



**ROCKLAND COUNTY
SOLID WASTE MANAGEMENT AUTHORITY**

420 Torne Valley Road, P.O. Box 1217
Hillburn, NY 10931
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Howard T. Phillips, Jr.
Chairman



1. The Chairman called to order the Rockland County Solid Waste Management Authority Board Meeting for Thursday, September 26, 2019 at 5:00 p.m.

2. Pledge of Allegiance led by Commissioner Grant

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

Present

Chairman Phillips
Commissioner Grant
Commissioner Hoehmann
Commissioner Kohut
Commissioner Monaghan
Commissioner Moroney
Commissioner Powers
Commissioner Soskin
Commissioner Specht

Absent

Commissioner Day
Commissioner Hofstein
Commissioner Jobson
Commissioner Lynn
Commissioner McGowan
Commissioner Paul
Commissioner Wieder
Commissioner Wolfe

Staff

Keith Braunftel, Jerry Damiani, Eden Goldman, Jeremy Goldstein, Suzanne Haggerty, Kerri Scales, Jennifer Sheridan

Others

Anthony Tortora, Teno West

www.rocklandrecycles.com

 @GreenUpRockland

4. Introduced by: Specht/Hoehmann

Unan.

September 26, 2019

RESOLUTION NO. 43 OF 2019
ADOPTION OF MINUTES, MEETING OF
JUNE 26, 2019

RESOLVED, that the transcribed Minutes of the Rockland County Solid Waste Management Authority are approved for the meeting June 26, 2019 as recorded by the Clerk and are hereby adopted.

5. Presentation – Jerry Damiani and Jeremy Goldstein

Questions and Discussion

Phillips: With the \$732,000 impact, just explain what you mean by that.

Goldstein: It is an impact budget to budget. For the 2019 budget for yard waste and green waste facilities the \$732,000 less than the 2020 budget due to pricing.

Phillips: So we are looking at an increase of \$732,000.

Goldstein: Correct, it is a \$12 per ton increase.

Phillips: I just want to remind the members this is where we were debating whether or not if we should take over that facility. We went with the contractor because we thought they had the expertise and the knowledge.

Damiani: The contractor, WeCare Denali, is responsive to our needs and they have improved the facility dramatically. The large mulch piles do not exist anymore. All the legacy material has been removed by O'Sullivan for WeCare Denali. They are a much more efficient operator with better expertise that we could have ever imagined.

Phillips: The Household Hazardous Waste Facility is probably one of the most successful program we introduced to the people of Rockland County. It has grown immensely. Jerry tell us some of the things that are accepted there.

Damiani: All e-waste is accepted, paints, solvents, fertilizers, chemicals, small refrigerators and small appliances. They do a great job there. You don't even have to get out of your car they take your waste out of your trunk.

Phillips: That is done this year for \$6.85 and next year \$7.64.

Goldstein: It is important to know we are one of the few communities that has a full-time facility.

Phillips: Is it open on Saturday and Sunday?

Damiani: There are 10 weekend events alternating Saturday and Sundays' from March to the remainder of the year.

Phillips: The hauling for MBI was \$26.78 and it is now going to be \$31.82 for the Clarkstown Transfer Station. Explain the nuance about upstate New York with the trucks that haul there instead of Pennsylvania.

Damiani: There are weight restrictions in Pennsylvania. Now the model for MBI is that they haul heavy. At the Clarkstown transfer station on average we load out about 22 trailers a day. Hillburn facility loads out about 12 -14 and Haverstraw loads out 6 - 7 loads a day. We cannot run to Pennsylvania because you have to be 80,000 pounds or under. In essence your net load would be 23 ½ tons which would mean more trucks and more fuel. Today we are competing for capacity in the landfills against Vermont, Connecticut, Massachusetts and New Hampshire. Their landfills are closing so Casella is charging a premium today.

Phillips: Jerry explain what happened at the MRF with the previous contractor and why we had to move to IWS.

