

NAME OF COMMITTEE: Governmental Services & Administration Committee

DATE: January 24, 2011

TIME: 6:30 PM

PLACE: Ulster County Resource Recovery Agency
999 Flatbush Road
Kingston, New York

LEGISLATORS PRESENT: Chairman Kevin A. Roberts, Deputy Chairman Hector Rodriguez, Legislators Carl Belfiglio, Kenneth Ronk, Michael Madsen and Robert Parete

LEGISLATORS ABSENT: Legislator Dean Fabiano

OTHERS PRESENT: Tim Rose, Acting Executive Director, UCRRA
Leon Smith, Chairman Board of UCRRA
Victor J. Melville, LWV-Observer Corp
Karen L. Binder, Clerk of the Legislature, Recording

1. **Chairman Roberts called the meeting to order at 6:30 PM.**
2. **Legislator Rodriguez motioned, seconded by Legislator Ronk to approve the minutes from the December 20, 2010 and the January 4, 2011 meetings. All in favor.**
3. **Ulster County Resource Recovery Agency**

Leon Smith announced his appointment as Chairman of the Board. They have had 3 meetings recently - the Annual Meeting and 2 Board Meetings. It has been decided that the meetings will be held on the third Tuesday of each month at 3 PM. They have discussed scheduling later from time to time for people who cannot make 3 PM. They also intend to review their budget after the 1st quarter.

Leon Smith meet with the Ulster County Comptroller regarding the 2nd report. The Comptroller agreed to meet with him before it is released. He also met with the District Attorney and will keep the committee updated.

Leon Smith also mentioned a lawsuit involving 3 Board members and 2 employees.

- Legislator Rodriguez asked how much does the Agency think the lawsuit will cost? Leon Smith responded that they don't know the exact amount; they have insurance which will cover some of the amount but not all of it.

Mr. Smith continued that the biggest issue facing the RRA is going to single stream recycling. This will have impact on the Agency's revenue.

Legislator Rodriguez questioned the report that was distributed via e-mail. Tim Rose provided a corrected copy of the UCRRA Treasurer's Report covering January - December 2010 - see copy attached.

Legislator Belfiglio asked for an explanation as to how the revenue would be lost?

- Tim Rose explained that there is more money from dual than from single stream.
- Leon Smith added that a larger volume would be needed for co-mingled recycling which would be sold at one rate. They hope to keep cardboard coming in since they make money on it.

Legislator Belfiglio also inquired about who recycling targets?

- Chairman Roberts responded that recycling impacts the entire County per Local Law No. 4 of 2010.

There was further discussion about recycling, contamination of products and the use of transfer stations.

Leon Smith and Tim Rose discussed that although single stream recycling increases recycling, the end product isn't as pure as separating various recyclables.

The Agency's Recycling Coordinator is on leave until March but has reached out to all businesses.

There was discussion regarding fines, violations and enforcement of the Local Law. Karen Binder, Clerk of the Legislature, was asked to do research regarding the Local Law and the Hearing Officer and where the responsibilities fall.

The discussion returned to the report that was distributed:

- Revenue shortfalls
- Total operating costs
- Fuel costs
- Use of biodiesel
- Debt service
- Paying off debt incurred when all landfills were closed

Chairman Roberts mentioned a scale issue at the New Paltz Transfer Station.

- Tim Rose explained that they were working to resolve this situation which has been on-going for too long. They cannot afford to continue to pay for repairs on outdated equipment.
- Leon Smith mentioned that these types of projects will be handled by Tim Rose, who will use guidelines to make decisions and recommendations.

Tim Rose discussed Department of Environmental Conservation issues:

- Stormwater samples
- Non-compliance for diesel storage - a plan was submitted for containment since this has been out of compliance for several years. They are doing both tanks although it isn't required but the cost is roughly the same for one or two tanks.
- DEC is overall happy with the work being done at the RRA.

- The Environmental Monitor from DEC visited. They are paid \$16,200. every 6 months.
- Operational changes
- Maximum daily tonnage

Pending permit should allow for peaks and valleys. The weekly total is important.

Tim Rose explained the impact of the weather - they make money when it rains/snows. Waste Management can shut down for a day and then come in with two days trash. He also added that there are spikes around the holidays from restaurants and other counties. The permits are not flexible in what they allow though. The new permit is already in the SEQRA process.

