



**ROCKLAND COUNTY
SOLID WASTE MANAGEMENT AUTHORITY**

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Howard T. Phillips, Jr.
Chairman

Gerard M. Damiani, Jr.
Executive Director



Chairman Phillips called to order the Rockland County Solid Waste Management Authority Board meeting for Thursday, February 27, 2020 at 4:00 p.m.

Pledge of Allegiance led by Commissioner Paul

Roll call by clerk. There is a quorum.

Present

Chairman Phillips
Commissioner Hoehmann
Commissioner Hofstein
Commissioner Hood
Commissioner Jobson
Commissioner Kohut
Commissioner Lynn

Present

Commissioner McGowan
Commissioner Paul
Commissioner Powers
Commissioner Soskin
Commissioner Specht
Commissioner Wieder
Commissioner Yeger

Absent

Commissioner Kenny
Commissioner Monaghan
Commissioner Moroney

Staff

Helene Benado, Jerry Damiani, Chris Day, Jeremy Goldstein, Suzanne Haggerty, Dee Louis

Others

T. West

Introduced by: Kohut/Jobson

Unan.

February 27, 2020

**RESOLUTION NO. 19 OF 2020
ADOPTION OF MINUTES, MEETING OF
JANUARY 30, 2020**

RESOLVED, that the transcribed Minutes of the Rockland County Solid Waste Management Authority are approved for the meeting January 30, 2020 as recorded by the Clerk and are hereby adopted.

www.rocklandrecycles.com



Introduced By: Powers/Hoehmann

Unan.

February 27, 2020

RESOLUTION NO. 20 OF 2020

**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 expired on February 7, 2019; and

WHEREAS, the Authority and the Company agreed to temporarily amend and extend the Service Agreement (the “Amended Service Agreement”) to afford Authority additional time to procure a new agreement; and

WHEREAS, the term of the Amended Service Agreement, is set to expire on March 2, 2020; and

WHEREAS, the Authority requires additional time to complete its procurement of a new contract for the Concrete and Asphalt Crushing Operation; and

WHEREAS, the parties have agreed to further extend on a temporary basis the Amended Service Agreement to afford the Authority additional time to complete its procurement of a new contract for the Concrete and Asphalt Crushing Operation; now therefore be it

RESOLVED, that the Authority hereby authorizes the execution of an amendment to the Amended Service Agreement to further extend the term to May 31, 2020; and be it further

RESOLVED, that the Interim Executive Director of the Authority is hereby authorized to execute the amendment with the Company in a form and 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 executed extension shall constitute conclusive evidence of the valid authorization hereunder of any such amendment, modification, change or omission; and be it further

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

Introduced by: Hofstein/Hood

Unan.

February 27, 2020

Resolution No. 21 of 2020

**AWARD OF CONTRACT FOR EQUIPMENT DEMOLITION
AND RELATED WORK AT THE
MATERIALS RECOVERY FACILITY LOCATED IN HILLBURN
RFP NO. 2020-01**

WHEREAS, on January 3, 2020, the Authority issued a Request for Proposal RFP 2020-01 for Equipment Demolition and Related Work at the Materials Recovery Facility in Hillburn (the “RFP 2020-01”); and

WHEREAS, on February 7, 2020 the Authority received two proposals in response to RFP 2020-01; and

WHEREAS, the proposals received in response to the RFP 2020-01 were from OCS Industries, for \$635,918.00 and from Two Brothers Contractors (“TBC”), for \$230,500.00; and

WHEREAS, the Authority reviewed the proposals received and determined that the proposal submitted by TBC, conformed to the specifications in the Request for Proposal; now therefore be it

RESOLVED, that the Authority Board hereby awards the contract for Equipment Demolition and Related Work at the Materials Recovery Facility in Hillburn, RFP No. 2020-01, in the amount of \$230,500.00, to Two Brothers Contractors, and authorizes the Chairman to execute a draft agreement, 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.

Introduced By: Hoehmann/Specht

Unan.

