

1. Chairman Phillips called to order the Rockland Green Board meeting for Thursday, May 26, 2022, 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 Jobson
Commissioner Kohut
Commissioner Monaghan

Present

Commissioner Moroney
Commissioner Paul
Commissioner Soskin
Commissioner Specht
Commissioner Wieder

Absent

Commissioner Hofstein
Commissioner Hood
Commissioner Kenny
Commissioner Lynn
Commissioner McGowan
Commissioner Powers
Commissioner Yeger

Staff

Jerry Damiani, Yisroel Eisenbach, Noreen Gelok, Jeremy Goldstein, Suzanne Haggerty, Dee Louis, Ron Ludwig, Ken Murphy

Others

Teno West

4. Introduced by: Kohut/Moroney

Unan.

May 26, 2022

RESOLUTION No. 49 OF 2022
ADOPTION OF MINUTES, MEETING OF
April 28, 2022

RESOLVED, that the transcribed Minutes of the Rockland Green are approved for the meeting April 28, 2022 as recorded by the Clerk and are hereby adopted

5. MS4 Annual Stormwater Meeting

Phillips: Is there any public comments on the MS4 Annual Stormwater report? Since there are no comments do we have a motion to close the meeting.

Hoehmann: Moved

Specht: Seconded

6. Introduced by: Hoehmann/Monaghan Unan.

May 26, 2022

RESOLUTION NO. 50 OF 2022 AUTHORIZING APPROVAL OF CHANGE ORDERS TO CONTRACT FOR FACILITY IMPROVEMENTS – GENERAL CONSTRUCTION AT THE MATERIALS RECOVERY FACILITY

WHEREAS, by Resolution No. 56 of 2021, the Board of the Rockland County Solid Waste Management Authority d/b/a Rockland Green (hereinafter “Rockland Green”) authorized award of the contract for Facility Improvements – General Construction at the Materials Recovery Facility (“MRF”) to Butler Construction Group, Inc. (the “Contractor”) dated as of October 13, 2021 (the “Contract”); and

WHEREAS, on December 7, 2021, Rockland Green approved certain modifications to the Contract in the form of Change Orders 1, 2 and 3 pursuant to Resolution No. 79 of 2021; and

WHEREAS, on January 27, 2022, Rockland Green approved certain modifications to the Contract in the form of Change Orders 4, 6, 7, 9, 10, 12 and 14 pursuant to Resolution No. 14 of 2022; and

WHEREAS, on February 24, 2022, Rockland Green approved certain modifications to the Contract in the form of Change Orders 16 and 17 pursuant to Resolution No. 27 of 2022; and

WHEREAS, on March 24, 2022, Rockland Green approved certain modifications to the Contract in the form of Change Orders 18 and 19 pursuant to Resolution No. 31 of 2022; and

WHEREAS, on April 28, 2022, Rockland Green approved certain modifications to the Contract in the form of Change Orders 20 and 22 pursuant to Resolution Nos. 39 and 48 of 2022, respectively; and

WHEREAS, due to changes to the final HVAC design and in connection with Bulletin #1 certain additional work relating to Area 3 roofing is required, and the Contractor has agreed to perform such work for an additional amount equal to \$12,186.82, to be designated as Change Order 31; and

WHEREAS, in connection with existing footing conditions discovered in Pit #1 as identified in RFQ #19, the Contractor requested the addition of a curb in Pit #1, and the Contractor has agreed to perform such work as a substitution for other work and, therefore, at no additional cost to Rockland Green, to be designated as Change Order 11; and

WHEREAS, an increase in the HBC120S pad size is required based on approved revisions to Van Dyk Baler Corp.'s shop drawings, and the Contractor has agreed to perform such work for an additional amount equal to \$5,066.87, to be designated as Change Order 13; and

WHEREAS, Rockland Green's Engineer, RRT Engineering, LLC, has reviewed these change orders, copies of which are attached hereto, and agrees with the change orders, the additional scope of work, and pricing; now therefore be it

RESOLVED, that Rockland Green hereby approves Change Order 31 for an increase in the Contract Price in an amount equal to \$12,186.82; and be it further

RESOLVED, that Rockland Green hereby approves Change Order 11 for no increase in the Contract Price; and be it further

RESOLVED, that Rockland Green hereby approves Change Order 13 for an increase in the Contract Price in an amount equal to \$5,066.87; and be it further

RESOLVED, that the approval of Change Orders 31, 11 and 13 shall result in an overall increase of the Contract Price by \$17,253.69 for a total amended Contract Price of \$7,923,298.95 for the Contract.

