

Chairman Phillips called to order the Rockland Green Board meeting for Thursday, March 25, 2021 at 5:00 p.m.

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Pledge of Allegiance led by Commissioner Paul

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Roll call by clerk. There is a quorum.

**Present**

**Chairman Phillips**  
**Commissioner Hofstein**  
**Commissioner Kenny**  
**Commissioner Kohut**  
**Commissioner Monaghan**  
**Commissioner Moroney**

**Present**

**Commissioner Paul**  
**Commissioner Powers**  
**Commissioner Soskin**  
**Commissioner Wieder**  
**Commissioner Yeger**

**Absent**

**Commissioner Hoehmann**  
**Commissioner Hood**  
**Commissioner Jobson**  
**Commissioner Lynn**  
**Commissioner McGowan**  
**Commissioner Specht**

**Staff**

Keith Braunftel, Jerry Damiani, Yisroel Eisenbach, Noreen Gelok, Jeremy Goldstein, Suzanne Haggerty, Dee Louis, Debbie Samuels

**Others**

Ann DeLucco, Paul Goetz, Stephanie Kosmos, Steve Torres, Teno West

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**Phillips:** Let the record note that Commissioner Moroney is present by cell phone and Commissioner Specht called, he had a bit of a reaction to his second vaccination shot. Commissioner Hoehmann communicated to us he had a medical emergency in his family and that is why he is not here.

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**Introduced by: Kohut/Kenny**

**Unan.**

**March 25, 2021**

**RESOLUTION NO. 20 OF 2021  
ADOPTION OF MINUTES, MEETING OF  
JANUARY 28, 2021**

**RESOLVED**, that the transcribed Minutes of the Rockland County Solid Waste Management Authority are approved for the meeting January 28, 2021 as recorded by the Clerk and are hereby adopted.

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**Public Hearing**

**Braunfotel:** Notice of public hearing for contract award. Notice is hereby given that the Rockland County Solid Waste Management Authority d/b/a Rockland Green is holding a public hearing at 5:00 p.m. on Thursday March 25, 2021 at Clarkstown Town Hall, 10 Maple Avenue, Room 301, New City, New York in connection with the contract award for Request for Proposals No. 2020-10 for the Design-Build of a Dual Stream Recyclables Processing System at the Materials Recovery Facility in Hillburn, New York, issued by Rockland Green on October 21, 2020. By order of: Rockland Green. This appeared in the Journal News.

**West:** The reason we had a public hearing tonight for this award of the contract is under any solid waste management facility which is a materials recovery facility when we are doing construction or installation of equipment it is under the General Municipal Law 120-W of the Authorities Act. The recommendation is to award the contract to not the lowest price proposal because of the value this proposal brings it allowed us to do our due process. Under the 120-W we can choose a proposal that is not the lowest price, but you have to have a public hearing when awarding that contract. Nat Egosi from RRT will be speaking shortly and you will see the value of the proposal that is being recommended. The Solid Waste Authority, Rockland Green, put out an RFP for equipment to be supplied to renovate the materials recovery facility and they have received proposals from three proposers, CP Group, Van Dyk Recycling Solutions and from Machinex. These three proposers came in as RRT will describe in their presentation, between the three proposers they are all leaders in the materials recovery facility equipment supply arena. Machinex's proposal was more expensive, and they didn't seem to really grasp overall what we were trying to accomplish at the MRF and Rockland Green. So we looked at CP Group and Van Dyk. CP Group was lower cost around \$15 million and Van Dyk \$17.7 million. As we go through the technical presentation that RRT will be providing, you will see the difference between the two proposers and how the Van Dyk proposal even though it is more expensive there is more value. It's not to say that CP Group wasn't a good proposal and not a qualified company. They provided a proposal that could possibly work at this level, but not at the level that Van Dyk had for that we were looking to the proposers to have a cutting-edge leading materials recovery facility that would allow us to be on the forefront of materials recovery. The last few years with the change in the markets in China, you really need to be on the cutting edge when having a materials recovery facility in taking the recyclables and having them coming out of the sorting and producing a product that has the highest value. The technical process that was presented by

Van Dyk the evaluation team and the consultants thought that company provided a proposal that would lead us into the future and where we want to be going. I think that would be very clear from the technical proposal review and through technical proposal discussion that will happen shortly. Besides the price on the business side Van Dyk gave a better warrantee that we were looking for. We were looking for a true warrantee for two years after the project where they actually come and repair and replace and stand behind the equipment and the systems they are putting into our facility. The warrantee from CP Group did not provide the same level of comfort to us, it was a manufacturing warrantee. That was a key difference in the business terms that they had. Van Dyk is a very strong company, and they are also a company that is located in Connecticut. They can do the repairs or any type of maintenance that is required at this facility from a very close distance. CP Group is located in California so they are providing the equipment, but the support afterward will not be the same as Van Dyk. We are spending this amount of money on upgrading the facility we really want to be sure we are getting the support going forward to make sure the facility has improved the weekly requirements we are trying to achieve through the RFP we issued.

