

Westchester County Solid Waste Commission

2018 Proposed Operating Budget

Presented to the
Westchester County Board of Legislators
Budget and Appropriations Committee

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Daniel D. Angiolillo
Executive Director

Patricia A. O'Callaghan
Deputy Director

Westchester County Solid Waste Commission
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Mission

The Mission of the Westchester County Solid Waste Commission is to promote the general health, welfare, and safety of the citizens of Westchester County by seeking to eliminate the influence of organized crime in the solid waste and recyclables hauling industries; ensuring that only individuals and companies of good character, honesty and integrity receive licenses to operate in the solid waste and recyclables hauling industries; increasing competition among haulers and enhancing consumer choice; and ensuring that solid waste generated within or brought into Westchester County is disposed of or recycled in an environmentally safe manner by assisting in the implementation of the County's Solid Waste Management Plan.

Goals of the Solid Waste Commission

- a) To perform background checks on all applicants and principals requesting a license or registration so as to ensure the good character, honesty and integrity of licensees and registrants in Westchester County.
- b) To issue licenses and registrations for the performance of activities for which a license or registration is required by the Westchester County Solid Waste and Recyclables Collection Licensing Law (Chapter 826-a of the Laws of Westchester County).
- c) To ensure that only licensed carters haul solid waste and recyclables within Westchester County, and that licensed carters only use trucks registered with the Solid Waste Commission.
- d) To ensure that transfer stations are accepting solid waste and recyclables only from entities licensed by Westchester County.
- e) To investigate all complaints against haulers that occur within Westchester County.
- f) To encourage entry into the solid waste and recyclables industry and encourage competition within the industry in Westchester County.
- g) To inform the public of its rights under the Westchester County Solid Waste and Recyclables Collection Licensing Law.
- h) To ensure that solid waste generated within or brought into Westchester County is disposed of or recycled in an environmentally safe manner consistent with the requirements of the County's Solid Waste Management Plan.

Ongoing Commission Initiatives

The Commission continues to receive and investigate complaints filed by citizens, businesses and other carters about pricing, collections, contracts, and possible violations of Chapter 826-a.

The Commission continues to conduct inspections at transfer stations in Westchester County to ensure that only licensed carters are dumping in the County, and that licensed carters are using only vehicles registered with the Commission.

The Commission continues to review dump records from transfer stations located within Westchester County to ensure that only licensed carters are dumping in the County.

The Commission continues to conduct educational sessions for interested municipal police departments about the municipal enforcement provisions of Chapter 826-a, and continues to field questions from police officers throughout the year about municipal enforcement. Since 2001, the Commission has briefed local government officials and/or police department personnel representing 31 of the County's municipalities.

The Commission also reminds public officials from both municipalities and school boards that the Commission investigates the backgrounds of, and licenses private carters. We recommend that they consult the list of licensed companies published on the Commission's website in order to ensure that they hire companies that have met our licensing standard of good character, honesty and integrity. We also invite them to contact us if they need assistance, if they have any questions about finding a licensed carter, or if they have problems with a carter.

The Commission continues to work with the Westchester County Department of Public Safety as it investigates possible criminal activity related to the solid waste and recyclables hauling industry in Westchester County. In addition, the Commission continues to work with law enforcement and other government officials from municipal, County, state and federal agencies throughout the region concerning Commission investigations.

The Commission continues to strive to ensure that all customers are provided with service contracts, and that all service contracts comply with the provisions of Chapter 826-a, and include a copy of the Customer Bill of Rights specifying a customer's rights under Chapter 826-a. By ensuring that all customers are apprised of their rights, thereby facilitating a customer's ability to change carters when appropriate, the Commission enhances competition and consumer choice.

The Commission continues to share licensing information with the Departments of Health and Consumer Protection. The Commission also coordinates enforcement with the Department of Consumer Protection in cases where a homeowner has a dispute with a private carter over payment for hauling of residential waste.

The Commission continues to work with the Department of Environmental Facilities in its enforcement of Westchester County's recycling requirements, and in its collection of information about where carters take the waste and recyclables they collect, and how transfer stations handle the waste and recyclables deposited at their facilities.