Damiani: The first change order is to add additional mats to protect the roof for the two rooftop mounted units as well as the adapter curbs that will be required in the flashing. The next change order is for in pit #1 the curb is changing from 6 inches to 8-inch curbing. The next change order is for the concrete pads associated to receive the HBC120S Baler that Van Dyke failed to provide the drawings so that is why we have to issue a change order to Butler.

7. Introduced by: Hoehmann/Monaghan Unan.

May 26, 2022

**RESOLUTION NO. 51 OF 2022
AUTHORIZING APPROVAL OF CHANGE ORDERS TO
THE CONTRACT FOR FACILITY IMPROVEMENTS – ELECTRICAL AT THE
MATERIALS RECOVERY FACILITY IN HILLBURN, NEW YORK**

WHEREAS, by Resolution No. 67 of 2021, the Board of the Rockland County Solid Waste Management Authority d/b/a Rockland Green (hereinafter "Rockland Green") authorized award of the Contract for Facility Improvements – Electrical at the Materials Recovery Facility in Hillburn, New York between Rockland Green and Fanshawe, Inc. d/b/a Rockland Electric (the "Contractor") dated as of October 18, 2021 (the "Contract"); and

WHEREAS, on February 24, 2022, Rockland Green approved certain modifications to the Contract in the form of Change Orders EC-02 and EC-03 pursuant to Resolution No. 23 of 2022; and

WHEREAS, on April 28, 2022, Rockland Green approved a certain modification to the Contract in the Form of Change Order 5R1 pursuant to Resolution No. 42 of 2022; and

WHEREAS, Orange & Rockland is requiring a new primary switch in connection with the energization of service, and the Contractor has agreed to undertake such work for an amount equal to \$54,866.50, to be designated as Change Order EC-09; and

WHEREAS, due to changes to the requirements from the original vehicle restraint system, modifications to the power to the dock levelers are required, and the Contractor has agreed to undertake such work for an amount equal to \$9,526.74, to be designated as Change Order EC-06; and

WHEREAS, Rockland Green's Engineer, RRT Engineering, LLC, has reviewed these change orders, copies of which are attached hereto, and agrees with the Change Orders for modification to the work for the value stated therein; now therefore be it

RESOLVED, that Rockland Green hereby approves Change Order EC-09 for an increase in the Contract Price in an amount equal to \$54,866.50; and be it further

RESOLVED, that Rockland Green hereby approves Change Order EC-06 for an increase in the Contract Price in an amount equal to \$9,526.74; and be it further

RESOLVED, that the approval of Change Orders EC-09 and EC-06 shall result in an overall increase of the Contract Price by \$64,393.24 for a total amended Contract Price of \$1,349,048.20.

Damiani: Change order EC-09 has to do with the requirement by Orange and Rockland in issuing a Red Book specific to the installation of a transformer. They are requiring a primary switch adjacent to the transformer. This switch will alone cost \$54,866 and was not contemplated under the original design. Change order EC-06 is a change order in the amount of \$9,526. In February, the Board authorized a dock leveler for the mechanical to hydraulic leveler and this is the associated electrical work to operate those hydraulic dock levelers.

8. Introduced by: Hoehmann/Monaghan

Unan.

