

Chairman Phillips called to order the Rockland Green Board meeting for Thursday, October 22, 2020 at 5:08 p.m.

Pledge of Allegiance led by Commissioner Hood

Phillips: Please remain standing. I was informed our Commissioners Pat Moroney has contracted Covid-19 so we will have a moment of silence and say a little prayer for Pat for his recovery.

Roll call by clerk. There is a quorum.

Present

**Chairman Phillips
Commissioner Hoehmann
Commissioner Hofstein
Commissioner Hood
Commissioner Kohut
Commissioner McGowan**

Present

**Commissioner Monaghan
Commissioner Powers
Commissioner Soskin
Commissioner Specht
Commissioner Wieder**

Absent

**Commissioner Jobson
Commissioner Kenny
Commissioner Lynn
Commissioner Moroney
Commissioner Paul
Commissioner Yeger**

Staff

Keith Braunfotel, Jerry Damiani, Noreen Gelok, Jeremy Goldstein, Suzanne Haggerty, Debbie Samuels

Others

Steve Torres, Teno West

Introduced by: Hoehmann/Monaghan

Unan.

October 22, 2020

**RESOLUTION No. 67 OF 2020
ADOPTION OF MINUTES, MEETING OF
SEPTEMBER 17, 2020**

RESOLVED, that the transcribed Minutes of the Rockland County Solid Waste Management Authority are approved for the meeting September 17, 2020 as recorded by the Clerk and are hereby adopted.

Public Hearing: To fix and determine the rates, rentals, fees or other charges for the use or availability of facilities and services of the Authority for the year 2021.

Braunfotel: Notice is hereby given that the Rockland County Solid Waste Management Authority d/b/a Rockland Green will conduct a Public Hearing on Thursday, October 22, 2020 at 5:00 p.m., at the Town of Clarkstown Town Hall, New City, New York 10956, to fix and determine the rates, rentals, fees or other charges for the availability and use of the facilities and services of Rockland Green for 2021. At such time and place, all interested persons shall be given full opportunity to participate and be heard concerning such rates, rentals, fees or other charges. Rockland Green will hold its regular meeting at the same place and time, at which time other matters shall be considered including Rockland Green's 2021 budget. Copies of the agenda can be obtained from Rockland Green's website at rocklandgreen.com.

Rockland Green is committed to full compliance with the Americans with Disabilities Act. Please contact Suzanne Haggerty at (845) 753-2200 by October 19, 2020 to request accommodations that may be required.

Phillips: Thank you, Mr. Attorney. Let's make a motion to open the public hearing.

Hochmann: Moved

Hofstein: Seconded

Phillips: The public meeting is open Jeremy do you have a presentation?

Goldstein: I do. Thank you, Mr. Chairman and Commissioners. This evening we are going to cover briefly the 2021 budget but, prior to that I want to talk about the rates for 2021. Rockland Green is proposing to change the price per tire from \$2 to \$6 per car tire as a fee and from \$10 to \$20 per truck tire and from \$200 to \$400 per ton on bulk tires. Jerry can talk about what is driving the increase.

Damiani: As you are aware, we do take tires at our Haverstraw facility. We are authorized to store onsite over 1,000 tires. Currently, we have a contract with Ben Tire the loads consistently of the tires and the mixed loads they have garbage, dirt and rocks in the loads. Other counties charge \$10 per car tire, \$30 for truck tires. We are still competitive, and residents of Rockland can properly dispose of their tires. We are increasing from \$200 to \$400 is restrictive and not have to accept tires in bulk. When you get up to 80 tires in a load it is a lot to manage. We would rather have tires come in individually than in bulk.

Goldstein: Everyone should have a summary sheet and a budget book. The proposed 2021 budget that is on today's agenda for your consideration includes an approximate user fee increase of \$18.39 per household over last year's budget which is \$1.50 a month per household increase. The ad valorem portion of our budget which covers everything not covered by user fees. Essentially, everything not included in the operation and maintenance of all of our facilities, debt service, salaries and consultant spending. The ad valorem is essentially flat year over year. Green waste unit charge has increased by 0.81¢ over the 2020 budget. It is going from \$33.63 per household to \$34.44 per household. We are assuming the same tonnage agreement of brush, leaves and mixed yard waste so the increase is because

of contractual pricing increases. The Household Hazardous Waste unit charge has a significant increase from \$7.64 to \$15.98 an \$8.34 increase over the 2020 budget. Our contract with our current contractor, Clean Harbors, expires at the end of April so it looks like a 25% increase for the last eight months of the year.

