

1. Chairman Phillips called to order the Rockland Green Board meeting for Thursday, September 30, 2021, at 5:00 p.m.

2. Pledge of Allegiance led by Commissioner Hoehmann

3. Roll call by clerk. There is a quorum.

Present

Chairman Phillips
Commissioner Hoehmann
Commissioner Hofstein
Commissioner Kohut
Commissioner Moroney

Present

Commissioner Monaghan
Commissioner Powers
Commissioner Soskin
Commissioner Specht

Absent

Commissioner Hood
Commissioner Jobson
Commissioner Kenny
Commissioner Lynn
Commissioner McGowan
Commissioner Paul
Commissioner Yeger
Commissioner Wieder

Staff

Helene Benado, Jerry Damiani, Jeremy Goldstein, Suzanne Haggerty, Ron Ludwig, Ken Murphy

Others

Nat Egosi, Stephanie Kosmos, Teno West

4. **Introduced by: Hoehmann/Specht** **Unan.** **September 30, 2021**

RESOLUTION NO. 64 OF 2021
ADOPTION OF MINUTES, MEETING OF
AUGUST 31, 2021

RESOLVED, that the transcribed Minutes of the Rockland County Solid Waste Management Authority are approved for the meeting August 31, 2021 as recorded by the Clerk and are hereby adopted.

5. Introduced By: Kohut/Moroney**Unan.****September 30, 2021**

**RESOLUTION NO. 65 OF 2021
ACCEPTING PROPOSAL AND AUTHORIZING NEGOTIATION OF CONTRACT NO. 3
FOR FACILITY IMPROVEMENTS—MECHANICAL/HVAC AT THE MATERIALS
RECOVERY FACILITY IN HILLBURN, N.Y.**

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 Mechanical/HVAC work associated with all areas at the Materials Recovery Facility as part of an overall project to accommodate a new state of the art dual stream recyclable processing system that Rockland Green has procured; and

WHEREAS, Rockland Green issued Request for Proposals 2021-13 on July 30, 2021; and

WHEREAS, Rockland Green issued a total of four (4) Addenda to the Request for Proposals on August 16, 2021, August 18, 2021, August 19, 2021 and September 1, 2021; and

WHEREAS, on or before September 13, 2021, one Proposal was received from the following firm: Hauser Bros. Inc. ; and

WHEREAS, Rockland Green’s evaluation team evaluated the Proposal and sought clarifications from said Proposer on September 16, 2021 and received responses from the Proposer which were further evaluated by Rockland Green’s evaluation team; and

WHEREAS, Rockland Green’s evaluation team subsequently conducted a virtual interview of the Proposer: and

WHEREAS, the evaluation team evaluated the Proposal using the Comparative Evaluation Criteria set forth in the RFP in order to make a determination as to whether said Proposal was responsive and advantageous to Rockland Green, with the overall net cost of the Proposal being a major criterion in the selection; now therefore be it

RESOLVED, that the Board has determined that the Proposal submitted by Hauser Bros., Inc. meets the requirements of the RFP and that Hauser Bros. Inc. provided a responsive and advantageous Proposal; and be it further

RESOLVED, that the Executive Director of Rockland Green is hereby authorized to negotiate with Hauser Bros. Inc. and, if negotiations prove successful, execute the Contract for Facility Improvements- Mechanical/ HVAC at the Materials Recovery Facility; and be it further

RESOLVED, that the Contract for Facility Improvements – Mechanical/ HVAC 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 Contract for Facility Improvements – Mechanical/ HVAC 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 Hauser Bros., Inc. at any time prior to the execution of the Contract for Facility Improvements – Mechanical/HVAC at the Materials Recovery Facility as such agreement shall not be binding and valid until all pertinent information requested by Rockland Green, including financial information, is provided by Hauser Bros. Inc. to Rockland Green. Furthermore, this agreement shall not be binding and valid until executed by the parties.