Department Accomplishments

On Going

A by-product of the Commission's close cooperation with the Department of Environment Facilities in the enforcement of the County's recycling requirements is that Inspectors for the Department of Environmental Facilities also monitor compliance with the provisions of Chapter 826-a. As a result, a number of the administrative enforcement cases brought by the Commission are based upon observations by the DEF's Inspectors. Concomitantly, Commission's inspectors refer recycling infractions to DEF for enforcement by that agency.

The Commission continues to review license applications and complete background investigations of companies seeking to operate in the solid waste and recyclables hauling industry in Westchester County in order to ensure that only companies and individuals of demonstrated good character, honesty and integrity are operating in the County. By encouraging reputable companies and individuals to operate in the County's hauling industry, the Commission seeks to promote competition, thereby keeping prices affordable for consumers.

The Commission continues to receive and investigate complaints filed by citizens, businesses and other carters about pricing, collections, contracts, and possible violations of Chapter 826-a. Commission staff interview the customers, witnesses and when appropriate, carters about these complaints. As a result of the Commission's efforts, disputes between customers and carters have been resolved; customers have been freed, when appropriate, to seek new carting services; and carters have been charged with violations of Chapter 826-a, when appropriate. In addition, the Commission has referred cases to the appropriate law enforcement or governmental agencies.

A full time detective from the Westchester County Department of Public Safety has been assigned to the Commission and his salary is funded by the Commission. In addition to enforcement work, the detective prepares complete background investigations and interviews every prospective licensee.

The Commission relocated their offices to White Plains and is serving the public more efficiently since the move.

In addition, the Commission on an ongoing basis, updates its website which includes a list of carters licensed to operate in the County; a list of transfer stations located in the County; copies of laws applicable to the hauling industry in the County, including the Customer Bill of Rights; and applications for licenses and renewals.

Recently, the Commission has commenced a Public Information Program consistent with its mandate to ensure a fair and competitive market by educating the public, specifically commercial establishments, on the proper disposal of solid waste and recyclables generated within the County. These efforts include educating the public on hauler licensing and reporting requirements, transfer stations and enforcement options, as well as detailing contractual rights they have under the Solid Waste & Recyclables Collection Licensing Law. Commercial businesses that use private carters are assured that through the work of the Commission the industry remains free from organized crime and other criminality. The Commission is currently coordinating a schedule with a representative of the business community to reach out to various business organizations such as local chambers of commerce.

Enforcement

During 2017, through the Commission meeting of November 8, 2017, the Commission authorized the initiation of 76 cases for a variety of violations, to wit:

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| -- Unlicensed Operation | -- Failure to pay required Commission fees or fines |
| -- Failing to register a vehicle used to haul solid waste and/or recyclables | -- Failing to display current Commission decals on a registered truck used to haul solid waste and/or recyclables |
| -- Failure to comply with the waste and recyclables reporting requirements of Chapter 826-a | -- Failing to properly label a container used to store solid waste and/or recyclables |
| | -- Violation of the good character, honesty and integrity stand |

Tax Levy

The Solid Waste Commission proposed budget for calendar year 2017 is “tax levy neutral” as required by law.

The budget is based solely upon application, background investigation, licensing, vehicle registration and transfer station fees that the Solid Waste Commission anticipates receiving from licensees and applicants during the 2017 calendar year. Fines charged for violations of Chapter 826-a of the Laws of Westchester County are also considered.

Expenditures

The projected expenses for 2018 for the Solid Waste Commission totals \$1,888,435 calculated as follows:

Annual Regular (1010)

The 2018 Proposed is \$16,544 less than the 2017 Adopted.

Hourly Wages (1200)

The 2018 Proposed is \$11,000 more than the 2017 Adopted.

Overtime (1400)

The 2018 Proposed is \$3,000 less than the 2017 Adopted.

Retirement Systems (1650)

The 2018 Proposed is \$4,559 less than the 2017 Adopted.

FICA/Medicare (1651)

The 2018 Proposed is \$680 less than the 2017 Adopted.

Employee Health Insurance (1680)

The 2018 Proposed is \$24,419 more than the 2017 Adopted.

MCTD Mobility Tax (1710)

The 2018 Proposed is \$27 less than the 2017 Adopted.

Unemployment Insurance (1720)

The 2018 Proposed is \$228 less than the 2017 Adopted.