May 26, 2022

**RESOLUTION NO. 52 OF 2022
AUTHORIZING APPROVAL OF CHANGE ORDERS TO
THE CONTRACT FOR FACILITY IMPROVEMENTS – FIRE PROTECTION SYSTEM
AT THE MATERIALS RECOVERY FACILITY IN HILLBURN, NEW YORK**

WHEREAS, by Resolution No. 68 of 2021, the Board of the Rockland County Solid Waste Management Authority d/b/a Rockland Green (hereinafter “Rockland Green”) authorized award of the Contract for Facility Improvements – Fire Protection System at the Materials Recovery Facility in Hillburn, New York between Rockland Green and W&M Sprinkler NYC, LLC d/b/a W&M Fire Protection Services (the “Contractor”) dated as of October 18, 2021 (the “Contract”); and

WHEREAS, on February 24, 2022, Rockland Green approved certain modifications to the Contract in the form of Change Orders FA-01 and FP-7 pursuant to Resolution No. 24 of 2022; and

WHEREAS, on March 24, 2022, Rockland Green approved certain modifications to the Contract in the form of Change Orders FP-1A, FP-1B, FP-1C, FP-5, FP-6, FP-8, 2 and FP-9 pursuant to Resolution No. 33 of 2022; and

WHEREAS, on April 28, 2022, Rockland Green approved a modification to the Contract in the form of Change Order 10 pursuant to Resolution No. 43 of 2022; and

WHEREAS, the dry valve trim on three existing dry valves must be replaced due to leaking discovered during the hydrostatic pressure pre-testing, and the Contractor has agreed to perform such work for an amount equal to \$5,226.75, to be designated as Change Order FP-11; and

WHEREAS, Rockland Green’s Engineer, RRT Engineering, LLC, has reviewed this change order, a copy of which is attached hereto, and agrees with the Change Order for modification to the work for the pricing stated therein; now therefore be it

RESOLVED, that Rockland Green hereby approves Change Order FP-11 for an increase in the Contract Price in an amount equal to \$5,226.75; and be it further

RESOLVED, that the approval of Change Order FP-11 shall result in an overall increase in the Contract Price in an amount equal to \$5,226.75 for a total amended Contract Price of \$996,525.18.

Damiani: FP-11 associated with the trim for the dry fire suppression valve. The system would not pass the hydrostatic test. It is the existing valve body assembly and the trim fit associated with that fire suppression system in the amount of \$5,226 in order to pass the test.

9. Introduced by: Kohut/Soskin

Unan.

May 26, 2022

Resolution No. 53 of 2022

**ACCEPT RESIGNATION OF WEIGHER
TO ROCKLAND GREEN**

WHEREAS; James Phillips has been employed since 2020 by Rockland Green as a Weigher; and

WHEREAS; James Phillips has tendered his resignation for the position of Weigher for Rockland Green, effective May 23, 2022, therefore it is hereby

RESOLVED; the resignation of James Phillips as designated Weigher for Rockland Green is hereby accepted; and be it further

RESOLVED; the Executive Director is hereby authorized to sign and file all necessary forms, returns and documents as may be required statutorily in connection with the above matter and to take all such actions and do all such things from time to time in this regard.

10. Introduced By: Weider/Jobson

Unan.

May 26, 2022

Resolution No. 54 of 2022

**AUTHORIZING THE EXECUTIVE DIRECTOR OF ROCKLAND GREEN
AND/OR DESIGNATED STAFF TO ATTEND LIVE CONFERENCES
PERTAINING TO THE MANAGEMENT/ FINANCING OF MUNICIPAL WASTE
SYSTEMS**

WHEREAS, it is the mission of Rockland Green to continue to develop the programs, technology and education to lead the waste prevention, recovery and responsible disposal movement in Rockland County; and

WHEREAS, the attendance at selective live industry conferences by the Executive Director and or staff members designated by the Executive Director would be highly beneficial in enabling Rockland Green to remain abreast of all industry developments relating to technology innovations, safety and compliance standards, marketing of materials, networking and leveraging of relationships, financial efficiency models, all helping to enable Rockland Green to meet the myriad of challenges to continue its mission; now therefore be

RESOLVED, that the Executive Director is hereby authorized to attend select waste management and recyclable industry conferences, or designate Rockland Green staff to attend said conferences, particularly informative to their respective departments.