6. Introduced By: Monaghan/Powers Unan. September 30, 2021

**RESOLUTION NO. 66 OF 2021
ACCEPTING PROPOSAL AND AUTHORIZING NEGOTIATION OF CONTRACT NO. 4
FOR FACILITY IMPROVEMENTS—PLUMBING, AT THE MATERIALS RECOVERY
FACILITY IN HILLBURN, N.Y.**

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 plumbing work associated with all areas at the Materials Recovery Facility as part of an overall project to accommodate a new state of the art dual stream recyclables processing system that Rockland Green has procured; and

WHEREAS, Rockland Green issued Request for Proposals 2021-14 on July 30, 2021; and

WHEREAS, Rockland Green issued a total of five (5) Addenda to the Request for Proposals on August 16, 2021, August 18, 2021, August 19, 2021, August 31, 2021 and September 13, 2021; and

WHEREAS, on or before September 13, 2021, two Proposals were received from the following firms: Lombardo Plumbing and Heating, 15 Tibbits Avenue, White Plains, N.Y. 10606 and Hauser Bros., Inc., 17 Old School Lane, Orangeburg, N.Y. 10962 .; and

WHEREAS, Rockland Green's evaluation team evaluated the Proposals and sought clarifications from said firms on or before September 23, 2021, and received responses from the two Proposers which were further evaluated by Rockland Green's evaluation team; and

WHEREAS, Rockland Green's evaluation team subsequently conducted a virtual interview of the Proposers; and

WHEREAS, the evaluation team evaluated the Proposals using the Comparative Evaluation Criteria set forth in the RFP in order to make a determination as to which Proposal was most responsive and most advantageous to Rockland Green, with the overall net cost of the Proposal being a major criterion in the selection; now therefore be it

RESOLVED, that the Board has determined that the proposal submitted by Lombardo Plumbing and Heating meets the requirements of the RFP and that Lombardo Plumbing and Heating provided a responsive and advantageous Proposal; and be it further

RESOLVED, that the Executive Director of Rockland Green is hereby authorized to negotiate with Lombardo Plumbing and Heating and, if negotiations prove successful, execute the Contract for Facility Improvements- Plumbing, at the Materials Recovery Facility; and be it further

RESOLVED, that the Contract for Facility Improvements – Plumbing, 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 Contract for Facility Improvements – Plumbing 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 Lombardo Plumbing and Heating at any time prior to the execution of the Contract for Facility Improvements – Plumbing, at the Materials Recovery Facility as such agreement shall not

be binding and valid until executed by the parties with receipt by Rockland Green of the Consent of Surety supplied by Lombardo Plumbing and Heating and in such event may commence negotiations with the next Proposer.

Moroney: Are we going to negotiate to receive the surety bond so that Rockland Green is covered.

Phillips: Yes, he left out the surety bond but said he was in the process of getting that. Are you confident he is getting that?

Damiani: We will ask them tomorrow.

Powers: Have the resolution say subject to receiving surety.

7. Introduced By: Hoehmann/Hofstein Unan. September 30, 2021

**RESOLUTION NO. 67 OF 2021
ACCEPTING PROPOSAL AND AUTHORIZING NEGOTIATION OF CONTRACT NO. 5
FOR FACILITY IMPROVEMENTS— ELECTRICAL AT THE MATERIALS RECOVERY
FACILITY IN HILLBURN, N.Y.**

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 electrical service upgrades, transformer and distribution equipment as well as electrical work associated with all areas at the Materials Recovery Facility as part of an overall project to accommodate a new state of the art dual stream recyclables processing system that Rockland Green has procured; and

WHEREAS, Rockland Green issued Request for Proposals 2021-15 on July 30, 2021; and

WHEREAS, Rockland Green issued a total of six (6) Addenda to the Request for Proposals on August 16, 2021, August 18, 2021, August 19, 2021, September 1, 2021, September 3, 2021 and September 9, 2021; and

WHEREAS, on or before September 13, 2021, three Proposals were received from the following firms: Hush Electrical Contracting, 14 Wayne St., Haverstraw, N.Y. 10927, Fanshawe d/b/a Rockland Electric, 143 Main St. Nanuet, NY. 10954, and Mehl Electric Co. Inc., 74 S. Main St., Pearl River, N.Y. 10965 ; and