Phillips: Jerry, give us a rundown again because it is so impressive what we are taking at the Household Hazardous Waste Facility. Give us a list of items that we accept.

Damiani: Oil solvents, pesticides, herbicides, electronics, propane tanks and paint. It's one of the best services that Rockland Green provides for the residents of Rockland County. Also to some small exempt generators like the school districts. It is sometimes the first interaction that residents have with Rockland Green and the services that we provide to them.

Phillips: To Rockland resident's credit, each year we have increase in the volume of all the items that we accept there.

Damiani: Correct. We will probably see over 26,000 vehicles at that facility.

Phillips: These are the materials that have contaminated our environment people getting rid of them illegally or even the way they used to get rid of them in landfills and can seep into the drinking water. We have been providing a safer environment for future generations.

Damiani: We definitely are.

Goldstein: I think it is noteworthy that the residents are using the facility more and more. I think we had our highest three months ever of activity during Covid while people were home and cleaning out their homes.

Kohut: We pay per car, correct?

Damiani: Yes.

Kohut: I know a couple of people are emptying out their basements and they had trunk loads of material. But, is that always the case or do some people go over with just a few batteries? Are we getting charged \$30 a car for people going over there with just a handful of used batteries?

Damiani: Yes, we are.

Kohut: Is there any way to get a tier in there for minimal drop offs?

Damiani: We can try to do that upon renewal.

Phillips: That is a good point Commissioner Kohut brought up and maybe we could look into that.

Goldstein: Note for the Household Hazardous Waste unit charge we typically get a 50% grant reimbursement.

Phillips: How is that working out?

Goldstein: We are still waiting for funds from the State for 2018 and 2019 and we applied for 2020 as well. But we have not heard anything from the State for applying for 2021. In the interest of being conservative, and with the current States financial shortfall I err on the side of being conservative and assume no grant money. Transfer station unit charge is associated with operating all three of our transfer stations Haverstraw, Hillburn and Clarkstown is slated to increase by \$4.34 over the 2020 budget it is going from \$19.75 to \$24.09. There are contractual pricing increases for operations and maintenance of the facilities, hauling and disposal of the waste. We are assuming less tonnage for 2021 of garbage and construction debris a decrease of 8% attributed to what we are seeing during Covid because commercial waste is significantly down. The MRF unit charge is increasing by \$4.11 from \$35.64 to \$39.75 and this is the transloading contract with IWS while we are demolishing and redeveloping our MRF we are paying IWS to transload the recyclables. It is slated to increase because of the reverse of what we are seeing for garbage we are seeing significantly more recycling as people are home we are seeing 3,000 more tons of recycling for 2021 and that is what is driving the increase. The cocomposting unit charge is slated to increase by 0.78¢ over the 2020 budget from \$16.60 to \$17.30. This is the same tonnage you are seeing it is just contractual pricing from our contractor WeCare Denali.

Phillips: Thank you. Is there any commissioner that would like to question Jeremy our Director of Finance? Is there any public comment offered? Let the record note no public comment is offered. Do we have a motion to close the public hearing?

Kohut: Moved

Soskin: Seconded

Introduced by: Wieder/Spocht

Unan.

October 22, 2020

Resolution No. 68 of 2020

ADOPTION OF RATES, RENTALS, FEES OR OTHER CHARGES FOR THE USE OR AVAILABILITY OF THE FACILITIES AND SERVICES OF THE AUTHORITY FOR THE YEAR 2021

WHEREAS, the Rockland County Solid Waste Management Authority d/b/a Rockland Green is a Public Authority Corporation, duly organized and existing under the Title 13-M of the Public Authority Law of the State of New York, and,

WHEREAS, the Rockland Green is authorized under Section 2053-g of the Public Authorities Law to fix and collect rates, rentals, fees and other charges for the use or availability of the Authority's facilities and services; and

WHEREAS, it is necessary for Rockland Green to set its rates, rentals, fees or other charges for the use or availability of Rockland Green's facilities and services for the year 2021; and

WHEREAS, pursuant to Section 2053-g of the Public Authorities Law, Rockland Green is required to hold a public hearing at which interested persons have had an opportunity to be heard concerning its rates, rentals, fees or other charges; and

WHEREAS, a duly noticed public hearing was held on October 22, 2020, for the purpose of setting Rockland Green’s rates, rentals, fees or other charges for the use or availability of its facilities and services for the year 2021; now therefore be it

RESOLVED, that the Rockland Green Board hereby adopts the rates, rentals, fees or other charges for the use or availability of Rockland Green’s facilities and services for the year 2021, attached hereto and made a part of this Resolution; and be it further

RESOLVED, that the Executive Director is authorized to take all appropriate actions to effectuate the levying and collection of such rates, rentals, fees or other charges for the use or availability of the Rockland Green’s facilities and services for the year 2021.

