credit card usage; now therefore be it

**RESOLVED**, that the Authority Board hereby adopts the attached policy entitled "Rockland County Solid Waste Management Authority Credit Card Policy", dated January 24, 2019, to become effective immediately.

**Goldstein:** As I mentioned earlier the credit card is needed for purchases where checks are not accepted. This gives us the flexibility to purchase services and goods when checks are not accepted and in the interest of speed of payment for certain goods and services.

\*\*\*



13. Introduced by: Hoehmann/Grant

Unan.

January 24, 2019

**RESOLUTION NO. 8 OF 2019****AUTHORIZING THE ENGAGEMENT OF  
THE WEST GROUP LAW PLLC  
FOR LEGAL SERVICES TO THE AUTHORITY**

**WHEREAS**, by board resolution No. 5 of 2018 the Rockland County Solid Waste Management Authority (the "Authority") engaged West Group Law , PLLC to provide legal services to the Authority; and

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

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

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

**RESOLVED** that the Executive Director is hereby authorized to execute a letter of engagement with the West Group Law PLLC for the year 2019, in an amount not to exceed \$1,575,000.00.

Source of Funds:      Legal SWM Admin      6530-00

\*\*\*

14. Introduced by: Specht/Wieder

Unan.

January 24, 2019

**RESOLUTION No. 9 OF 2019  
AUTHORIZING EXECUTION OF AN AGREEMENT WITH GHD FOR ENGINEERING  
CONSULTING SERVICES AT THE HILLBURN COCOMPOSTING FACILITY**

**WHEREAS**, the Rockland County Solid Waste Management Authority (the "Authority"), is a public benefit corporation, duly organized and existing under the New York State Public Authorities Law, Title 13-M; and

**WHEREAS**, the Authority is in need of continuing, on-call consulting engineering services at the Hillburn Cocomposting Facility; and

**WHEREAS**, GHD Consulting Engineers, LLC ("GHD") has rendered on-call engineering consulting services to the Authority for the CoComposting Facility since 2010; and

**WHEREAS**, GHD has submitted a proposed professional services agreement for the year 2017, for consulting services that include such tasks as

- review of monthly Operations Reports provided by Authority's Facility Operator at the Cocomposting Facility;
- assistance at monthly operations meetings with the Authority and the Facility Operator to review issues, concerns, and planning elements associated with operations and capital repairs;
- assistance with issues concerning the Rockland County Sewer District No. 1 relating to the existing Industrial User Wastewater Discharge Permit and ongoing sampling and analysis of wastewater;
- program oversight of annual odor performance testing; and
- engineering support and oversight for miscellaneous facility repairs and upgrades and other such related with related tasks requiring GHD's expertise; and

**WHEREAS**, GHD has demonstrated professionalism, expertise and specialized knowledge that has benefitted the Authority; now, therefore be it

**RESOLVED**, that the Executive Director is hereby authorized to enter into the proposed Professional Services Agreement with GHD for 2019, in an amount not to exceed \$293,000.

Source of Funds:      Engineering      6506-00

\*\*\*

15. Introduced By: McGowan/Soskin

Unan.

January 24, 2019

**RESOLUTION NO. 10 OF 2019**

**AUTHORIZING THE RETENTION OF  
STERLING ENVIRONMENTAL ENGINEERING, P.C. FOR  
VALUE ADDED ENGINEERING SERVICES**

**WHEREAS**, Sterling Environmental Engineering, P.C. ("Sterling") provides engineering and permit compliance services to the Authority and has worked to reduce the cost and scope of various capital projects, regulatory enforcement matters, spill response, construction supervision and services involving routine solid waste management operations improvements; and

**WHEREAS**, Sterling Environmental Engineering, P.C. is an engineering firm that has rendered other engineering consulting services to the Authority, and is well qualified to perform these services; and

**WHEREAS**, additional advice and engineering consultations may be required to complete various projects for the year 2019; therefore be it

**RESOLVED**, that the Authority Board hereby authorizes the Executive Director to execute such documents and perform other activities that may be necessary to carry out the intent of this resolution; and be it further

**RESOLVED**, that the Executive Director is hereby authorized to enter into an agreement with Sterling for its engineering consulting services for 2019, in an amount not to exceed \$225,000.00.