Damiani: The Authority couldn't reach terms that would be beneficial to both parties. Casella wanted \$86 a ton to process a base material of 24,000 tons a year and then there were different tiers associated with different pricing. Casella also wanted additional terms and conditions which we could not agree to such as removal of liquidated damages. The equipment is old and we

realized months ago that we needed to move forward with improvements to the MRF. I hope this interim operation will get us there. We will have to fast track that process through our engineers and RRT.

Phillips: IWS is receiving the recyclables now?

Damiani: Yes, the public should not realize any change nor will the haulers realize any change. Recyclables still come up to the MRF and are dumped into the same bays that they have traditionally for years been dumped into. The only difference is we are transloading out. As soon as the material comes in it is loaded into trailers and it is transported to one of three alternate processing facilities owned by IWS in Airmont, Jersey City or the Bronx.

Phillips: Do they have a modern facility?

Damiani: The Bronx facility is state-of-the-art with optical sorters and trommel screens.

Phillips: So everything is separated by plastic, cans, paper and cardboard?

Damiani: Yes it is separated.

Phillips: The Cocomposting Facility, what is made up of the compost?

Damiani: The Cocomposting Facility is where all the solid waste treatment plants bring their dewatered sludge and it is dumped at the front end of receiving based on the percent solids we accept anywhere between 13% to 22%. Ideally we like to receive sludge that is around 20% to 22% with a decent amount of amendment. Woodchips have to be added. There are nine bays in the facility. Once the dewatered sludge is received the amendment is added. The bays are charged with the material based on time and temperature and then it is moved forward by an agitator based on time and temperature. Once it goes through that process it is charged into the long-term churning and sits there for an additional 30 days and then it is screened and shipped out to markets for beneficial use such as golf courses and athletic fields. It is a great operation. We do bring in tonnage from New Jersey and we accept sludge from the West Point Military Academy all through municipal agreement.

Phillips: We use the by-product of that to make compost that we sell. Tell us what the difference between the compost that we get from the leaves and the grass and the compost we get from the Cocompost Facility.

Damiani: New York State will not allow the compost that is generated from the Cocomposting Facility to be utilized on any product that will be used for human consumption. While the leaf material can be placed in your garden as soil amendment.

Phillips: So where does the Cocompost Facility material go to?

Damiani: It goes to athletic fields and golf courses. There is a market for it and it is doing extremely well. This is the same contractor we are utilizing down in West Nyack to operate our wood processing facility and our leaf composting facility.

Phillips: The total Solid Waste Authority user fees is going from \$83.03 to \$157.42. This is a one-time hit because all of our contracts are coming due.

Goldstein: Yes. The increase in hauling and disposal is driving a significant portion of the increase.

Kohut: This \$157.42 unit fee does this include running of operations?

Phillips: That is for the costs for operating all our facilities. We went out and aggressively sought the most competitive prices that could handle this type of recyclables and waste. These rates are what they are and here is the fact we have been keeping our rates artificially low because we have had long-term contracts. The market has changed. What are the other counties charging?

Damiani: The solid Waste Authority charges \$76 a ton for all municipal solid waste and construction debris. Advanced Disposal charges \$100 a ton which is utilized by out-of-county haulers and Waste Connection in West Nyack charges \$94 a ton. Orange County has similar price points. IWS transfer station in Goshen charges \$110 a ton and the County facility charges \$104 a ton. In Bergen County Covanta charges \$143 a ton and the two transfer station in Fairfield and Garfield anywhere from \$88 to \$108 a ton. Westchester County charges anywhere from \$81 to \$125 a ton.

Phillips: I want to thank Jerry Damiani, Jeremy Goldstein and Keith Braunfotel because they have been doing an excellent job and they have been putting in a tremendous amount of hours. It has not been a typical season and we have had major changes in the markets.

