

## DUTCHESS COUNTY RESOURCE RECOVERY AGENCY

### Resolution No. 743 Shutdown of MRF Facility And Notices

**WHEREAS**, the Dutchess County Resource Recovery Agency (the "Agency"), is a New York public benefit corporation created and existing under Title 15-D of the New York State Public Authorities Law, and

**WHEREAS**, the Agency currently operates a Materials Recovery Facility ("MRF") on Fulton Street in the Town of Poughkeepsie, which MRF is operated on land and in buildings owned by the County of Dutchess, and

**WHEREAS**, the County of Dutchess has issued a Request for Proposals (RFP) for the sale of the MRF property, has determined to sell the property to a third party, and has notified the Agency on November 13, 2012 that the Agency shall close the MRF and arrange for disposal of Agency-owned equipment and machinery currently occupying the MRF, and

**WHEREAS**, such disposal shall be in accordance with the Agency's Disposal of Property Guidelines and applicable sections of the New York State Public Authorities Law, and

**WHEREAS**, at about the same time the Agency's Executive Director presented 2013 financial projections for the continued operation of the MRF facility, and

**WHEREAS**, the Agency Board has determined that the ongoing operation of the MRF Facility on Fulton Street during 2013 would be financially detrimental to the Agency and the taxpayers of Dutchess County, and

**WHEREAS**, the Agency Board has determined that the shutdown of the MRF is subject to SEQR review, and that it will be classified as an Unlisted Action, and

**WHEREAS**, the Agency Board has reviewed the annexed Short Form Environmental Assessment Form and hereby determines that: 1) the closure of the facility would not have a significant adverse effect on the environment and; 2) a draft environmental impact statement will not be required for the reasons set forth in Part II of the EAF and; 3) a Negative Declaration will be executed by the Executive Director, in the form annexed,

**NOW, THEREFORE**, be it resolved that the Agency shall cease to accept materials at its Materials Recovery Facility on Fulton Street from municipal and private waste haulers who patronize the MRF, effective as of the close of business, Friday, December 28, 2012, and

**BE IT FURTHER** resolved that the Executive Director is directed to so notify in writing the Solid Waste Coordinator for the County of Dutchess, the City of Poughkeepsie, the private waste haulers who patronize the MRF, the contract operator of the MRF and the New York State Department of Environmental Conservation of the scheduled MRF closure, and

**BE IT FURTHER**, resolved that the Agency's Secretary shall certify a copy of this Resolution; and that the Agency's Executive Director shall cause a copy of this Resolution to be published thereafter once in a newspaper having a general circulation in the County and shall also cause a copy of said Resolution to be posted on the Agency's website for a period of not less than one year.

The foregoing Resolution having been presented by T. LeGrand, and seconded by R. Mosca, on November 29, 2012, and having been called to a vote was carried as follows:

	<u>AYE</u>	<u>NAY</u>
Edward J. Mills, III, Chairman	✓	
Joseph Small, Vice Chairman	✓	
Ronald V. Mosca, Secretary	✓	
Joshua E. Mackey, Treasurer	✓	
Thomas E. LeGrand, Board Member	✓	
Kimberly Williams, Board Member	✓	
Vacancy		

STATE OF NEW YORK     )  
COUNTY OF DUTCHESS   )

I, the undersigned, Ronald V Mosca, Secretary of the Dutchess County Resource Recovery Agency (DCRRA), do hereby certify that I have compared the foregoing Resolution No. 743 of the Agency adopted at a duly convened meeting of the Agency held on November 29, 2012 with the original thereof on file in the DCRRA's Executive Director's office, and that the same is a true and correct copy of the corrected original and of the whole of the corrected original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that (i) all members of the Agency had due notice of the meeting at which the resolution was adopted, (ii) the meeting was in all respects duly held, pursuant to the Public Officers Law (Open Meetings Law), (iii) the meeting was open to the general public, and public notice of the time and place of the meeting was duly given to the public and news media, (iv) there was a quorum of the members of the Agency present throughout the meeting and, (v) Resolution No. 743 was approved by a majority of the membership of the Agency.

I FURTHER CERTIFY that, as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed, or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Agency this 29th day of November, 2012.

DUTCHESS COUNTY RESOURCE RECOVERY AGENCY

RONALD V. MOSCA, SECRETARY