**Phillips:** Nat give us an idea what we are talking about. As Teno was saying, we see a real evolution in the MRF's. We were on the cutting edge of technology when we built our first MRF in the late nineties for glass, plastic and cans. But even within that we have seen the evolution of the type of plastics that we are able to recycle. Jerry I'd say there were probably 7 or 8 different categories of plastic over the life of the MRF that we have added on since the inception of opening. A number of commissioner's were there with me when we toured the building after it was gutted out. Now what we are doing is going in and replacing all of the equipment with the most modern technology. Nat tell us about this company and tell us where we are going in the future.

**Egosi:** Thank you, my name is Nathiel Egosi. With regard to Van Dyk recycling systems, they are a company that our company has worked with on numerous projects throughout United States. They are a thirty-year old company based in Norwalk and that is where they have their spare parts inventory and that is where they run their service technicians from and that is also where they mostly run the technicians that do the installation. They also are the company that provides the balers versus CP who provides them by a supplier because CP doesn't manufacture balers. The balers are the most important piece of equipment at any recycling facility. Those of you familiar with your facility as it was before, the baler was a piece of equipment that got a lot of attention in terms of how it performed and so on and it is critical for the growth of being able to handle the increase of tonnages. As Teno explained there was a difference in cost. The difference in cost is largely due to the fact that Van Dyk included numerous pieces of equipment and flexibility within the design that is geared towards investing for two things. Changes in how the material appears when it arrives at the door of the MRF. All the different types of plastics that are in the stream and different types of paper grades. The changes in the paper which have moved towards "The Amazon Effect" in terms of more cardboard in the stream and much less newspaper. It is also a phenomenon of what we call light weighting because the bottles are now made very thin versus bottles of years ago, they were thicker and there is a lot less glass. Van Dyk provided the flexibility to deal with that and provide some additional pieces of equipment to deal with greater amounts of contamination on both the paper side and the container side. Van Dyk also provided additional pieces of equipment features to deal with the other side of the equation that a MRF has to deal with which is the equity of the products being made. The ability to sell those products in the marketplace so that as materials are coming in, it has to go out the door and other than glass everything else is baled

shipped in trailers and needs to go to the market. The market needs to be able to accept the material as produced from the facility being a specific specification. If it doesn't meet the specification, we have a problem. The markets are fluid, and they change, and they are volatile. Van Dyk included in their package and they're offering numerous features including for example additional screens that they will screen out contaminants that are found in the commercial fiber that is part of your stream. You have three different streams in your MRF. You have the residential fiber, commercial fiber and you have the container stream. Those three streams are almost equally divided between the three. The fiber streams would be processed together, and the container stream would be processed by itself. The ability to be able to process the material at the speed that we requested be processed over the life of the facility for many, many years would require that a MRF have features that would allow for the changes in the composition that come in and also changes in the markets and their specifications and Van Dyk provided that. In addition to that Van Dyk provided the reliability feature which is the two-year warranty with parts and labor and freight included. CP included only parts no freight, no labor to install. With Van Dyk if you need service, they will come out of Norwalk. If you need service with CP they are coming from San Diego. That gives a different perspective on the liability. With regard to the layout of the system, when we look at the system in terms of how it is laid out, we want a system that can handle and many of you that have seen MRF's are aware it involves a lot of conveyors. Conveyers take shortest distance to get where they want to go and have least amount of turns going around to get to various pieces of the machinery. The Van Dyk system is substantially more efficiently laid out requiring less footprint of space thereby providing more room for flexibility for the future. Also substantially less prone in fact they probably will never have any jams or interruptions in the system. CP had many turns in their equipment to get to where they needed to go and as a result there is an interruption in the production that would impact the trucks that are delivering materials.

**Phillips:** I think we are all pretty convinced we are going down the right path with this vendor. Do any of the commissioners have any questions on going with Van Dyk?

**Yeger:** Part of the presentation was that Van Dyk did certain things better than CP. Was the request for proposal that sent out, did it detail any of these differences? For example you were talking about two different streams of fiber versus plastics and glass on one side and it sounds like Van Dyk three separate streams and CP is only doing two, am I correct in that or am I wrong?

**Egosi:** No, both companies provided systems that allow the two streams to be processed. So you are not correct on that they are both able to do the same in that regard. Because the request for proposal was very prescriptive in what the minimum requirements were, they both were responding to the same specifications and the same requirements. However, this being a proposal as opposed to a bid there was opportunity for a proposer to offer items that were cost advantageous or things that were more in line with Rockland Green's mission statement and that is what Van Dyk did.