**RESOLUTION NO. 44 OF 2019
RATIFYING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING
BETWEEN THE AUTHORITY AND
CASELLA WASTE SERVICES OF ONTARIO, LLC**

WHEREAS, the Authority currently has contracted for disposal services to dispose of processed municipal solid waste from its transfer stations, including the Clarkstown Transfer Station, at the Ontario and Hyland Landfills pursuant to an agreement with Casella Waste Services of Ontario LLC and The Hyland Facility Associates (“Casella”), and

WHEREAS, the parties entered into an agreement as of October 23, 2013, for an initial term extending to the fifth (5th) anniversary of the commencement date of September 1, 2014 plus up to five one (1) year renewal terms exercisable by the authority at its discretion. The initial term of the Agreement is set to expire on August 31, 2019; and

WHEREAS, On April 3, 2019 the Authority notified Casella the wish to exercise its renewal rights; and thereafter, the parties commenced negotiations to establish renewal term pricing for each of the five one-year renewal terms.; and

WHEREAS, as a result of such negotiations, the Parties have agreed to enter into the renewal terms based on the terms and conditions set forth in the attached MOU; now, therefore be it

RESOLVED, that the Authority Board hereby ratifies the attached MOU, signed by the Chairman, on behalf of the Authority.

Funding Source:

7100-10	Hyland Fclty Lndfl Disp-Trnsf Sta – Hillburn
7100-11	Hyland Fclty Lndfl Disp-Transfer Station – Haverst
7100-12	Hyland Fclty Lndfl Disp-Transfer Station – Clarkst
7101-10	Ontario Cnty Lndfl Disp-Trnsf Sta – Hillburn
7101-11	Ontario Cnty Lndfl Disp-Transfer Station – Haverst
7101-12	Ontario Cnty Lndfl Disp-Transfer Station – Clarkst

7. Introduced By: Powers/Hoehmann

Unan.

September 26, 2019

**RESOLUTION NO. 45 OF 2019
RATIFYING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING
BETWEEN THE AUTHORITY AND IWS TRANFER SYSTEMS**

WHEREAS, The Authority owns a Materials Recovery Facility located at 420 Tome Valley Road, Hillburn, New York (the "MRF"); and

WHEREAS, The Authority requires a new agreement for the handling of the Recyclable Materials delivered to the MRF; however, sufficient time is not available for a formal procurement for such services, thus requiring the Authority to enter into an agreement on an emergency basis; and

WHEREAS, The Authority intends to preform major modifications and upgrades the MRF, which it intends to complete within approximately two years; and

WHEREAS, The Authority has determined that it would be in its best interests to enter into an agreement with IWS Transfer Systems of New York, Inc. for the handling of Recyclable Materials delivered to the MRF; and

WHEREAS, the parties have agreed to the terms stated in the attached MOU; now, therefore be it

RESOLVED, that the Authority Board hereby ratifies the attached MOU, signed by the Chairman, on behalf of the Authority.

Funding Source: 7200-20 O&M - MRF

**RESOLUTION No. 46 OF 2019
ELIMINATION OF REBATE TO CARTERS FOR THE DELIVERY OF RECYCLABLE MATERIALS**

WHEREAS, the Rockland County Solid Waste Management Authority (the "Authority") owns a materials recovery facility located at 420 Torne Valley Road (the "MRF") which receives and processes recyclable materials generated within and outside the County of Rockland; and

WHEREAS, the Authority currently voluntarily provides a \$20 per ton rebate for corrugated cardboard ("OCC") and a \$40 per ton rebate for clean waste paper delivered to the MRF by carters whereby such materials have originated from commercial entities; and

WHEREAS, such rebate is paid to such carters from revenues generated from the marketing of such materials delivered to the MRF; and

WHEREAS, the market for such recyclable materials has declined and the Authority no longer receives significant revenues from the marketing of such materials; and

WHEREAS, because the Authority no longer receives significant revenues from the marketing of such materials, the Authority has determined that it is no longer in its best interests to provide rebates to such carters; now therefore be it

RESOLVED, that the Authority hereby eliminates the payment of rebates for OCC and clean waste paper to carters for the delivery of such materials originating from commercial entities to the MRF; and be it further

RESOLVED, that the elimination of the payment of rebates to such carters shall take effect immediately.

