

**MINUTES OF THE REGULAR MEETING
OF THE
EASTERN RENSSELAER COUNTY
SOLID WASTE MANAGEMENT AUTHORITY**

A Regular Meeting of the Members of the Eastern Rensselaer County Solid Waste Management Authority took place on the 27th day of October, 2009 at 5:30 p.m. at the Pittstown Town Hall, located at 123 Tomhannock Road, Valley Falls, New York.

The following persons were present:

- Jean Carlson, Chairman & Representative of Schaghticoke
- Robert Downing, Vice-Chairman & Representative of Hoosick Falls
- Donald Justus, Treasurer & Representative of Castleton
- Jay Overocker, Secretary & Representative of Valley Falls
- Verna Hansen, Representative of Pittstown
- Charlie Collins, Representative of Nassau
- Joanna Redden, Executive Director

Absent: P.J. Rhoder

Chairman called the meeting to order at 6:11 p.m.

The Minutes of the Regular Meeting held on August 25, 2009, were presented for review.

A **Motion** to dispense with the reading of the Minutes and to accept them as printed was made by Jay Overocker and seconded by Bob Downing.

Discussion: None **Vote:** 6-0 in favor

Chairman called for committee reports. There were none.

Chairman called for the Executive Director report. (Attached hereto as "Exhibit A")

New Business

Update on Proposed Roll-off Hauling Contract with Waste Management

Ms. Redden informed the Board that she recently forwarded to Waste Management a proposed contract similar to the one we already have in place. Waste Management made revisions to the proposed contract and sent it to Ms. Redden for review. A copy of this newly proposed contract was distributed for the Board's review and consideration (Attached hereto as "Exhibit B"). Since this was only received earlier today, Ms. Redden has not yet had a chance to discuss the changes with Ken Bevis at Waste Management. Ms. Redden explained to the Board the concerns she has with the revisions at first glance, which are mainly within the second paragraph

of Exhibit A. The Board agreed that we should return to Waste Management to discuss our concerns with these changes and if necessary, enlist the services of our attorney.

Creating a New Local Solid Waste Management Plan

After speaking more with DEC, Ms. Redden indicated that we will likely not need the services of a consulting firm for the preparation of our new Local Solid Waste Management Plan, especially in the event that the Authority plans to continue much of its current operations as its objectives for the new plan. DEC has indicated that about half of all planning units are enlisting the services of a consulting firm, but that those plans are not necessarily any better than those planning units that do not use a consulting firm.

Additionally, Ms. Redden reported that lone municipalities are not required to prepare a Local Solid Waste Management Plan – only those that are considered “Planning Units” which are at least two municipalities working together. DEC has stated that if another municipality has an infraction or violation, then they may be forced by DEC to join with a Planning Unit in completing a LSWMP. At this point, no other Rensselaer County municipality is obligated to work with us, but DEC will assist us in the event of any infractions. We have reached out to all those other municipalities within the county that are not already under a planning unit, but have not gained any support in working with us to complete the LSWMP.

Penny Pleasant’s Request

Ms. Pleasant’s request was presented for review and consideration (Attached hereto as “Exhibit C”). Discussion ensued regarding the cost of health insurance; however this information was not available at this time, since this had only been received earlier in the day, not allowing sufficient time to gather the necessary pertinent information regarding health care coverage and costs. Due to this, the Board indicated that they were not prepared to make any decisions regarding this request at this time.

Roll-off Replacements

Ms. Redden presented a report showing the number of containers that are among ERCSWMA communities as well as the number and types of containers that need to be replaced (Attached hereto as “Exhibit D”). As the report shows, there are a total of nine containers that are in bad shape and need to be replaced. Those that are most pressing are those located in the Village of Nassau. Two of their containers have already been deemed beyond repair and scrapped. Discussion ensued regarding the ownership of the containers and who is responsible for funding the replacement containers. Don Justus indicated that all containers within the ERCSWMA were originally purchased by each particular municipality and that over the years, many containers were swapped between municipalities. As a result, the municipalities simply agreed that all containers would become the property of the ERCSWMA to maintain and eventually replace. Jean Carlson said that it seems reasonable that since the ERCSWMA has assumed ownership by repairing all the ERCSWMA rolloff containers that it is reasonable to assume that the ERCSWMA is the owner of the containers and would therefore be responsible for bearing the financial burden of replacing these containers. All other board members were in agreement. Ms. Redden received a quote for the kind of container needed in the Village of Nassau, which will cost \$7,039.00. This quote is good for at least 14 days and likely longer than that, but there is no guarantee that this price will remain constant in 2010. The Board indicated that it would be

reasonable to purchase one container this year and another in 2010 and an additional rolloff container each year until the bad containers are replaced.

A **Motion** to purchase one rolloff container for the Village of Nassau in the amount of \$7,039.00 and to give any scrap revenues from disposing of old rolloff containers to the ERCSWMA was made by Jay Overocker and seconded by Charlie Collins.

Discussion: None **Vote:** 6-0 in favor

Bob Downing left the meeting at 6:35p.m.

Don Justus left the meeting at 6:50p.m.

Adoption of the ERCSWMA 2010 Operating Budget

A **Motion** to accept the 2010 Annual Operating Budget and set the 2010 members share at \$102,890 was made by Jay Overocker and seconded by Verna Hansen.

Discussion: None **Vote:** 4-0 in favor

Public Comment: There was no one from the Public present.

There being no other business before this Board a **Motion** made by Jean Carlson and seconded by Jay Overocker to adjourn the Regular Meeting at 7:25 p.m., with an oral vote of 4-0 in favor.