February 27, 2020

RESOLUTION NO. 22 OF 2020

**RATIFYING INTERIM OPERATIONS AGREEMENT AND INTERIM BULK PURCHASE
AGREEMENT FOR THE CLARKSTOWN YARD WASTE FACILITIES**

WHEREAS, the Authority owns and operates the Clarkstown Yard Waste Composting Facility (including a mulch processing facility) located in West Nyack and operates the New City Yard Waste Composting Facility (also known as the French Farms Facility) located in New City (collectively the “Facilities”); and

WHEREAS, the Authority conducted a procurement for (i) the operation of the Facilities, and (ii) the bulk purchase of compost product and mulch product produced at the Facilities; and

WHEREAS, on June 6, 2019 the Board approved (i) the operation of the Facilities by WeCare Denali, LLC on an interim basis through December 31, 2019, and (ii) the bulk purchase of compost product and mulch product by WeCare Denali, LLC on an interim basis through December 31, 2019; and

WHEREAS, the parties entered into (i) an interim agreement for the operation of the Facilities (the “Interim Operations Agreement”), and (ii) an interim agreement for the bulk purchase of compost product and mulch product (the “Interim Bulk Purchase Agreement”); and

WEHEREAS, the Interim Operations Agreement and the Interim Bulk Purchase Agreement both provided for a term to remain in effect through December 31, 2019 and month-to-month thereafter to the extent required to finalize the long-term agreement between the Authority and the WeCare Denali, LLC; and

WHEREAS, because the parties have not yet finalized a long-term operations agreement for the Facilities or a long-term bulk purchase agreement, the Interim Operations Agreement and the Interim Bulk Purchase Agreement remain in effect; now therefore be it

RESOLVED, that the Board hereby acknowledges that because the parties continue to negotiate the long-term agreements, the Interim Operations Agreement and Interim Bulk Purchase Agreement remain in effect; and be it further

RESOLVED, that the Board hereby ratifies the term of the interim agreements executed by the parties and presented at this meeting.

Introduced By: Hoehmann/Spocht

Unan.

February 27, 2020

RESOLUTION No. 23 OF 2020

**APPOINT ASSISTANT SOLID WASTE OPERATIONS MANAGER
TO THE ROCKLAND COUNTY SOLID WASTE
MANAGEMENT AUTHORITY**

WHEREAS, the position of Assistant Solid Waste Operations Manager was established by the Rockland County Department of Personnel and by Authority Board Resolution No. 41 of 2010; and

WHEREAS, the current position for Assistant Solid Waste Operations Manager is vacant; and

WHEREAS, the Authority Board desires to fill that position with the appointment of Ronald Ludwig, starting March 2, 2020; and

WHEREAS, the Authority authorizes the Executive Director to nominate Ronald Ludwig for a direct promotion to the position based on his prior training and experience; now therefore be it

RESOLVED, that the Authority Board hereby provisionally promotes Ronald Ludwig as Assistant Solid Waste Operations Manager to the Rockland County Solid Waste Management Authority, starting on March 2, 2020.

RESOLVED, that the compensation for such services shall be the sum of \$105,000.00 for a forty (40) hour week schedule and subject to a term of probation of twenty-six (26) weeks.

Funding Source: Salaries/Contingency Fund

Phillips: We are not creating new positions. Mr. Damiani can you explain what we are doing.

Damiani: I am looking to promote Ronnie Ludwig whom is currently our Solid Waste Operations Supervisor to Assistant Solid Waste Operations Manager. This is a position I held previously. Ronnie comes from the private sector and has over 35 years of experience. He has operated that facility for over 20 years under the contract of Joe Miele at the time as an employee. He is very knowledgeable within the industry. What I am asking for tonight is to promote him from Solid Waste Operations Supervisor to Assistant Solid Waste Operations Manager.

Phillips: With the overtime he is making now, he isn't really getting any additional pay. If anything, he is going to get less pay because it is the same amount of hours.

Damiani: He is obligated to fulfill the same requirements and make coverage as needed. A function that I was required to do regarding call outs over the weekend.

Phillips: Now we have somebody in management they can go to.