Source of Funds:            Operating Funds 6506-00

**Phillips:** Anna, please just tell the Board what the value added engineering services are.

**Roppolo:** When we have a project and we ask for engineering services we always like to have someone else look at the project. Sterling Environmental Engineering has done that for us in the past. In addition to that, what they typically do they help us with our permitting.

**Phillips:** They have done a good job for us in the past.

\*\*\*

16. **New Business**

**Braunfotel:** We just authorized the extension of the Cocomposting contract. This is an extension that was left off the asphalt and concrete crushing agreement that is up in June 2019. Our hope is to get the request for proposal out.

Introduced By: Yeger/Kohut

Unan.

January 24, 2019

**RESOLUTION NO. 11 OF 2019  
AUTHORIZING TEMPORARY EXTENSION AND AMENDMENT OF  
CONCRETE AND ASPHALT CRUSHING OPERATION OPERATING AND MAINTENANCE AGREEMENT  
BETWEEN THE ROCKLAND COUNTY SOLID WASTE MANAGEMENT AUTHORITY AND O'SULLIVAN  
EQUIPMENT, INC.**

**WHEREAS**, the Authority and O'Sullivan Equipment, Inc. (the "Company") entered into a Concrete and Asphalt Crushing Operation Operating and Maintenance Agreement, dated as of February 7, 2014 (the "Service Agreement") for the operation and maintenance of the Concrete and Asphalt Crushing Operation located in the Town of Clarkstown, New York; and

**WHEREAS**, the Service Agreement provided for an initial term of three years plus up to two one-year renewal terms; and

**WHEREAS**, the second renewal term of the Service Agreement is set to expire on February 7, 2019; and

**WHEREAS**, the Authority intended to procure a new contract for the Concrete and Asphalt Crushing Operation prior to the expiration of the second renewal term, however, impending regulations affecting the Concrete and Asphalt Crushing Operation, have delayed such procurement; and

**WHEREAS**, the parties have agreed to temporarily extend the Service Agreement through [June 30, 2019] to afford the Authority sufficient time to procure a new contract; and [**Authority to confirm**]

**WHEREAS**, certain IRS modifications to the interpretation of the Internal Revenue Code and Treasury Service Regulations require that any such extension reflect modifications to the compensation portion of the Service Agreement; and

**WHEREAS**, the parties have agreed to amend and modify the Service Agreement to comply with such revised interpretation; now therefore be it

**RESOLVED**, that the Authority hereby authorizes the execution of an Amendment to the Service Agreement; and be it further

**RESOLVED**, that the Executive Director of the Authority is hereby authorized to execute the Amendment with the Company on terms and conditions in the best interests of the Authority and not inconsistent with the terms of this resolution; and be it further

**RESOLVED**, that the Executive Director of the Authority is authorized and directed to do and cause to be done any and all acts necessary or proper in connection with or for carrying out this resolution.

\*\*\*

**Phillips:** Is there anyone in the public that would like to bring anything forth to the Authority? Let the record note no public comment was offered. I would like to mention that I had the opportunity to visit the Clarkstown site with Mr. O'Donnell and I have to say that it is looking in such better condition than we have seen it in the past. I am very impressed with the fact that the building is up, you walk into the offices, and they are immaculate and looks very nice. The whole appearance of the entrance, and I am a big advocate of that, has really been spruced up and the paving is a very big improvement so it is nice to see. Any other comments from the commissioners.

**Kohut:** Along those lines, a group of us toured the facilities a while back. I think everyone that is a member here should take that tour at some point. Maybe someone could arrange another tour because you learn a lot more by what we do by going on that tour.

**Phillips:** I couldn't concur more. It is such an impression and a visual effect of how we are operating and the services we are providing and the Clarkstown Transfer Station is a very large part of the Authority. You should also, if you have not, visit the Hillburn site.

Do we have a motion to close the meeting?

**Grant:** Moved

**Soskin:** Seconded

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

Respectfully submitted,  
Suzanne Haggerty