Replacement Equipment (2300)

The 2018 Proposed is \$500 more than the 2017 Adopted.

Additional Equipment (2400)

The 2018 Proposed is the same as the 2017 Adopted.

Automotive Supplies (3010)

The 2018 Proposed is the same as the 2017 Adopted.

Books and Periodicals (3070)

The 2018 Proposed is the same as the 2017 Adopted.

General Supplies (3240)

The 2018 Proposed is the same as the 2017 Adopted.

Printing & Office Supplies (3600)

The 2018 Proposed is the same as the 2017 Adopted.

Postage Costs (3700)

The 2018 Proposed is the same as the 2017 Adopted.

Equipment Service & Rental (4070)

The 2018 Proposed is \$200 more than the 2017 Adopted.

Membership Fees (4100)

The 2018 Proposed is the same as the 2017 Adopted.

Travels and Meals (4110)

The 2018 Proposed is the same as the 2017 Adopted.

Public & Legal Notices (4250)

The 2018 Proposed is the same as the 2017 Adopted.

Educational Training (4360)

The 2018 Proposed is the same as the 2017 Adopted.

Contractual Services (4380)

The 2018 Proposed is \$12,200 more than the 2017 Adopted.

Contribution - Workers Comp Fund (4945)

The 2018 Proposed is \$1,919 more than the 2017 Adopted.

Information Support Services (5205)

The 2018 Proposed is \$9,727 less than the 2017 Adopted based upon figures submitted to the Commission by the Department of Information Technology.

Services by Department of Public Works (5280)

The 2018 Proposed is \$2,143 less than the 2017 Adopted based upon figures submitted to the Commission by the Department of Public Works.

Services by Department of Law (5325)

The 2018 Proposed is \$4,718 less than the 2017 Adopted, based upon the figures submitted to the Commission by the Department of Law.

Services by Public Safety (5390)

The 2018 Proposed is \$35,678 more than the 2017 Adopted, based upon figures submitted to the Commission by the Department of Public Safety. The proposed also includes additional overtime wages that is warranted.

Services by County Center (5453)

The 2018 Proposed is \$400 more than the 2017 Adopted.

Revenue

The Solid Waste Commission's revenues are based primarily upon application, background investigation, licensing, vehicle registration fees and transfer station fees charged to haulers licensed or applying for a license to operate in the Westchester County solid waste and recyclables hauling industries. Revenue is also collected from fines imposed on violations for non-compliance of Chapter 826-a of the Laws of Westchester County.

The projected revenues for 2018 for the Solid Waste Commission totals \$1,888,435 calculated as follows:

Application Fees (9122)

In 2018, we anticipate receiving application fees totaling \$140,750 from all licensing categories.

Vehicle Fees (9137)

In 2018 we anticipate receiving vehicle fees totaling \$879,700 from all licensing categories.

Transfer Station Fees (9138)

In 2018 we anticipate receiving a total of \$367,500. Transfer stations pay annual fees ranging from \$12,500 to \$20,000 depending upon the amount of materials they reuse or recycle. Additionally, the operators of the Wheelabrator /Westchester RESCO incinerator pay a fee of \$50,000 per year.

Background Investigation Fees (9141)

In 2018 we anticipate receiving background investigation fees totaling \$138,425.

Other Charges (9289)

In 2018 we anticipate receiving a total of \$152,860 from fines imposed on violations and from administrative fees charged.

Annual License Fees (9542)

In 2018 we anticipate receiving license fees totaling \$209,200 from all licensing categories.

Service Indicators

	2016 Actual	2017 Estimated	2018 Planned
Class A Licenses	144	143	143
Class B Licenses	5	7	7
Class C-2 Licenses	30	38	38
Class D Licenses	4	4	4
Class L Licenses	1	1	1
Class C-1 Licenses	115	119	119
Class E Licenses	31	29	29
Broker Registrations	8	8	8
Total	338	349	349
Class A, C-2 and D Truck Decals	983	985	985
Class B Truck Decals	14	25	25
Class C-1 and E Truck Decals	507	540	540
Class L Decals	0	0	0
Transfer Stations	26	21	21
Total	1530	1571	1571
Monitoring Truck Registration	3316	3251	3251
Transfer Station Inspections	210	190	190
Violations of Chapter 826-a	163	130	130