Phillips: The next number of resolutions we have talked about before. We have talked about what we are trying to accomplish within the Solid Waste Authority. We had numerous positions as laborers and a number of workers that were doing MEO I and MEO II functions. We wanted to come up with a scale. The next number of resolutions are accomplishing that. This is relatable to what other municipalities are paying for these positions. This way we get an opportunity to treat our workers fairly and they know that there will be opportunity. Most importantly the decision to promote them will be left to the Executive Director so it is at our discretion to promote them up to these new positions.

Yeger: Are we abolishing then creating or are we getting new employees after.

Phillips: We are not getting any new employees we have a vacant laborers position which is on the agenda tonight. We are creating new positions, but we are not adding to the total number of employees.

Yeger: What are we doing with the positions that are being vacated. Are we abolishing them concurrently?

Phillips: We can leave them open until Personnel comes to us and says it's been open now for a while do you still want them. If we abolish them, it creates more work for us in the future then we would have to recreate a position. Most municipalities hang on to the positions when someone leave or goes somewhere else or retires then we have the basic position to hire somebody new when we move everybody up.

Introduced By: Kohut/Yeger

Unan.

February 27, 2020

RESOLUTION No. 24 OF 2020

**APPOINT WEIGHER II
TO THE ROCKLAND COUNTY SOLID WASTE MANAGEMENT AUTHORITY**

WHEREAS, the position of Weigher II was established by the Rockland County Department of Personnel and by Authority Board Resolution No. 29 of 2018; and

WHEREAS, the current position for Weigher II is vacant; and

WHEREAS, the Authority Board desires to fill that position with the appointment of Thomas Mullens, starting March 2, 2020; now therefore be it

WHEREAS, the Authority authorizes the Executive Director to nominate Thomas Mullens for a provisional promotion to the position based on his prior training and experience.

RESOLVED, that the Authority Board hereby provisionally promotes Thomas Mullens as Weigher II to the Rockland County Solid Waste Management Authority, starting on March 2, 2020.

RESOLVED, that the compensation for such services shall be the sum of \$81,395.00 for a forty (40) hour week schedule and subject to a term of probation of twenty-six (26) weeks.

Funding Source: Salaries/Contingency Fund

Introduced by: Specht/Wieder

Unan.

February 27, 2020

Resolution No. 25 of 2020

**AUTHORIZING THE CREATION OF A
MOTOR EQUIPMENT OPERATOR I**

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

WHEREAS, the operation of the Transfer Stations requires (1) Motor Equipment Operator I (MEO I) to operate its facilities; and

WHEREAS, the Solid Waste Operations Manager recommends that an integrated work force be created to operate the facility and should be comprised of one (1) additional MEO I to be employed by the Authority; and

WHEREAS, the services of the one (1) MEO is be created for a forty (40) hour week schedule and subject to a term of probation of twenty six (26) weeks; and therefore be it,

RESOLVED, that the positions of MEO I is hereby established for a forty (40) hour week schedule and will be established upon classification action by the Rockland County Department of Personnel, and, still be it further,

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

Introduced by: Hood/Jobson

Unan.

February 27, 2020

Resolution No. 26 of 2020
AUTHORIZING THE CREATION OF TWO (2) POSITIONS OF
MOTOR EQUIPMENT OPERATOR II

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

WHEREAS, the operation of the Transfer Stations requires two (2) Motor Equipment Operator IIs (MEO IIs) to operate its facilities; and

WHEREAS, the Solid Waste Operations Manager recommends that an integrated work force be created to operate the facility and should be comprised of two (2) additional MEO IIs to be employed by the Authority; and

WHEREAS, the services of the two (2) MEO IIs be created for a forty (40) hour week schedule and subject to a term of probation of twenty-six (26) weeks; and therefore be it,

RESOLVED, that the positions of MEO IIs is hereby established for a forty (40) hour week schedule and will be established upon classification action by the Rockland County Department of Personnel, and, still be it further,

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

Introduced by: Soskin/Specht

Unan.

