

**Meeting Minutes
Capital Region Solid Waste Management Partnership
SWMP Steering Committee**

Date: 2/09/10

Time: 4:00PM

Loc: 200 Henry Johnson Blvd.

CHA Project No.: 19283

Steering Committee:

Sally Cummings—Citizen	Dick Forgea—NYSDEC
Sam Messina—Town of Bethlehem	David Phaff—CANA
Gregg Sagendorph—Town of Bethlehem	Mike O’Brien—Albany City Council
Bob Griffin—Allied Waste	Michael Kernan—CANA
Kurt Larson—NYSOGS	Frank Zeoli—City of Albany
Sean Ward—Village of Green Island	Kevin Crosier—Town of Berne
Mark Gleason—City of Watervliet	Bill Bruce—SWMP Committee Chair
Resa Dimino—DEC	Jim Sano—Albany Common Council
Michael Franchini—Albany County	

Consultants and Others in Attendance:

Frank LaVardera—CHA	Tom Ellis—Citizen
Ken Gallagher—CHA	Tim Truscott—Citizen
Suzanne Christopher—CHA	Sharon Fisher—Town of Bethlehem
Sheree Cammer—Citizen	Jeff Edwards—Schenectady County
Fred Stein—Citizen	Barbara Warren--Citizen
Sue Cerniglia—Citizen	Jim Travers—SCRAP
Aimee Alland—LWV	Julie Elson— LWV
Ann Brandon—Citizen	Elise VanAllen—Albany Community Television
G. Nichols—Citizen	Bert Schou--Citizen
B. Nearing— Times Union	Lynne Jackson--Citizen

Introductions were made by each person in attendance.

Bill Bruce explained that because we are winding down with our committee meetings and reviewing the Committee member comments on the Preliminary Draft SWMP, there would be no reason for public comment. The meeting will be dedicated to going over the summary and responses of the Preliminary Draft SWMP report. Sally Cummings made a motion that because the public has been involved from the beginning and she believed they should have some time to speak. After the motion was seconded, Bill Bruce asked for a vote and the motion did not carry.

The last meeting’s minutes were accepted, with one correction and that was the spelling of Michael Kernan last name in the text.

The next part of the meeting was spent reviewing and discussing the Committee Member comments on the Preliminary Draft report. A Summary and Response document was distributed to Committee members before the meeting (see attached). Ken Gallagher then led a discussion of the comments and proposed responses.

During discussion of Comment D1 Michael Kernan asked what the purpose of the committee was. Bill Bruce explained the background of how and why the Steering Committee was formed. Michael also asked when did the Committee approve the concept of a solid waste authority, because he did not recall this decision. Bill Bruce explained that up to this point there had been no formal vote to approve the concept, but that it had been discussed at several previous meetings without any Committee members objecting, until Mike himself began to question the proposal at the October meeting. It appeared that a consensus had developed over the course of these many meetings.

During discussion of Comment D4 there was a motion made and seconded to post the Preliminary Draft SWMP to the website. Bill Bruce asked a vote and the motioned carried.

During discussion of Comment D5, there was agreement that in addition to including the response and comment summary as an Appendix to the Draft SWMP submitted to the Common Council, copies of the actual e-mail comments should also be included.

During discussion of Comment E2 it was also noted that Michael Franchini from Albany County was not originally included, but should have been included in the Committee member listing in Table 1-4.

During discussion of Comment R1, Ken Gallagher also reviewed the memo from Ruth Leistsnyder of Nixon Peabody which discussed possible mechanisms for Flow Control in the absence of Authority legislation. Committee members had been provided a copy of this memo in advance of the meeting (see attached). Regarding this memo, Bob Griffith asked if flow control resulting from the collection of solid waste as a municipal function (noted as option #1 in the memo) would also apply if the waste was collected by a private party on behalf of the municipality. Frank LaVardera mentioned that he understood that this would also apply in the case of a suburban town (exceeding population of 25,000) but for other towns it was unclear.

During discussions on Comment R1 Resa Dimino and David Phaff noted that the text of the Draft SWMP needs to present a stronger case about why the authority structure is expected to benefit efforts of waste reduction and recycling. During that discussion a Committee member also suggested that the Draft SWMP should address the concerns about accountability and management of public authorities in New York that have been raised by some citizen groups and elected officials. Resa Dimino also suggested that the Draft SWMP could also be revised to include a discussion of how Alternative Scenario #2 could be implemented with a continuation of the Planning Unit consortium instead of with an Authority.

During discussion of Comment A1, several members asked about the definition of waste to energy (WTE) and whether it should be clarified to include other technologies beside conventional mass burn incineration. During this discussion several committee members also noted that the Draft SWMP needed to better articulate that the recommendation to pursue the development of a regional solid waste treatment facility was not an endorsement of conventional mass burn WTE technology.

Also during discussion of Comment A1, Resa Dimino requested that a distinction be drawn between emerging technologies that have been well established in other countries (Mechanical/Biological Processing in Europe was cited as an example) and those emerging technologies that are not well established. Bill Bruce noted that mechanical/biological treatment was widespread in Europe, and that cement kilns are a typical customer for the fuel product produced, and that a situation whereby LaFarge cement became a customer and thereby reduced their mercury emissions based on reduced dependence on coal, would be an ideal situation. During this discussion Kurt Larson asked if a table could be prepared for the Draft SWMP to compare the various “solid waste treatment” technologies with landfilling based on a number of environmental and health criteria.

During the discussion of Comment Alt 1 a motion was made and seconded on whether the Steering Committee wanted to endorse the Alternative Scenario #3 as the preferred alternative in the Preliminary Draft SWMP. This Alternative included the development of a regional solid waste management authority and a regional solid waste treatment facility, but with the clarifications no specific technology was being endorsed, as that would be done in the future by the regional solid waste management authority. The motion carried with 11 voting in favor, 2 opposed, and 3 abstaining.

During the discussion of Comment SS1, Resa Dimino indicated that the DEC has put together a list of pros and cons for single stream vs. dual stream recycling, but she noted there are advantages and disadvantages to both and each community has the final choice.

During the discussion of Comment Z1, Bill Bruce noted that the Draft SWMP should be revised to incorporate a discussion of the concept of zero waste as an aspirational goal. Resa Dimino noted that this could also be incorporated in the Draft SWMP by promoting a continuous improvement process in waste reduction and recycling. This will foster going beyond the 65% waste reduction and recycling goal noted for the year 2020. During this discussion, Resa Dimino also noted that the Draft SWMP might want to consider incorporating the NYSDEC’s new performance metrics which measure waste disposal per capita, as well as MSW recycling per capita. The per capita waste disposal metric is believed to be a better measure than the diversion rates that are now used because it can capture waste reduction efforts that would be otherwise difficult to measure.

During the discussion of Comment Z1, Sean Ward and Dick Forgea both noted concern that these waste reduction and recycling goals should not be construed as enforceable permit conditions.

Bill Bruce proposed a final meeting to distribute the final draft report and thank the committee members on March 2. The Draft will then be sent to the Common Council where the formal public review and comment period will begin. Ken Gallagher will be preparing a summary of the revisions. Frank LaVardera indicated that if a comment is made after the final report and the committee agrees that it merits a change can be made before the report goes to the Albany Common Council.