Goldstein: There is no change except for the tires.

Phillips: Does anyone have any question? Does anyone in the public have any questions?

Introduced by: Rockland Green Board/Board Unan.

October 22, 2020

**RESOLUTION NO. 69 OF 2020
ADOPTION OF THE AUTHORITY BUDGET
FOR THE FISCAL YEAR 2021**

WHEREAS, the Rockland County Solid Waste Management Authority d/b/a Rockland Green is a Public Authority Corporation, duly organized and existing under the Title 13-M of the Public Authority Law of the State of New York, and,

WHEREAS, Rockland Green is authorized and empowered to plan, study, develop, construct, operate and finance solid waste management facilities pursuant to Section 2053-e of the Public Authorities Law as set forth in the Rockland County Solid Waste Management Plan; and

WHEREAS, Rockland Green is authorized and empowered to fix and collect rates, rentals, fees and other charges for the use or availability of the facilities or services, and commodities provided by the Authority pursuant to Section 2053-g of the Public Authorities Law; and

WHEREAS, Rockland Green, after due deliberation and duly noticed public hearing held on October 22, 2020, did review and discuss a budget setting forth the projected revenues and expenditures of Rockland Green for the fiscal year 2021; now therefore be it

RESOLVED, that Rockland Green hereby adopts the budget for the fiscal year 2021, attached hereto and made a part of this resolution.

Damiani: This is the rebate we offer to the municipalities to bring in their recyclables to the Hillburn facility currently the municipalities get \$35 a ton and we will continue to offer \$35 a ton to those municipalities that are signed up with Rockland Green.

Phillips: Is everyone familiar with the rebate program?

Introduced by: Powers/McGowan

Unan.

October 22, 2020

Resolution No. 70 of 2020

SETTING THE RATE FOR MUNICIPAL RECYCLABLES REVENUE PAYMENTS FOR THE YEAR 2021

WHEREAS, the Rockland County Solid Waste Management Authority d/b/a Rockland Green is a Public Authority Corporation, duly organized and existing under the Title 13-M of the Public Authority Law of the State of New York, and,

WHEREAS, Rockland Green owns and operates a Materials Recovery Facility (“MRF”) for processing the commingled paper and commingled fiber collected from throughout Rockland County; and

WHEREAS, Rockland Green receives revenue from the sale of the recyclables processed at the MRF; and

WHEREAS, in order to encourage Rockland municipalities to maximize their recycling rates and to defray their collection and transportation costs for these recyclables, Rockland Green wishes to share the revenue it receives from the sale of the recyclables; now therefore be it

RESOLVED, that Rockland Green will pay to each Rockland municipality which has entered into an Intermunicipal Recyclables Management Agreement with Rockland Green the sum of \$35.00 per ton for each ton of recyclable materials that such municipality delivers to Rockland Green during the Year 2021.

Goldstein: We are going to adopt a capital expenditure policy the Solid Waste Authority never had one in the past. It is a methodology for standardizing the accounting treatment of our capital assets in terms of useful lives and thresholds for what gets capitalized and the flow of funds and how those get

paid for. It is essentially codifying what we essentially do setting thresholds for those purchases. It is just a way of formalizing what we do.

Phillips: Does anyone have any questions?

Introduced by: Specht/Hofstein Unan.

October 22, 2020

RESOLUTION NO. 71 OF 2020

**AUTHORIZATION TO ADOPT CAPITAL EXPENDITURES POLICY
FOR ROCKLAND GREEN**

WHEREAS, the Rockland County Solid Waste Management Authority d/b/a Rockland Green ("Rockland Green") 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, Rockland Green has previously adopted policies and procedures for the procurement of goods and services; and

WHEREAS, a Capital Expenditure Policy will ensure that purchases of individually significant items are properly recorded and maintained on the schedule of mixed assets; and

WHEREAS, the Capital Expenditures Policy is attached hereto as Exhibit A; now therefore be it

RESOLVED, that Rockland Green hereby authorizes and approves the Capital Expenditures Policy in substantially the form presented at this meeting; and be it further

RESOLVED, that the Chairman, Treasurer, Deputy Treasurer, or the Executive Director 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.