**Yeger:** For example, you said something about them providing extra screens to try to screen out contaminants. It sounds like it is a \$15 million versus \$17.7 million total bid is significant. The question I have is, is CP allowed to be given an opportunity to match what Van Dyk has done. Because as opposed to a bid you are saying a request for proposal as long as there is a minimum, they can put in whatever they want.

**Braunfotel:** Yes, that is a great question. The proposal went out and then once we got our responses back, we resubmitted clarification questions and tried to get more detail. We pointed out what we were looking for specifically. We had interviews and we spoke to them. There have been a lot of steps that took place to try to get them to compare apples to apples. It is just a different process to some degree the way that CP did it as opposed to the way Van Dyk did it. I am not going to get into those proprietary things in open session. But if you are interested in those weeds, Nat will be more than glad to explain the proprietary aspects of the process.

**Yeger:** It sounds like we are voting on this tonight, correct?

**Braunfotel:** Yes.

**Yeger:** I understand. Thank you. As far as for example where the companies are located, one is in San Diego and obviously if you need something done in an emergency it takes a little bit longer to get here. Was there any question to CP whether they have local people who could come in an emergency?

**Egosi:** They don't have any local people here nor did they provide a business model with the intent to have local people. They don't have local people anywhere in the Country they use outside third party contractors that they would identify later around the time when you call them.

**Yeger:** So they didn't represent to you if they had any local vendors that they could use right away that they contract with?

**Egosi:** They would not provide any names of any local vendors.

**Yeger:** That alone is good enough for me, I don't have any further questions. Thank you, Mr. Chairman.

**Phillips:** Thank you. Are there any other questions from the Commissioners?

**Powers:** In the material it actually said the cost difference really wasn't that great when you consider other factors.

**Phillips:** That is a very good point. Nat do you want to embellish on that.

**Egosi:** Two items that approach almost \$1 million worth of value and that is the difference in the warrantees we asked for two years of warranty for costs and labor and freight included. We asked for a fire suppression sprinkler system to be provided to protect your investment. Those were provided by Van Dyk and not included even after the clarification efforts it was still not included by CP.

**Phillips:** It is very interesting which I did not know when we think of fire suppression it comes from the ceiling down. But Nat for this type of equipment it is also from the floor going up.

**Egosi:** The sprinkler system will protect what the sprinkler can find, but under the equipment the sprinkler won't reach. All the equipment in the facility will have sprinkler systems under the equipment

for a fire that might develop under the equipment and the heat would be there that the sprinkler system overhead won't react.

**Phillips:** Any other questions from the commissioners? If not, is there anyone in the public that would like to bring anything before the Board regarding this MRF proposal? Let the record note no public comment was offered. Motion to close the public participation.

**Yeger:** Moved

**Monaghan:** Seconded

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**Braunfotel:** Resolved that the Board has determined that the proposal submitted by Van Dyk Recycling Solutions meets the requirements of the RFP and although Van Dyk Recycling Solutions did not submit the lowest priced proposal, it did submit the most responsive proposal, and that an award to Van Dyk Recycling Solutions would be in the public interest; and be it further resolved, that the Executive Director of the Authority is hereby authorized to negotiate with Van Dyk Recycling Solutions, and, if negotiations prove successful, execute the Design Build Agreement for the Dual Stream Recyclables Processing System at the Materials Recovery Facility, subject to review by the Chairman or Authority Counsel. And be it further resolved, that the Design Build Agreement for the Dual Stream Recyclables Processing System at the Materials Recovery Facility shall be substantially as presented at this meeting and any modifications, changes or omissions of such terms thereto as the Executive Director of Rockland Green may negotiate and approve as in the best interests of the Rockland Green and not inconsistent with the terms of this resolution, and the Design Build Agreement for the Dual Stream Recyclables Processing System at the Materials Recovery Facility shall constitute conclusive evidence of the valid authorization hereunder of any such amendment, modification, change or omission. And be it further resolved, that Rockland Green, in its sole discretion, has the right to discontinue negotiations with Van Dyk Recycling Solutions at any time prior to the execution of the Design Build Agreement for the Dual Stream Recyclables Processing System at the Materials Recovery Facility as such agreement shall not be binding and valid until executed by the parties, and in such event may commence negotiations with the next proposer.