WHEREAS, Rockland Green's evaluation team evaluated the Proposals and sought clarifications from said firms on or before September 23, 2021, and received responses from the Proposers which were further evaluated by Rockland Green's evaluation team; and

WHEREAS, Rockland Green's evaluation team subsequently conducted virtual interviews of each of the Proposers; and

WHEREAS, the evaluation team evaluated the Proposals using the Comparative Evaluation Criteria set forth in the RFP in order to make a determination as to which Proposal was most responsive and most advantageous to Rockland Green, with the overall net cost of the Proposal being a major criterion in the selection; now therefore be it

RESOLVED, that the Board has determined that the Proposal submitted by Rockland Electric meets the requirements of the RFP and that Rockland Electric provided the most responsive and most advantageous Proposal; and be it further

RESOLVED, that the Executive Director of Rockland Green is hereby authorized to negotiate with Rockland Electric and, if negotiations prove successful, execute the Contract for Facility Improvements- Electrical at the Materials Recovery Facility; and be it further

RESOLVED, that the Contract for Facility Improvements – Electrical, 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 Contract for Facility Improvements – Electrical, 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 Rockland Electric at any time prior to the execution of the Contract for Facility Improvements – Electrical, 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.

Phillips: Why didn't we go with the lowest proposal?

Damiani: The RRT evaluation states Hush was unable to provide or unwilling to provide detailed explanations of their approach to performing the work or concerns as their price may not account of the complexity of the project coordination of other contracts.

Phillips: You asked questions and Hush didn't respond?

Damiani: They were nonresponsive. We asked specific questions and basically his response was award me the contract and I will provide you the responses.

Phillips: That is not how it works here and I don't know of any other municipality that works that way either. Do we have any questions on this?

8. **Phillips:** Fire protection at the Materials Recovery Facility is being awarded to?

Damiani: It is being awarded to W&M Fire Protection Services at a cost of \$974,579.

Phillips: Were they the lowest proposal?

Damiani: Yes, they were.

Introduced By: Moroney/Soskin

Unan.

September 30, 2021

**RESOLUTION NO. 68 OF 2021
ACCEPTING PROPOSAL AND AUTHORIZING NEGOTIATION OF CONTRACT NO. 6
FOR FACILITY IMPROVEMENTS, FIRE PROTECTION 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 Contract No. 6 Facility Improvements – Fire Protection at the Materials Recovery Facility in Hillburn, NY; and

WHEREAS, Rockland Green issued Addenda to the Request for Proposals on August 16, 2021, August 18, 2021, August 19, 2021, August 31, 2021, September 3, 2021, and September 9, 2021; and

WHEREAS, on or before September 17, 2021, Proposals were received from the following two firms: W&M Fire Protection Services, 50 Broadway, Hawthorne, N.Y. 10532 and SRI Fire Sprinkler LLC, 181 North Road #3 , Highland, N.Y. 12528 ; and

WHEREAS, Rockland Green’s evaluation team evaluated the Proposals and sought an initial clarification from the Proposers on September 23, 2021, and received responses from each of the companies on or before the respective due dates; and

WHEREAS, Rockland Green’s evaluation team conducted virtual interviews with the Proposers on September 27, 2021; and

WHEREAS, the evaluation team evaluated the Proposals using the Comparative Evaluation Criteria set forth in the RFP in order to make a determination as to which Proposal was most responsive and most advantageous to Rockland Green, with the overall net cost of the Proposal being a major criterion in the selection; and

WHEREAS, the evaluation team determined the W&M Fire Protection Services Proposal was most responsive and most advantageous to Rockland Green; and

RESOLVED, that the Executive Director of Rockland Green is hereby authorized to negotiate with W&M Fire Protection Services and, if negotiations prove successful, execute the Contract for Facility Improvements – Fire Protection at the Materials Recovery Facility in Hillburn, NY, subject to review by the Chairman or Rockland Green’s Counsel; and be it further

RESOLVED, that the Contract for Facility Improvements – Fire Protection at the Materials Recovery Facility in Hillburn, NY 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 Contract for Facility Improvements – Fire Protection at the Materials Recovery Facility in Hillburn, NY 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 W&m Fire Protection Services at any time prior to the execution of the Contract for Facility Improvements – Fire Protection at the Materials Recovery Facility in Hillburn, NY as such contract shall not be binding and valid until executed by the parties, and in such event may commence negotiations with the next Proposer.