Introduced by: Hoehmann/Kohut

Unan.

October 22, 2020

Resolution No. 72 of 2020

ADOPTION OF ROCKLAND GREEN EMPLOYEE HANDBOOK

WHEREAS, Rockland Green has determined that all the policies and procedures of Rockland Green should be set forth in an Employee Handbook for the benefit of its employees; and

WHEREAS, an Employee Handbook was adopted on December 16, 2004 by Board resolution 62 of 2004; and

WHEREAS, an updated Employee Handbook has been reviewed and approved by both outside legal counsel for Rockland Green and the management team; now therefore be it

RESOLVED, that the Employee Handbook is hereby adopted; and it is further

RESOLVED, that the provision of the Employee Handbook shall be effective October 22, 2020.

Braunfotel: The management team together with outside counsel and myself put together a collection of all the rules and regulations that we currently abide by. Every employee will get a copy of the handbook and will be required to sign and acknowledge the terms and conditions of their employment and the employees that are unionized will get their collective bargaining agreement when we finally resolve that, but in the interim, they will have to live and abide by these rules that are not inconsistent with the collective bargaining agreement.

Phillips: Everyone should have a copy. Does anyone not have a copy? Are there any questions on the employee handbook?

Introduced by: Hoehmann/Specht

Unan.

October 22, 2020

Resolution No. 73 of 2020

**AWARDING AGREEMENT FOR
WASTEWATER SIDE STREAM HAULING, TRANSPORTATION AND DISPOSAL
RFB 2020-05**

WHEREAS, Rockland Green issued a Request for Bids for Hauling, Transportation and Disposal of Side Stream Materials, on July 31, 2020; and,

WHEREAS, the bids received in response to the RFB 2020-05 were from Spectraserv, for \$169,000.00, from Luzon Environmental, for \$119,470.00 and from TAM Enterprises, for \$234,000.00; and

WHEREAS, the Engineer has reviewed the bids submitted in response to the Request for Bids and has determined that the bid from Luzon Environmental is in all respects responsive to the Request for Bids; now therefore be it,

RESOLVED, that the bid of the firm Luzon Environmental. for Contract SSM-1 in the amount of \$119,470.00 annually, is hereby accepted, and be it further

RESOLVED, that the Executive Director or the Chairman of Rockland Green is authorized and directed to execute an agreement with the firm of Luzon Environmental for the hauling, transportation and disposal of side stream materials, as described in the specifications of RFB 2020-05, subject to review by General Counsel for Rockland Green.

Damiani: Currently, Rockland Green has an intermunicipal agreement with Rockland County Sewer District which goes out to the various wastewater treatment plants in Rockland County and consolidates loads of side streams for basically inorganic fractions in the waste water treatment process which includes grit, scum and rags, etc. The contractor collects that consolidated side stream from Rockland County Sewer District and properly disposes of them in a sanitary way.

Damiani: Ms. Scales had requested to be laid off. The Department of Personnel is requiring Rockland Green because she has been laid off to abolish her position. That does not exclude her from returning back considering she is one of the top three candidates of the position.

Phillips: We have employees in the Education Department so I want to make sure all the Commissioners are aware I had spoken to members of the Executive Board we really have very limited work right now with the exception of Joe and he has tremendous amount of work that our Executive Director has been giving him so we have the three employees and we reached out to the County Health Department through the County Executive's office and we said as long as we have these employees and you are in dire need of constant tracing why don't you allow our employees to jump in and help you and assist in your tremendous amount of telephone work. They accepted it and are very grateful for the help so we have those three employees assist the County Health Department in their tracing abilities.

Introduced by: Hoehmann/Hood

Unan.

October 22, 2020

Resolution No. 74 of 2020

ABOLISH SOLID WASTE EDUCATOR POSITION TO ROCKLAND GREEN

WHEREAS, the Executive Director has requested the abolishment of the position Solid Waste Educator; and

WHEREAS, the Executive Committee has met, reviewed, and unanimously approved the abolishment of Solid Waste Educator; now, therefore, be it

RESOLVED, the position of Solid Waste Educator be hereby abolished; and be it further

RESOLVED, that the previously budgeted amount for the position (\$117,277.00) be transferred to the contingency fund; and 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 to effectuate the purposes of this resolution.