Damiani: Currently we provide a \$20 rebate to all acceptable corrugated cardboard we also provide \$40 rebate for waste paper that is delivered traditionally by companies that bring in shredded material. Under the new model we will be transporting out and based on our current processing costs that we incur it is no longer sustainable. What was sustainable as of February 2019 the market has dropped out. Now year-to-date we have spent about \$117,000 for rebatable paper.

Phillips: This has nothing to do with the rebates to the municipalities.

9. Introduced by: Grant/Kohut

Unan.

September 26, 2019

Resolution No. 47 of 2019

AWARD OF CONTRACT FOR HAVERSTRAW (BOWLINE) TRANSFERSTATION
PAVING AND SITE IMPROVEMENTS
RFP NO. 2019-13

WHEREAS, on July 22, 2019, the Authority issued a Request for Proposal No. 2019-13 for paving and site improvements at the Haverstraw (Bowline) Transfer Station; and

WHEREAS, on August 23, the Authority opened the one proposal received in response to RFP 2019-13; and

WHEREAS, the proposal received in response to the RFP was from Consorti Bros. Paving & Sealcoating Inc., for \$472,500.00; and

WHEREAS, the Authority reviewed the proposal received and determined that the proposal submitted by Consorti Bros. Paving & Sealcoating Inc. conformed to the specifications in the Request for Proposal; now therefore be it

RESOLVED, that the Authority Board hereby awards the contract for paving and site improvements at the Haverstraw (Bowline) Transfer Station, RFP No. 2019-13, in the amount of \$472,500.00 to Consorti Bros. Paving & Sealcoating Inc. and authorizes the Chairman to execute an agreement, which is attached hereto in substantially final form, for the performance of the work specified in the bid.

Funding Source: Unrestricted Funds

Damiani: I would like to thank our Engineer, Dee Louis. She was able break out certain work items from the previous request for proposal and we are saving \$209,000.

Phillips: Would you extend the Board's full confidence to her and tell her we appreciate that.

10. Introduced by: Hoehmann/Specht

Unan.

September 26, 2019

**RESOLUTION NO. 48 OF 2019
AWARD OF CONTRACT FOR FLOOR REPAIR
AT THE CLARKSTOWN WEST NYACK TRANSFER STATION
RFP NO. 2019-18**

WHEREAS, on August 19, 2019, the Authority issued a Request for Proposal RFP 2019-18 for floor repair at the Clarkstown West Nyack Transfer Station (the "RFP 2019-18"); and

WHEREAS, on September 13, 2019 the Authority received one proposal in response to RFP 2019-18; and

WHEREAS, the proposal received in response to the RFP 2019-18 was from Infrastructure Repair Service LLC., for \$242,100.00; and

WHEREAS, the Authority reviewed the proposal received and determined that the proposal submitted by Infrastructure Repair Service LLC., conformed to the specifications in the Request for Proposal; now therefore be it

RESOLVED, that the Authority Board hereby awards the contract for floor repair at the Clarkstown West Nyack Transfer Station, RFP No. 2019-18, in the amount of \$242,100.00, to Infrastructure Repair Service LLC., and authorizes the Chairman to execute a draft agreement attached, for the performance of the work specified in the proposal; 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 tip floor joint repair at the Clarkstown West Nyack Transfer Station, and such agreement shall not be binding and valid until executed by the parties.

Funding Source:

6352-12 Building Repair – Transfer Station – Clarkstown

11. Introduced by: Powers/Monaghan

Unan.