**Introduced By: Soskin/Powers**

**Unan.**

**March 25, 2021**

**RESOLUTION NO. 21 OF 2021  
ACCEPTING PROPOSAL AND AUTHORIZING NEGOTIATION OF DESIGN BUILD  
AGREEMENT FOR THE DUAL STREAM RECYCLABLES PROCESSING SYSTEM AT  
THE MATERIALS RECOVERY FACILITY**

**WHEREAS**, the Rockland County Solid Waste Management Authority d/b/a Rockland Green (hereinafter "Rockland Green") is a Public Benefit Corporation, duly organized and existing under the Rockland County Solid Waste Management Authority Act, as set forth under Title 13-M of the Public Authorities Law of the State of New York; and

**WHEREAS**, Rockland Green maintains the Materials Recovery Facility for the purpose of processing and marketing recyclable materials delivered to such facility; and

**WHEREAS**, Rockland Green determined that major modifications and upgrades to the Materials Recovery Facility were required; and

**WHEREAS**, Rockland Green issued a Request for Proposals for the Design-Build of a Dual Stream Recyclables Processing System at the Materials Recovery Facility pursuant to Section 120-w of the New York State General Municipal Law (“Section 120-w”); and

**WHEREAS**, pursuant to Section 120-w, Rockland Green published a draft Request for Proposals on July 1, 2020, and received comments thereto until August 30, 2020; and

**WHEREAS**, a final Request for Proposals was issued on October 21, 2020 (with a summary of the comments received in response to the draft RFP attached as an appendix, as required by Section 120-w); and

**WHEREAS**, Rockland Green issued Addenda to the Request for Proposals on November, 9, 2020, November 10, 2020, November 12, 2020, November 18, 2020, December 4, 2020 and December 18, 2020; and

**WHEREAS**, on or before December 23, 2020, proposals were received from the following three firms: (i) CP Manufacturing, Inc.; (ii) Machinex Technologies, Inc.; and (iii) Van Dyk Baler Corp. dba Van Dyk Recycling Solutions; and

**WHEREAS**, Rockland Green’s evaluation team evaluated the proposals and sought an initial clarification from CP Manufacturing, Inc. and Van Dyk Recycling Solutions on January 26, 2021, and from Machinex Technologies, Inc. on February 11, 2021, and received responses from each of the companies on or before the respective due dates; and

**WHEREAS**, Rockland Green’s evaluation team issued additional questions of clarification to CP Manufacturing, Inc. and Van Dyk Recycling Solutions on March 3, 2021 and conducted virtual interviews with CP Manufacturing, Inc. and Van Dyk Recycling Solutions on March 5, 2021; and

**WHEREAS**, the evaluation team evaluated the three Proposals using the Comparative Evaluation Criteria set forth in the RFP in order to make a determination as to which Proposal was most responsive to the RFP; and

**WHEREAS**, the evaluation team determined that Van Dyk Recycling Solutions’ proposal was most responsive with respect to the following five of the seven evaluation criteria set forth in the RFP: (i) qualifications and experience, (ii) viability of its technical proposal, (iii) project organization, (iv) financial capacity, and (v) overall risk; and

**WHEREAS**, the evaluation team further determined that although Van Dyk Recycling Solutions did not provide the proposal with the lowest net price, its proposal did offer benefits the other proposals did not, which enhanced the value of Van Dyk Recycling Solution’s proposal as set forth in the evaluation report; and

**WHEREAS**, Rockland Green has held a public hearing regarding this selection pursuant to Section 120-w; and

**WHEREAS**, pursuant to Section 120-w, the validity of the Design Build Agreement and the procedures relating to its award may be contested only if: (1) such action, suit or proceeding is commenced within sixty (60) days after the date of publication of such official action, and (2) such award of procedure was not authorized pursuant to Section 120-w; or (3) any of the provisions of Section 120-w which should be complied with at the date of the publication of such official action have not been substantially complied with; or (4) a conflict of interest can be shown in the manner in which the Design Build Agreement was awarded, as relevant for purposes of this resolution; now therefore be it

**RESOLVED**, that the Board has determined that the proposal submitted by Van Dyk Recycling Solutions meets the requirements of the RFP and although Van Dyk Recycling Solutions did not submit the lowest priced proposal, it did submit the most responsive proposal, and that an award to Van Dyk Recycling Solutions would be in the public interest; and be it further

**RESOLVED**, that the Executive Director of the Authority is hereby authorized to negotiate with Van Dyk Recycling Solutions, and, if negotiations prove successful, execute the Design Build Agreement for the Dual Stream Recyclables Processing System at the Materials Recovery Facility, subject to review by the Chairman or Authority Counsel; and be it further

**RESOLVED**, that the Design Build Agreement for the Dual Stream Recyclables Processing System at the Materials Recovery Facility shall be substantially as presented at this meeting and any modifications, changes or omissions of such terms thereto as the Executive Director of Rockland Green may negotiate and approve as in the best interests of the Rockland Green and not inconsistent with the terms of this resolution, and the Design Build Agreement for the Dual Stream Recyclables Processing System at the Materials Recovery Facility shall constitute conclusive evidence of the valid authorization hereunder of any such amendment, modification, change or omission; and be it further

**RESOLVED**, that Rockland Green, in its sole discretion, has the right to discontinue negotiations with Van Dyk Recycling Solutions at any time prior to the execution of the Design Build Agreement for the Dual Stream Recyclables Processing System at the Materials Recovery Facility as such agreement shall not be binding and valid until executed by the parties, and in such event may commence negotiations with the next proposer.