9. Introduced By: Kohut/Powers

Unan.

September 30, 2021

**RESOLUTION NO. 69 OF 2021
ADOPTING REVISIONS TO THE
ROCKLAND GREEN EMPLOYEE HANDBOOK**

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 (the “Act”), as set forth under Title 13-M of the Public Authority Law of the State of New York; and

WHEREAS, Rockland Green 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, Rockland Green adopted the Employee Handbook on October 22, 2020; and

WHEREAS, updates are necessary to the Handbook from time to time in order for it to reflect Rockland Green’s updated policies and practices; now therefore be it

RESOLVED, that the Employee Handbook, as revised and as presented at this meeting shall be effective retroactively to January 1, 2021.

10. Introduced by: Specht/Kohut

Unan.

September 30, 2021

**RESOLUTION NO. 70 OF 2021
RATIFYING COLLECTIVE BARGAINING AGREEMENT 2019-2021 BETWEEN
ROCKLAND COUNTY SOLID WASTE MANAGEMENT AUTHORITY
AKA ROCKLAND GREEN
AND LOCAL 456, INTERNATIONAL BROTHERHOOD OF TEAMSTERS**

WHEREAS, Rockland County Solid Waste Management Authority (“Rockland Green”) and the Local 456, International Brotherhood of Teamsters (the “Union”), have entered into a proposed Collective Bargaining Agreement, dated January 23, 2019 to December 31, 2021 and

WHEREAS, said Collective Bargaining Agreement, arrived at after negotiations between the respective parties with the approval of the executive committee of Rockland Green, provides for wage increases for the “Union” equivalent to the wage increases that non union employees of Rockland Green have received as well as the Union’s withdrawal of two pending improper practice charges pending before the Public Employment Relations Board; and

WHEREAS, the parties have agreed that members of the Union employed by Rockland Green employed as of September 15, 2021 shall receive a one percent (1.0%) wage increase, effective January 1, 2020, and a two and a half percent (2.5%) wage increase, effective January 1, 2021, to be paid retroactively; and

WHEREAS, the Union shall withdraw two improper practice charges pending before the Public Employment Relations Board, numbered U37847 and U 37769; and

WHEREAS, on September 15, 2021 the Union ratified the proposed Collective Bargaining Agreement between the Parties, said Collective Bargaining Agreement, twenty nine pages in length, containing the full scope of rights and responsibilities of the respective parties; and

NOW, THEREFORE, BE IT RESOLVED THAT, the proposed Collective Bargaining Agreement be accepted and ratified by Rockland Green and 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.

Phillips: This is for the seven employees?

Damiani: Seven titles and six employees.

11. New Business

Phillips: Do any members have anything to bring before the Board? Since there are no comments, Executive Director would you like to update us on the Materials Recovery Facility?

Damiani: Contract #1 for the equipment with Van Dyk Baler are in the process of designing and building the equipment. We expect the equipment to arrive the first week of December. We had the initial interview with Butler and we look forward to signing the contract early next week. They acknowledged they have no comments to the contract and updated pricing schedule. Contracts 3 through 6 that are in front of you this evening have to do with the improvements to the facility. We are expanding the facility by 15,000 square feet. Currently, we have three bays that we used to receive material in, but we will now have five bays to receive material. For those municipality's that collect their own material there will be less waiting time. We are working towards being fully operable in October 2022.

Phillips: Does anyone have any questions?

Kohut: Which direction is the expansion going?

Damiani: It is going to the East side.

Phillips: Do we have any public comments? Since there is no public comment, do we have a motion to adjourn?

Soskin: Moved

Moroney: Seconded

The meeting was adjourned at 5:20 p.m.

Respectfully submitted,

Suzanne Haggerty