Phillips: In the future we will have this resolution at the reorganization meeting. This gives us the ability to send our Executive Director, Director of Finance and other staff to the appropriate conferences to make sure they get the training they have to have for their positions.

11. New Business

Phillips: Do we have any new business?

Damiani: Yes, we have a change order under contract #5. There is spare conduit in the existing duct bank that feed the primary transformer in the existing facility. We want to utilize that spare conduit, but in order to do so Orange and Rockland is required to come in to deenergize the facility. Rockland Electric will be required to provide a generator because we have to provide power to the contractors onsite especially Van Dyk who is installing the equipment. We plan to get the work done within 24 hours. The change order amount is \$8,971. However, it is not to exceed \$13,000. Orange and Rockland works a schedule of nine to five. Rockland Electric works seven to three-thirty. There is a PLA and in order to change those working hours I have to request they change their hours for a full week time period. We are at the mercy of Orange and Rockland right now.

Introduced by: Hoehmann/Monaghan

Unan.

May 26, 2022

**RESOLUTION NO. 55 OF 2022
AUTHORIZING APPROVAL OF CHANGE ORDERS TO
THE CONTRACT FOR FACILITY IMPROVEMENTS – ELECTRICAL AT THE
MATERIALS RECOVERY FACILITY IN HILLBURN, NEW YORK**

WHEREAS, by Resolution No. 67 of 2021, the Board of the Rockland County Solid Waste Management Authority d/b/a Rockland Green (hereinafter “Rockland Green”) authorized award of the Contract for Facility Improvements – Electrical at the Materials Recovery Facility in Hillburn, New York between Rockland Green and Fanshawe, Inc. d/b/a Rockland Electric (the “Contractor”) dated as of October 18, 2021 (the “Contract”); and

WHEREAS, on February 24, 2022, Rockland Green approved certain modifications to the Contract in the form of Change Orders EC-02 and EC-03 pursuant to Resolution No. 23 of 2022; and

WHEREAS, on April 28, 2022, Rockland Green approved a certain modification to the Contract in the form of Change Order 5R1 pursuant to Resolution No. 42 of 2022; and

WHEREAS, on this May 26, 2022, Rockland Green approved certain modifications to the Contract in the form of Change Orders EC-09 and EC-06 pursuant to a Resolution approved by the Board; and

WHEREAS, investigation of the existing spare conduit is required to determine if such spare conduit is satisfactory to use for new primary services, and the Contractor has agreed to undertake such investigation for an amount of \$8,971.78, provided, however, that to the extent additional overtime and an additional day of rental for the generator is required, such amount may equal up to \$13,000.00; and

WHEREAS, Rockland Green's Engineer, RRT Engineering, LLC, has reviewed this change order, a copy of which is attached hereto, and agrees with the Change Order for the work for the value stated therein; now therefore be it

RESOLVED, that Rockland Green hereby approves Change Order EC-10 for an increase in the Contract Price in an anticipated amount equal to \$8,971.78, but not to exceed \$13,000; and be it further

RESOLVED, that the approval of Change Order EC-10 shall result in an overall increase of the Contract Price by \$8,971.78 to \$13,000.00 for a total amended Contract Price of \$1,358,019.98 to \$1,362,048.20.

Phillips: Do we have any other new business? Is there anyone in the public that would like to bring anything forth before Rockland Green? Do we have a motion to close public comment?

Hochmann: Moved

Moroney: Seconded

Phillips: Do the Commissioners have any comments?

Moroney: Mr. Chairman in front of you is a flyer for the Boulders on June 18 there will be a fundraiser for the people of Ukraine.

Phillips: Do we have a motion to adjourn?

Hochmann: Moved

Moroney: Seconded

The meeting was adjourned at 5 p.m.

Respectfully submitted,
Suzanne Haggerty