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**Introduced by: Paul/Wieder**

**Unan.**

**March 25, 2021**

**RESOLUTION NO. 22 OF 2021  
ADOPTING RECOMMENDATION OF AUDIT COMMITTEE AND APPROVING 2020  
FINANCIAL STATEMENTS**

**WHEREAS**, Section 2800(3) of the New York Public Authorities Law requires that the annual financial statements be approved by the Authority Board; and

**WHEREAS**, the attached Rockland County Solid Waste Management Authority d/b/a Rockland Green's audited financial statements were prepared by BST & Co. CPAs, LLP for the period ended December 31, 2020; and

**WHEREAS**, the Audit Committee met on March 10, 2021, reviewed the attached 2020 Financial Statements, and has recommended to the Board that it be approved; now therefore be it

**RESOLVED**, that the Rockland Green Board hereby adopts the recommendation of the Audit Committee and approves the attached audited financial statements prepared by BST & Co. CPSs, LLP, for the period ended December 31, 2020.

**Goldstein:** Mr. Chairman, I would like to introduce Paul Goetz and Ann DeLucco from BST & CO. to give our annual audit report.

**Goetz:** Thanks for having us here tonight. We spent an hour or so with the Audit Committee on March 10, 2021 going over the conduct of the audit and the financial statements for the year ended December 31, 2020. Some of the highlights that we went over with the committee there is one when we issued an unqualified opinion on financial statements which is two pages in financial statements. If you are going to read just a very little part of it I direct you to read pages three through eight which is the management's discussion and analysis as prepared. One page I would like to highlight is the assets, liabilities, and net position of the Authority. The net position of the Authority at the end of 2020 \$40.6 million the composition of that is some \$18 million is invested in capital assets net of debt and \$22 million worth of unrestricted net position is available to the Authority to go out and invest in new MRF's and invest in programs and processes that you are moving towards. It is a very healthy financial position at the end of the year. The statement of cash flows from capital and related financing activities. We paid \$4 million back in bonds in the past two years and we continue to invest in capital assets. In 2019 \$5 million and in 2020 \$5.8 million. You see the pay down in the debt and invest in capital assets this happened for quite some time. This is my fifth year representing BST as the auditors for the Authority. I need to say goodbye because the public authority's law. It has been a pleasure serving the Board. We have seen tremendous progress over the past five years. I remember my first day when we were talking about some significant issues and it has really progressed. We had one audit adjustment this year which for a \$60 million organization you should be proud of that. It has gotten to the point where we are now discussing pretty good issues. It is much more enjoyable to discuss where you are going, what you are doing and looking forward as opposed to looking backwards. We have developed a nice working relationship where it's not a gotcha attitude it is what are you doing and let us understand it and focus on significant areas and try to advise and help you going forward. The investment in capital assets and the ability or

your policies towards how you capitalize assets. Something we had a significant discussion about we had a new policy put in place in 2020 and we said you know you should try to modify that to what we are doing. Also the focus on I.T. we said it would probably make sense to take a robust look at your I.T. how we are using it, where our vulnerabilities may be just to ensure you don't get caught in that area. Any questions for us?

**Yeger:** When you talk about cash and cash equivalence \$27 million, is that our cash reserves.

**Goetz:** No.

**Goldstein:** The best way to find our unrestricted cash reserves as Paul mentioned is unrestricted funds.

**Goetz:** You just can't say what unrestricted cash is because you have cash at the end of the year of some \$28 million but yet payables could come against that. You should really be looking at that net position of \$22 million most of that sits up in your cash so you are very liquid.

**Goldstein:** I think it is important to know that we increased our net position by approximately \$3.3 million year over year. At the end of the day we invested that money back into capital assets mentioned by Paul.

**Phillips:** So when you have capital assets, we are doing much better.

**Goldstein:** We are essentially flat year over year. We invested that much more money in the current system.

**Yeger:** Other areas of governing are required to keep some sort of reserve. Are we required to, as well?

**Phillips:** We don't have the same type of restrictions where municipalities must determine what the percentage they won't go below of their unrestricted. We do not have that. I would say given the unrestricted that we do have we are in a very good position.

**Goldstein:** We have an operating reserve requirement as part of our bond covenants.

**Goetz:** That is what you have to pay attention to your bond covenants. That is what is going to dictate how much cash.

**Yeger:** We don't have that many bonds now because we are paying them down, so the restrictions are less as well.

**Goldstein:** Yes, the reserve requirement is essentially debarred but we still have to pay people and keep the lights on. It is a small reserve requirement like two months of overhead essentially that is our only reserve requirement. We have a debt service reserve fund requirement as well.