February 27, 2020

Resolution No. 27 of 2020

**APPOINT AN MEO II TO THE ROCKLAND COUNTY
SOLID WASTE MANAGEMENT AUTHORITY**

WHEREAS, the Authority has determined that it needs to create and fill the position of MEO II; and

WHEREAS, Hermilindo Flores has sought the position, and appears to be qualified; now therefore be it

RESOLVED, Hermilindo Flores is hereby provisionally promoted to the position of MEO II to serve in such capacity at the pleasure of the Authority, and be it further

RESOLVED, that the compensation for such services beginning March 2, 2020 shall be the sum of \$56,00.00 annually; and be it further

RESOLVED, that the MEO II shall perform a minimum of 40 hours of services per week, and be it further

RESOLVED, that the Executive Director is hereby authorized and directed to provide a compensation package comparable to that offered to other similarly employed Authority employees and to take all such steps necessary to implement same.

Funding Source: Salaries/Contingency Fund

Introduced by: Powers/Paul

Unan.

February 27, 2020

Resolution No. 28 of 2020

**APPOINT AN MEO II TO THE ROCKLAND COUNTY
SOLID WASTE MANAGEMENT AUTHORITY**

WHEREAS, the Authority has determined that it needs to fill the position of MEO II; and

WHEREAS, Daniel Heath has sought the position, and appears to be qualified; now therefore be it

RESOLVED, Daniel Heath is hereby provisionally promoted to the position of MEO II to serve in such capacity at the pleasure of the Authority, and be it further

RESOLVED, that the compensation for such services beginning March 2, 2020 shall be the sum of \$59,00.00 annually; and be it further

RESOLVED, that the MEO II shall perform a minimum of 40 hours of services per week, and be it further

RESOLVED, that the Executive Director is hereby authorized and directed to provide a compensation package comparable to that offered to other similarly employed Authority employees and to take all such steps necessary to implement same.

Funding Source: Salaries/Contingency Fund

Introduced by: Hoehmann/Soskin Unan. February 27, 2020

Resolution No. 29 of 2020

**APPOINT AN MEO I TO THE ROCKLAND COUNTY
SOLID WASTE MANAGEMENT AUTHORITY**

WHEREAS, the Authority has determined that it needs to fill the position of MEO I; and

WHEREAS, Steven Pozzani has sought the position, and appears to be qualified; now therefore be it

RESOLVED, Steve Pozzani is hereby provisionally promoted to the position of MEO I to serve in such capacity at the pleasure of the Authority, and be it further

RESOLVED, that the compensation for such services beginning March 2, 2020 shall be the sum of \$55,00.00 annually; and be it further

RESOLVED, that the MEO I shall perform a minimum of 40 hours of services per week, and be it further

RESOLVED, that the Executive Director is hereby authorized and directed to provide a compensation package comparable to that offered to other similarly employed Authority employees and to take all such steps necessary to implement same.

Funding Source: Salaries/Contingency Fund

Introduced by: Specht/Wieder

Unan.

February 27, 2020

RESOLUTION No. 30 of 2020

AUTHORIZING SALARY ADJUSTMENTS FOR THE LABORER

WHEREAS, the Authority Board has considered an adjustment to the annual salary of the Laborer; and

WHEREAS, the Board has determined that, due to the scope of the duties and responsibilities of this positions, it is appropriate to adjust the annual salary, consistent with the 2020 budget, as amended; now therefore be it

RESOLVED, that the annual salary of the Christopher Meredith be increased to \$48,500.00, effective March 2, 2019.

Funding Source: Salaries/Contingency Fund

Introduced by: Jobson/Yeger

Unan.

February 27, 2020

RESOLUTION No. 31 of 2020

AUTHORIZING SALARY ADJUSTMENTS FOR THE MEO III

WHEREAS, the Authority Board has considered an adjustment to the annual salary of the MEO III; and

WHEREAS, the Board has determined that, due to the scope of the duties and responsibilities of this positions, it is appropriate to adjust the annual salary, consistent with the 2020 budget, as amended; now therefore be it

RESOLVED, that the annual salary of the Adam Alpert MEO III be increased to \$65,000, effective March 2, 2019.

Funding Source: Salaries/Contingency Fund

Introduced by: Hofstein/Soskin

Unan.