New Business

Phillips: Mr. Attorney and Executive Director do we have any new business?

Damiani: Rockland Green kicked off its annual leaf composting program down at West Nyack and I want to thank Noreen Gelok for her assistance with the program. We have a weekend shredding event at the Town of Clarkstown and we have an event at the Household Hazardous Waste Facility on Sunday.

Phillips: How about an update on our future avenue that we are pursuing to get rid of our garbage that we have to transfer.

Damiani: We met virtually with fourteen entities that submitted to the RFEI. We look to have an RFP out in the first quarter of 2021.

Phillips: We identified three crucial areas number one being price and our staff is aware to the fact that we can't go out to the public with any exorbitant increase in long hauling to where we have to go to the final destination. The second crucial area is if we do come up with a permanent solution for our residents in Rockland County, we want to know what kind of emissions it would mean to us. The third crucial area is carbon zero we want to make sure we come out and strive for zero carbon imprint. We have to find a permanent solution because landfills are running out of space. The further out we travel the more expensive it becomes, and the new technology is cutting edge and it is returning energy back into the grid. I understand that the emissions are a fraction of what they used to be.

Torres: There are a number of technologies. Some use mechanical biological treatment which converts the waste to a feedstock or a clean burning facility or to a fuel itself. There are a number of options where you wouldn't have emissions at all. The ones that do have emissions will meet state and federal PPA air standards so they are improving from the old traditional waste to energy and because of the process changes and because of the base line alternative that you use now at landfills, the emissions are going to be better than the way that you are doing it now. There was a study a couple of years ago with the comparison of landfill and solid waste and the THC and the methane emissions associated with these are being cleanburn technology. They are actually comparable and in some cases the study showed better so I think there are benefits that could come from this project.

Phillips: It is my understanding that Europe is already developed some of these in some of their biggest cities.

Torres: You are correct, Mr. Chairman. Europe is big on energy from waste because they don't have as much space for a landfill. Europe doesn't have that convenience, so they are developing clean technologies for energy to waste.

Monaghan: The company's we are looking at proving technology at a large scale?

Torres: A number of them are. When you put out a request for expression of interest you will get a number of proposals, but a number of them are viable technologies that have commercial demonstrations. Jerry has been adamant about to commercially demonstrate. There are a few that have commercial demonstrations that would meet the requirements that we want to put in the RFP.

West: You want to have a technology that is out there hopefully in the United States and has been operational and taking similar waste. You would think that waste is all similar but in Europe they pull out a lot more recyclables out of their waste and they pull out food waste.

Phillips: I think it is important that we bring it up at every meeting just so it is fresh in everyone's minds and we understand what road we are going down. I am glad that Teno and all of us understand that there are different types of methods in which to get rid of this and there may even be a gasification in the future. We have identified the three crucial areas that we have to keep this affordable to our residents, we have to make sure the emissions are good and we have to try to come up with a zero carbon imprint as possible. I think we are going in the right direction and we are not ignoring the problem like many communities are. This is an opportunity for us to move ahead and the good thing is we are not reinventing the wheel. We are going with proven technology and looking at every aspect of it.

Kohut: When does the law on commercial composting of food waste go into effect?

Damiani: New York State may implement the ban of food scraps that requires generators generating more than two tons a week of food waste or scraps to look to dispose of it at a facility within a 25-mile radius. The biosolid facility could accept 20 tons a day, but that is a last resort. The EPA and DEC are asking generators to reduce what they purchase first and foremost and then after that look to provide it to other outlets like food pantries.

Phillips: Some good news is that we now own our new office building in Nanuet. Hopefully, we will be progressing to have the inside redone, but we need to work slowly. We want to bring students there to our educational department. I want to compliment Jeremy and the staff for putting together a lean budget for 2021. This has been a challenging year and we are looking at total increase of \$18.39 a household. Our total budget is Jeremy?

Goldstein: \$63,453,820.

Phillips: We are looking at a total increase \$18 out of a \$63 million budget which is really good. Are there any other questions? Is there anyone in the public that would like to bring anything before the Board. Let the record note there is no public comment. Do we have a motion to adjourn?

Wieder: Moved

Monaghan: Seconded

The meeting was adjourned at 5:35 p.m.

Respectfully submitted,
Suzanne Haggerty