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**Introduced by: Kohut/Powers**

**Unan.**

**March 25, 2021**

**RESOLUTION NO. 23 OF 2021  
AWARD SOLID WASTE COLLECTION, TRANSPORTATION AND DISPOSAL FOR THE  
VILLAGE OF HAVERSTRAW  
RFP 2021-01 VH-5**

**WHEREAS**, pursuant to its Intermunicipal Garbage and Recyclables Collection Agreement with the Rockland County Solid Waste Management Authority d/b/a Rockland Green, the Village of Haverstraw made a request of Rockland Green to advertise for requests for proposals for the collection, transportation and disposal of its solid waste, bulky items and recyclable material; and

**WHEREAS**, Rockland Green issued a Request for Proposals for Garbage, Bulky Items and Recyclable Materials Collection, Transportation, and Disposal for the Village of Haverstraw, RFP 2021-01 on January 25, 2021; and

**WHEREAS**, Robert Heip, Inc. (“Heip”) was the sole proposer for RFP 2021-01; and

**WHEREAS**, the Authority staff and engineers have reviewed the proposal submitted and determined that Heip would provide value to Rockland Green as it has demonstrated its ability to perform the contract services in accordance with the RFP at a financially viable price; and

**WHEREAS**, the Village of Haverstraw concurs with the above recommendation; now therefore be it

**RESOLVED**, that the proposal submitted by Heip. for Contract VH-5 is hereby accepted and the contract for the collection of garbage and recyclables for the Village of Haverstraw is hereby awarded to Robert Heip, Inc.

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**Introduced by: Kenny/Paul**

**Unan.**

**March 25, 2021**

**RESOLUTION NO. 24 OF 2021  
AUTHORIZING EXECUTION OF AN AGREEMENT WITH RRT DESIGN &  
CONSTRUCTIONS FOR ENGINEERING CONSULTING SERVICES AT THE HILLBURN  
MATERIALS RECOVERY FACILITY**

**WHEREAS**, the Rockland County Solid Waste Management Authority d/b/a Rockland Green is in need of continuing, on-call consulting engineering services at the Materials Recovery Facility (“MRF”); and

**WHEREAS**, RRT Design & Constructions (“RRT”) has rendered on-call engineering consulting services to the Authority for the MRF since 2018; and

**WHEREAS**, RRT has submitted a proposed professional services agreement to provide design, engineering, construction management, operations management consulting and technical consulting services; and

**WHEREAS**, RRT has demonstrated professionalism, expertise and specialized knowledge that has benefitted Rockland Green; now, therefore be it

**RESOLVED**, that the Executive Director is hereby authorized to enter into the proposed Professional Services Agreement with RRT for the year 2021.

Funding Source: Capital Fund

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**Introduced By: Wieder/Monaghan**

**Unan.**

**March 25, 2021**

**RESOLUTION NO. 25 OF 2021  
AUTHORIZING LEGISLATIVE AND REGULATORY REPRESENTATION PERFORMED  
BY BROWN WEINRAUB**

**WHEREAS**, the Rockland County Solid Waste Management Authority d/b/a/ Rockland Green is in need of legislative and regulatory representation services; and

**WHEREAS**, Brown Weinraub has submitted a proposed professional services agreement to provide legislative and regulatory representation services to Rockland Green; and

**WHEREAS**, Brown Weinraub has demonstrated professionalism, expertise and specialized knowledge that will benefit Rockland Green; now, therefore be it

**RESOLVED**, that the Chairman of the Board is hereby authorized to enter into the proposed Professional Services Agreement with Brown Weinraub for the year 2021.

**RESOLVED**, the services to Rockland Green’s for this work shall not exceed the amount of \$6,666.66 per month.

**Phillips:** We are all interested in any rate increases that whether it is Orange & Rockland or SUEZ we want to make sure that we are all represented. All five Town have been participating and challenging any of these rate requests. But this is why we want to bring them on. We want to make sure we have

representation in Albany, and we want to make sure we have a voice because I think everybody has seen over the last few years how our rates have been increasing not only for us but for all of our residents. We are bringing Brown Weinraub in to get good representation and fight a lot of these rate cases.

