

Public Works Committee Minutes  
June 11, 2013 – 4:00 p.m.

Present: Chairman Raymond; Supervisors Collyer, Lewza, Jenkins, A. Johnson, Peck, Wright, Lawler, Sausville, Southworth, Yepsen, Barrett, and Grattidge; Spencer Hellwig, Administrator; Steve Dorsey, County Attorney; Ryan Moore, Mgmt. Analyst; Keith Manz, Tom Spezial, Public Works; Hans Arnold, Gerhardt, LLC; Scott Schreiber, Jason Craft, Capital Region Landfills, Inc.; John Bradt, Behan Communications, Inc.; Jason Gorman, CHA; Robert Boran, Finch Paper; Margot Ammon, Cliff Ammon, League of Women Voters; Press.

Chairman Raymond called the meeting to order and welcomed all in attendance.

**On a motion made by Mr. Wright, seconded by Mr. Collyer the minutes of the May 7, 2013 meeting were approved unanimously.**

Mr. Manz said Attorney Schachner has had work that is going to take a little longer than initially expected; therefore, a request is being made for an additional \$6,500 to continue contract negotiations, prepare documents for the transfer of the county landfill, and to continue with the SEQRA process.

**A motion was made by Mr. Johnson, seconded by Mr. Peck to approve an additional \$6,500 for legal fees associated with contract negotiations, preparation of documents and continuation of the SEQRA Process relating to the sale of the County Landfill. Unanimous.**

Mr. Arnold gave an overview of the Final Report for the Privatization of the County Landfill Facility as follows: He said on October 9, 2012 proposals were received from New England Waste Services of NY, Inc. (Casella Waste Systems, Inc.); Capital Regions Landfills, Inc. (Waste Connections, Inc.); and Finch Paper, LLC.

Mr. Arnold said two changes have been made to the Draft Report that was submitted on May 7, 2013. The first is with respect to the proposal by Capital Regions Landfill, Waste Connections which has to do with the estimated revenue that would come to the county under the title "Limited Expansion" from Waste Connections. The estimate that was provided resulted in a total package of approximately \$37 million. Waste Connections took issue with that estimate and estimated that it would actually be \$4 million higher than that based on the timing of starting to take in 275,000 tons per year earlier than what the original estimate had provided. The second change is with respect to the Finch proposal, where they submitted information subsequent to the public hearing indicating that there has been a change to the estimate of how much landfill capacity would need to be used for their paper sludge. Mr. Arnold said using the 275,000 tons per year for the combined or consolidated landfills, they had indicated in their initial proposal that 75,000 tons per year would need to be reserved for Finch Paper sludge disposal. Finch has now estimated that they will need 25,000 tons per year of capacity for their

sludge, which would allow for an increase in the volume of municipal solid waste that would go into the combined landfill from approximately 200,000 tons per year to approximately 250,000 tons per year. Mr. Arnold said if this does carry forward there would be, over the life of the landfill, an increase of revenue to the county of \$7.7 million.

The following was an analysis of the three proposals:

### **New England Waster Service of New York**

Mr. Arnold said this as the most innovative of all the proposals and would have the advantage of spearheading organics recovery, but would not produce other tangible benefits to the county, and in terms of financial benefits they would not be significant and measure up to the other proposals that were received.

### **Capital Regions Landfills – (CRL)**

Mr. Arnold said Capital Regions Landfills is the largest waste management company to submit a proposal, and their market share of collection in the region, through their sister company, County Waste, puts them in a unique position of being certain that the landfill would be able to attract its permitted capacity possibly by just County Waste deliveries alone. It was found that the scale of the expansions outlined by Waste Connections, are far beyond and quite different from what was proposed, approved and constructed by the county in the 1990's and early 2000's. CRL's proposal for expanding the landfill would increase the landfill cell size from the permitted 24.9 acres up to an additional 128.7 cell acres of expansion on adjacent property to the north and an additional 50.9 cell acres at Finch, if CRL was successful in securing an agreement with Finch. Engineers have estimated that their total cell acres would be from 204 to 215 acres.

More importantly, the CRL expansion proposal is predicated on a substantial NYSDEC permit review procedure and the completion of a comprehensive review under the State Environmental Quality Review Act (SEQRA) which would likely cover a wide-range of environmental, economic, transportation, need and community character issues, likely to require an adjudicatory permit hearing. Such a major expansion to create a large-scale landfill would likely be faced with a range of permitting and environmental impact statement issues and public opposition.

