

WESTCHESTER COUNTY BOARD OF LEGISLATORS

COMMITTEE ON ENVIRONMENT & ENERGY

MINUTES: April 7, 2008

MEMBERS (E&E): Chair: Abinanti; Legislators: Harckham, Maisano, Myers, Nonna, Rogowsky

IN ATTENDANCE: STAFF: C. Crane, K. Delgado; GUESTS: A. Neuman, B. Randolph (CEO); Comm'r. T. Lauro, J. Arnett, M. Parise (WCDEF); Hon. D. Welsh (Town of Lewisboro); R. Zipf (RDD No. 1 Adv. Bd.)
[list of other attendees on file]

Meeting called to order at 4:30 pm.

Item(s) Discussed: **Solid Waste Management and Disposal; County Refuse District**

Chair Abinanti commenced discussion of the solid waste disposal arrangements for the county Refuse Disposal District No. 1 (RDD#1). Commissioner Lauro provided an overview of the present solid waste disposal arrangements for RDD#1, which involve various agreements between Wheelabrator Westchester (Wheelabrator), Westchester County Industrial Development Agency (WCIDA), City of Peekskill IDA, and RDD#1.

Discussion then followed on various aspects of the present arrangements, including lease provisions, tipping fee structure, and IMA agreements with the municipalities in RDD#1. Upon query by Leg. Harckham about non-district municipalities joining RDD#1, Commissioner Lauro replied that joining RDD#1 could include debt service payments for both the Material Recover Facility (MRF) and the Peekskill Resource Recovery Facility (RESCO), and he has requested an opinion from the Law Department about this.

The Committee also discussed the Wheelabrator proposal to continue disposal of RDD#1 solid waste after the present agreement ends in October 2009. Mr. Parise stated that the compacting/loading process used at the county transfer stations precludes some companies from servicing these facilities ("side-loading" versus "top-loading"). Leg. Rogowsky inquired whether this adversely affected the RFP response. Mr. Parise replied that utilizing the needed trucks/trailers was likely cost-prohibitive for some companies and that trucking municipal solid waste (MSW) interstate also has

certain limitations (e.g., weight of trucks).

Regarding structure of host benefits under a new agreement with Wheelabrator, Mr. Neuman stated that negotiation discussions have included the new administration in Peekskill. Several questions were raised concerning the relationship and obligations of parties under the leases, and such questions were thought to be best directed to the Law Department.

The Committee also discussed the current energy purchase arrangements between Wheelabrator and Con Edison. Leg. Rogowsky noted the sizeable annual RDD#1 payments made to Wheelabrator under the existing agreement which are connected to electricity production/sales at RESCO (e.g., \$22 million in 2006). He stated that such payments should not be continued under a new agreement. Chair Abinanti concurred, stating the present arrangement does not incent RESCO to seek a better price for electricity sales.

Upon query by Leg. Abinanti, Mr. Zipf stated that the Refuse Disposal District Advisory Board meets quarterly to review operation of the MRF and RESCO facilities and issues affecting various municipalities and collection companies. The Advisory Board only serves a consultative function to the county and does not have independent authority.

Chair Abinanti adjourned the meeting at 5:45 pm.

[audio recording of meeting is on file]