February 27, 2020

**RESOLUTION No. 32 of 2020
AUTHORIZING SALARY ADJUSTMENTS FOR THE MEO III**

WHEREAS, the Authority Board has considered an adjustment to the annual salary of the MEO III; and

WHEREAS, the Board has determined that, due to the scope of the duties and responsibilities of this positions, it is appropriate to adjust the annual salary, consistent with the 2020 budget, as amended; now therefore be it

RESOLVED, that the annual salary of the Alecxis Medrano Guerra MEO III be increased to \$65,000, effective March 2, 2019.

Funding Source: Salaries/Contingency Fund

Introduced by: Lynn/McGowan

Unan.

February 27, 2020

**RESOLUTION No. 33 of 2020
AUTHORIZING SALARY ADJUSTMENTS FOR THE MEO III**

WHEREAS, the Authority Board has considered an adjustment to the annual salary of the MEO III; and

WHEREAS, the Board has determined that, due to the scope of the duties and responsibilities of this positions, it is appropriate to adjust the annual salary, consistent with the 2020 budget, as amended; now therefore be it

RESOLVED, that the annual salary of the Gelper Mateo Zenteno MEO III be increased to \$65,000, effective March 2, 2019.

Funding Source: Salaries/Contingency Fund

Introduced By: Hoehmann/Specht

Unan.

February 27, 2020

RESOLUTION No. 34 OF 2020

**APPOINT LABORER
TO THE ROCKLAND COUNTY SOLID WASTE MANAGEMENT AUTHORITY**

WHEREAS, the position of Laborer was established by the Rockland County Department of Personnel and by Authority Board Resolution No. 35 of 2017; and

WHEREAS, the current position of Laborer is vacant; and

WHEREAS, the Authority Board desires to fill that position with the appointment of Daniel Cabrera, starting March 2, 2020; now therefore be it

RESOLVED, that the Authority Board hereby provisionally appoint Daniel Cabrera as Laborer to the Rockland County Solid Waste Management Authority, starting on March 2, 2020; and be it further

RESOLVED, that the compensation for such services shall be the sum of \$48,500.00 for a forty (40) hour week schedule and subject to a term of probation of twenty-six (26) weeks; and be it further

RESOLVED, that the Executive Director is hereby authorized and directed to provide a compensation package as defined by the Employee Handbook and amendments including but not limited to Resolutions No. 62 of 2017, 68 of 2017, 70 of 2017 and 28 of 2018.

Funding Source: Salaries/Contingency Fund

Phillips: This is a new employee not a new position because he is going to fill a vacant position.

New Business

Phillips: Do we have any new business.

Braunfotel: We have a new business item. As you know the committee has been meeting to rebrand from Rockland County Solid Waste Management Authority. The committee met and we are going to go with Rockland Green which is reduce recycle recover.

Phillips: Does anyone have any comments on Rockland Green?

Hoehmann: I want to thank the staff for doing a great job on this.

Introduced by: RCSWMA Board/RCSWMA Board Unan. February 27, 2020

RESOLUTION No. 35 of 2020

**ADOPTION OF "ROCKLAND GREEN" AS DOING BUSINESS AS NAME OF THE
ROCKLAND COUNTY SOLID WASTE MANAGEMENT AUTHORITY**

WHEREAS, the Authority's enabling act, the New York Public Authorities Law, Article 8, Title 13M, provides that the Authority's legal name shall be the "Rockland County Solid Waste Management Authority"; and

WHEREAS, the Authority wishes to maintain its legal name, but do business as and brand itself as, "Rockland Green"; and

WHEREAS, Section 2053-e (22) of the enabling act grants the Authority the power "to do all things necessary or convenient to carry out the powers expressly given" to it; and

WHEREAS, the Section 5.1 of the Authority's By-Laws state that the Authority "may from time to time consider and adopt resolutions on all matters necessary or convenient for the management and regulation of its affairs subject to applicable law"; now therefore be it

RESOLVED, that the Board hereby authorizes the Authority to take all actions necessary under the law to effectuate a doing business name of "Rockland Green".

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

Hoehmann: Moved

Specht: Seconded

The meeting was adjourned at 4:20 p.m.

Respectfully submitted,
Suzanne Haggerty