Legislator Ronk questioned the number of pieces of equipment that were in need of repair.

- Tim Rose provided that the grinder has been repaired. The Town of Ulster used the grinder which is intended for brush only and someone made the decision to grind leaves which wore the hammers down - the repair cost \$13,000.
- They had looked at selling the grinder which was purchased for somewhere between \$420,000. and \$450,000. Charles Whittaker has looked into selling and replacing the grinder with a smaller machine. This one is great for a developer - it can clear building lots of logs. They may be able to sell the grinder for \$350,000. and replace it with one for \$100,000.

Legislator Parete asked if the Board's resolution to ask the Legislator to appoint a committee to study the RRA passed unanimously?

- Leon Smith answered that the resolution did pass unanimously.

4. Resolutions

- **Creating A Special Joint Committee to Study Viable Solutions and Improve the Oversight of the Ulster County Resource Recovery Agency by the Ulster County Legislature**

Legislator Rodriguez motioned, seconded by Legislator Ronk to move the resolution to the floor. All in favor.

Legislator Robert Parete mentioned that we should double check the authority on creating a special committee. (Karen Binder, Clerk will address this issue with Counsel to the Legislature.) He also suggested that the resolution be amended to say 120 days rather than 70 days so that the committee would have sufficient time and the resolution wouldn't come back to the floor to amend the time frame. All in favor of friendly amendment.

Legislator Rodriguez suggested that a "FURTHER RESOLVED" be added to the resolution to include haulers and laborers in the process. There was discussion and input regarding his suggestion.

Legislator Rodriguez motioned, seconded by Legislator Robert Parete to amend the resolution to include the following:

"RESOLVED, that the committee shall seek input from stakeholders including but not limited to

representatives from labor, haulers, environmental advocates and others, and be it further."

Amendment approved unanimously 6 - 0.

- **Amending the Rules of Order of the Ulster County Legislature to Establish Procedure For Any and All Resolutions Regarding Labor Agreements**

Legislator Ronk presented the basis for the above resolution. Labor agreements have come to committees with insufficient time to fully study the issues - legal and financial. A longer period of time will enable Legislators to do their due diligence in making the appropriate decisions.

Legislator Rodriguez mentioned that this matter is being addressed by leadership in the Administrative Code Review Committee and feels this isn't the appropriate time for this resolution to be presented.

Legislator Ronk agreed to postpone submission of the resolution until at least February. No action was taken by the Committee at this time.

- **Requesting the New York State Legislature and Governor to Introduce Home Rule Legislation Which Would Require Ulster County Resource Recovery Agency Board Appointments to be Appointed by the County Executive**

Legislator Ronk motioned to bring the resolution forward for **discussion purposes only**. There was brief discussion regarding the concept of the resolution.

Legislator Robert Parete stated that addressing the resolution would be getting ahead of ourselves and we should wait for the opinions and recommendations from the Special Advisory Committee.

No action was taken or required by the Committee at this time since the resolution was addressed only for discussion.

- **Amending Resolution No. 19 - January 11, 2011 - Standing Committees for the Year 2011**

Legislator Madsen motioned, seconded by Legislator Robert Parete to move the resolution for **discussion purposes only**.

Legislator Ronk explained that in 2010 there was an effort to consolidate the Standing Committees taking into account that in 2012 there will be fewer Legislators.

Legislator Robert Parete added that it has been the job of the Chairman to determine the committee structure, what their goals are and who should sit on them.

Legislator Rodriguez mentioned that Creating the Standing Committees involves County Law and

the Rules of Order of the Legislature. The Legislature adopts the creation but the Chairman decides who is appointed.

No action was taken or required by the Committee at this time since the resolution was addressed only for discussion.

5. Other Business

Chairman Roberts asked if anyone objected to holding the monthly meetings at the RRA. All committee members present were okay with location and jointly decided to change the meeting time to 6:00 PM.

6. Motion to adjourn

Legislator Robert Parete motioned, seconded by Legislator Rodriguez to adjourn. All in favor.

Meeting adjourned at 7:57 PM.

Respectfully submitted,

Karen L. Binder, Clerk
Ulster County Legislature