September 26, 2019

**RESOLUTION NO. 49 of 2019
RATIFY AGREEMENT BETWEEN THE AUTHORITY
AND HOSPITALITY GREEN LLC**

WHEREAS, resolution 3 of 2015 adopted the Rockland County Solid Waste Management Plan; and

WHEREAS, section 3.5.2.3 of the adopted plan describes the goal of the Authority to assist the public and private K-12 schools and colleges to develop successful and sustainable recycling and waste reduction programs; and

WHEREAS, the Authority requires the services of a consultant/liaison to assist in the implementation of section 3.5.2.3 for creating self-sustaining solid waste reduction programs in schools; and

WHEREAS, the Authority wishes to enter into an agreement with Hospitality Green LLC for professional services to implement self-sustaining solid waste reduction programs in a total of thirteen schools;

WHEREAS, Hospitality Green will continue working with 4 schools in Phase I of the program, 3 schools in Phase II of the program, and begin work with 6 new schools in Phase III of the program;

WHEREAS, the work will take place during the 2019/20 school year; now therefore be it

RESOLVED, that the Authority Board ratify a consulting agreement with Hospitality Green LLC, in substantial form attached hereto, in the amount of \$28,500.

Funding Source:

6512-00 Community Partnerships

Scales: Good evening everyone. This is a program that we have been working with for four years. The objective is to go out to schools to get waste out of their waste stream through recycling and other waste prevention initiatives. This year we are targeting six schools.

12. New Business

Phillips: Do we have any new business?

Braunfotel: Yes, we have an amendment to the service agreement between the hauling contractor for the Town of Clarkstown transfer station.

Damiani: Our agreement with Mr. Bults, Inc. expired on August 31st and we had a memorandum of understanding for two years. At times, they are waiting at the landfill in excess of four hours to dump their trailer so they are looking to be compensated

Phillips: So they are hauling all the way up there and because they can't just drive in and dump and come back down they are looking for some type of compensation for the waiting factor. They have to wait four hours.

Damiani: Correct and sometimes even longer.

Phillips: Do you feel you negotiated a fair price?

Damiani: Yes.

Introduced By: Moroney/Kohut

Unan.

September 26, 2019

RESOLUTION NO. 50 OF 2019

AUTHORIZING AMENDMENT TO THE HAULING SERVICES AGREEMENT FOR THE CLARKSTOWN TRANSFER STATION BETWEEN THE ROCKLAND COUNTY SOLID WASTE MANAGEMENT AUTHORITY AND MR. BULT'S INC.

WHEREAS, the Authority and Mr. Bult's, Inc. (the "Company") entered into a Hauling Services Agreement for the Clarkstown Transfer Station, dated as of September 1, 2013 (the "Service Agreement") for hauling services from the Clarkstown Transfer Station located in the Town of Clarkstown, New York to the disposal site designated by the Authority therein; and

WHEREAS, the Service Agreement provided an initial term of five years plus up to five one-year renewal terms, exercisable by the Authority in its sole discretion, with the renewal term pricing to be determined by the parties; and

WHEREAS, the initial term of the Service Agreement expired on August 31, 2018, and prior to the expiration of the initial term, the Authority notified the Company that it was exercising its right to renew the Service Agreement; and

WHEREAS, prior to the expiration of the initial term, the Authority and the Company commenced negotiations of renewal term pricing; however, the parties were not able to agree on terms prior to the expiration of the initial term; and

WHEREAS, the parties have agreed upon the renewal term pricing and related provisions and have included such agreement in the terms of an amendment to the Service Agreement; now therefore be it

RESOLVED, that the Chairman is hereby authorized to enter into an amendment to the Service Agreement substantially in the form presented at this meeting; and be it further

RESOLVED, that the Chairman 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; and be it further

RESOLVED, that such amendment shall not be binding and valid until executed by the parties.

Kohut: How do we verify that they are waiting?

Damiani: I get a report daily from the landfill.

Kohut: They go across the scale at a time and then there is a time that they dump?

Damiani: Correct. We go off their GPS grid and get their information.

Phillips: Who would like to be on the committee for the building search whether it be rent, lease or buy?

Commissioner Kohut

Commissioner Monaghan

Commissioner Phillips

Commissioner Hoehmann

Commissioner Specht

Phillips: Do we have any other new business? Let the record note that no public comment was offered. Do we have a motion to adjourn?

Hoehmann: Moved

Specht: Seconded

The meeting was adjourned at 6:00 p.m.

Respectfully submitted,
Suzanne Haggerty