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**Introduced by: Kenny/Yeger**

**Unan.**

**March 25, 2021**

**RESOLUTION NO. 26 OF 2021  
RATIFY AUTHORIZATION FOR ROCKLAND GREEN TO SUPPORT THE KEEP  
ROCKLAND BEAUTIFUL “GREAT AMERICAN CLEAN UP”**

**WHEREAS**, Rockland Green has received a request from Keep Rockland Beautiful, Inc. (“KRB”) to support the “Great American Clean Up” taking place in Spring 2021; and

**WHEREAS**, KRB has proposed to recognize Rockland Green’s support in the following ways: the Rockland Green logo will be displayed on the back of t-shirts given to volunteers; the Rockland Green logo will be placed on banners for volunteer recruitment; listing the Rockland Green on the KRB website and all social media outlets, including but not limited to email blasts, Facebook and Twitter; the KRB website will include a link to the Rockland Green’s website; Rockland Green will be listed as a partner in all events and presentations related to the Spring 2020 cleanup; and Rockland Green’s brochures and literature will be included in volunteer packets; and

**WHEREAS**, KRB cleanup crews will bag recyclables separately to be delivered to Rockland Green’s Materials Recovery Facility; and

**WHEREAS**, within sixty days following the event, KRB will provide Rockland Green with a report on the number of bags of waste and recycling collected as a result of the cleanup; and

**WHEREAS**, Rockland Green wishes to be a supporter of the 2021 event; and

**WHEREAS**, the above terms will be memorialized in a letter agreement between Rockland Green and KRB; now therefore be it

**RESOLVED**, that Rockland Green will support the Keep Rockland Beautiful “Great American Clean Up” taking place in the spring of 2021 for an amount of \$2,500.

Source of Funds: Community Partnerships 6512-00

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**Introduced by: Hofstein/Powers**

**Unan.**

**March 25, 2021**

**RESOLUTION NO. 27 OF 2021  
RATIFY AUTHORIZATION TO PURCHASE OF A WHEEL LOADER**

**WHEREAS**, the Rockland County Solid Waste Management Authority d/b/a Rockland Green Board resolved to amend the Procurement Policy to provide for the procurement of goods and services through cooperative purchasing, commonly referred to as “piggybacking,” based on competitive processes undertaken by other municipal subdivisions and public entities; and

**WHEREAS**, Rockland Green has decided to “piggyback” on Sourcewell Contract 032119-VCE; and

**WHEREAS**, Rockland Green agrees to purchase a Volvo L150H; now therefore be it

**RESOLVED**, Rockland Green is hereby authorized to purchase the Volvo L150H Wheel Loader Vantage Equipment LLC for the amount not to exceed \$377,242.00.

Funding Source: 1730-51 Equipment -Yard Waste - Clarkstown

**Damiani:** We are investing back into our system with a purchase of a wheel loader for the yard waste facility operations down in West Nyack. This wheel loader will assist in loading out finished product screened compost at West Nyack and at French Farms. Currently we are using a 2007 Komatsu that has well over 20,000 hours and major components are going to begin to fail. The operator is absorbing those costs right now and we are contractually obligated to provide rolling stock under this agreement. It is the last piece of equipment that we will replenish at the yard waste facility under this current contract terms. We replaced the excavator, two other wheel loaders, screener and we are seeing the cost savings with each.

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**New Business**

**Phillips:** We have three items for new business? Counsel would you like to handle these.

**Braunfotel:** Thank you Mr. Chairman. Yes, I am going to paraphrase this first item. Approving a proposed local law amending title 13-M of the Public Authorities Law to the State of New York and authorizing the submission of a proposed local law to the County Legislature so that it may request that the State Legislature enact a proposed law. Resolved the Authority approves the amendments to the Act as set forth in the Proposed Local Law. Resolved the Executive Director of the Authority is hereby authorized to submit the Proposed Local Law to the County Legislature so that the County Legislature may submit the Proposed Local Law to the State Legislature for enactment. And may it be further resolved; the Executive Director is hereby authorized to execute such other documents and perform such other actions as may be necessary to carry out the intent of this resolution.

**Phillips:** Thank you Counsel.

**Introduced by: Monaghan/Kenny**

**Unan.**

**March 25, 2021**

**RESOLUTION NO. 28 OF 2021  
APPROVING A PROPOSED LOCAL LAW AMENDING TITLE 13-M OF THE  
PUBLIC AUTHORITIES LAW OF THE STATE OF NEW YORK AND  
AUTHORIZING THE SUBMISSION OF THE PROPOSED LOCAL LAW TO  
THE COUNTY LEGISLATURE SO THAT IT MAY REQUEST THAT THE  
STATE LEGISLATURE ENACT THE PROPOSED LOCAL LAW**

**WHEREAS**, the Rockland County Solid Waste Management Authority (the “Authority”) (doing business as “Rockland Green”) is a Public Benefit Corporation, duly organized and existing under the Rockland County Solid Waste Management Authority Act, as set forth under Title 13-M of the Public Authorities Law of the State of New York (the “Act”); and

**WHEREAS**, a proposed local law has been prepared to amend the Act to expand the Authority’s purposes, powers, and responsibilities to include animal management services, including providing services and operating facilities to protect and promote animal care and to protect public health and safety, including those in connection with the processing and disposal of animal waste; the disposal of dead wildlife removed from roadways following wildlife-vehicle collisions; the sheltering of stray, lost, abandoned or surrendered animals; providing animal control; and any other similar services related thereto (the “Proposed Local Law”), as defined in the Proposed Local Law; and