### **Finch Paper, LLC – Finch**

Mr. Arnold said Finch proposed two up front purchase payments, one for \$4 million for the current landfill, and a second payment of \$2 million upon approval for the valley fill to connect the two landfills and increase the annual capacity to 275,000 tons per year. The key to this proposal would be that the county would receive of 50% of all tip fee revenues above \$38 per ton.

Mr. Arnold said the three proposals have the capability to meet the most fundamental goals that have been established, which is to provide a reliable capacity for Saratoga County waste or part of the waste generated in Saratoga County, and to recover the investment made in the landfill facility. The hard-costs on the landfill were \$5.8 million.

All three companies have an acceptable track record in compliance with environmental regulations and an acceptable track record to work cooperatively with the host community. Mr. Arnold said that Finch Paper, LLC has distinguished itself with a comprehensive and long established community relations and complaint response protocol with the town of Northumberland where both landfills are located. All three companies have an acceptable track record for being responsive to operating issues and have all demonstrated the financial viability to secure funding and demonstrated adequate operating experience. Casella, (New England Waste Services of NY) has extensive positive experience with public/private partnerships in New York State and they have a very innovative proposal; however, their proposal would not generate the level of revenue for the county over the short or long term. It may be possible in the future to develop some of Casella's concepts, ideas and innovations into the development of the county landfill. Both Finch and CRL offered to share energy revenues and other related revenues on a 50/50 basis with the county. The annual revenue payments proposed by all three companies will depend on market conditions.

Mr. Arnold said the proposal by Finch for the base purchase of \$4 million, plus a second payment upon approval of the valley fill of \$2 million, plus the annual community payments of \$100,000 per year or \$2 million over the life of the landfill, plus the profit sharing, conservatively estimated at \$31 million, has a combined total financial value that is higher and more reliable than the other proposals. The Finch development plan is confined to the existing and approved landfill cell footprints for both the County and Finch landfills. With the estimated 20 year life of the combined facility, there will be no construction on previously undisturbed areas. The Finch proposal has the advantage that all construction will occur on land currently owned by either the County or Finch and will provide significant support to the local industry with employment of approximately 2,200 direct and indirect workers.

Mr. Arnold said the total expansion by CRL would result in a very large complex and the development of those expansions is predicated on the completion of an extensive SEQRA review, permitting, and adjudicatory hearing process with likely opposition from the public and potentially the Town of Northumberland.

Mr. Arnold said that CRL believes that their proposal for a limited expansion would bring over \$41 million to the county; however, this proposal would be contingent on the resolution of the requirements at the town level and the completion of whatever is required by the involved agencies for satisfaction of the SEQRA, associated adjudicatory hearings, and completion of all permitting required by NYSDEC.

Mr. Arnold said the Finch proposal will produce the highest net revenue over the life of the landfill, when compared to the proposal by NEWSNY and the base proposal by CRL. In

conclusion, a recommendation was made to award the sale of the Landfill Facility to Finch Paper, LLC.

Ms. Raymond said what will be sent forward to the Law and Finance Committee, if the committee concurs, will be the recommendation and findings along with moving the SEQRA process forward because that will be a part of the conditions that will need to be approved as part of the final vote by the Board of Supervisors as well as the contract.

Mr. Peck said the Town of Northumberland is in support of Finch Paper, LLC because they feel that it is the most efficient use of the property and best serves the county.

**A motion was made by Mr. Wright, seconded by Mr. Collyer to approve the recommendation made by the Board of Supervisors Landfill Privatization Sub-Committee and Gerhardt, LLC for the sale of the County Landfill to Finch Paper, LLC. as presented. Unanimous.**

Mr. Manz requested a resolution to accept State and Federal funding for the bridge over the Kayaderosseras Creek, and to amend the Greenman Pedersen Agreement for additional work at a cost of \$36,265. The county share will be \$18,013, he said.

**A motion was made by Mr. Peck, seconded by Mr. Collyer to approve a resolution to accept State and Federal funding for the bridge over the Kayaderosseras Creek, and to amend the Greenman Pedersen Agreement for additional work at a cost of \$36,265. Unanimous.**

**On a motion made by Mr. Wright, seconded by Mr. Lewza the meeting was adjourned unanimously.**

Respectfully submitted,  
Chris Sansom