**WHEREAS**, the Proposed Local Law further codifies that, in order to be more consistent with the Authority’s current goals, mission, and objectives, the Authority shall also be known as Rockland Green; and

**WHEREAS**, the County Legislature is empowered to adopt a Municipal Home Rule Law request that the State Legislature enact the Proposed Local Law pursuant to the New York State Constitution and the Municipal Home Rule Law; and, therefore it is hereby

**RESOLVED**, that the Authority approves the amendments to the Act as set forth in the Proposed Local Law, as attached, and be it

**RESOLVED**, that the Executive Director of the Authority is hereby authorized to submit the Proposed Local Law to the County Legislature so that the County Legislature may submit the Proposed Local Law to the State Legislature for enactment, and be it further

**RESOLVED**, that the Executive Director is hereby authorized to execute such other documents and perform such other actions as may be necessary to carry out the intent of this resolution.

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**Braunfotel:** We have a new position for your approval. Whereas Rockland Green has established a Coordinator of Special Projects position essential to efficiently operate its facilities. The services of a Coordinator Special Projects position is recommended to be created with an annual salary of \$85,000.00 for a 40-hour week schedule and subject to a term of probation of twenty six (26) weeks; and therefore the position of Coordinator Special Projects is hereby established at an annual salary of \$85,000.00 for a 40 hour week schedule upon classification action by the Rockland County Department of Personnel. Resolved, that the Executive Director is authorized and directed to sign any and all documents and to do and cause to be done and all acts necessary or proper in connection with carrying out this resolution.

**Introduced by: Soskin/Powers**

**Unan.**

**March 25, 2021**

**RESOLUTION NO. 29 OF 2021**

**ESTABLISH THE POSITION OF COORDINATOR SPECIAL PROJECTS  
FOR ROCKLAND GREEN**

**WHEREAS**, the Rockland County Solid Waste Management Authority d/b/a Rockland Green, 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**, Rockland Green has established that a Coordinator Special Projects position is essential to efficiently operate its facilities; and

**WHEREAS**, the services of an Coordinator Special Projects position is recommended to be created with an annual salary of \$85,000.00 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 position of Coordinator Special Projects is hereby established at an annual salary of \$85,000.00 for a forty (40) hour week schedule 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.

Funding Source: Salaries/Contingency Fund

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**Braunfotel:** The last item is Jeremy Apotheker has sought the position and appears to be qualified. Now therefore, Jeremy Apotheker is hereby selected for the position of Coordinator Special Projects to serve in such capacity at the pleasure of Rockland Green, subject to approval of his application by the Rockland County Personnel Department, effective March 25, 2021. Let it be further resolved that the Coordinator Special Projects shall perform a minimum of 40 hours of services and compensation for such services shall be the sum of \$85,000.00 annually. The Executive Director is hereby authorized and directed to provide a compensation package as defined by the Employee Handbook dated October 22, 2020.

**Introduced by: Yeger/Hofstein**

**Unan.**

**March 25, 2021**

**RESOLUTION NO. 30 OF 2021**

**APPOINT COORDINATOR SPECIAL PROJECTS  
TO ROCKLAND GREEN**

**WHEREAS,** Rockland Green has determined that it needs to fill the position of Coordinator of Special Projects; and

**WHEREAS,** Jeremy Apotheker has sought the position, and appears to be qualified; now therefore be it

**RESOLVED,** Jeremy Apotheker is hereby selected for the position of Coordinator Special Projects to serve in such capacity at the pleasure of Rockland Green, subject to approval of his application by the Rockland County Personnel Department, effective March 25, 2021; and be it further

**RESOLVED,** that the Coordinator Special Projects shall perform a minimum of 40 hours of services per week; and be it further

**RESOLVED,** that the compensation for such services shall be the sum of \$85,000.00 annually; 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 dated October 22, 2020.

Funding Source: Salaries/Contingency Fund

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**Phillips:** Counsel do we have anything else to bring before the Board?

**Braunfotel:** There is no other new business.

**Phillips:** Executive Director do you have anything else?

**Damiani:** No.

**Phillips:** Do we have any other comments from the Commissioners? Since there are no other questions or comments, do we have a motion to adjourn?

**Wieder:** Yes, I would like to move to adjourn in memory of Jared Lloyd the firefighter and the unnamed person who lost their lives in the fire at the Evergreen Court home.

Moment of silence

**Wieder:** Moved

**Full Board:** Seconded

**Phillips:** Let us wish everyone a blessed Passover and wonderful Holy Week.

The meeting was adjourned at 5:50 p.m.

Respectfully submitted,  
Suzanne Haggerty