

# MINUTES

**SOLID WASTE AUTHORITY  
CITIZEN'S ADVISORY COMMITTEE  
OCTOBER 5, 2011  
1:30 P.M.**

**PRESENT:** Arnold Halperin, Vice Chair (District 2)  
Barry Haberman (At-Large)  
Drew Martin (District 7) – Arrived 1:37 P.M.  
Harold Ostrow (District 5) – Departed 2:19 P.M.  
Lisa Grasso (District 1)  
Milton Brenner (At-Large)  
Ralph Moccia (District 3)

**ABSENT:** Barbara Noble (District 4)  
Byron Lasseter (At-Large)

**STAFF:** Mark Hammond, Executive Director  
Kathy Levas, Acting Clerk  
Marc Bruner, Chief Administrative Officer  
Mark Eyeington, Chief Operating Officer  
Ray Schauer, Director of Engineering & Public Works  
John Archanbo, Director of CIS/Recycling Services  
Jim Mize, General Counsel

Mr. Halperin, Vice Chair, called the Citizen's Advisory Committee meeting to order at 1:32 P.M. in the Solid Waste Authority Auditorium located at 7501 North Jog Road, West Palm Beach, Florida.

## **ROLL CALL**

Acting Clerk called the roll and noted a quorum was present.

## **PLEDGE TO THE FLAG**

Mr. Haberman led the Pledge of Allegiance to the flag.

## **CAC MINUTES: August 17, 2011**

**MOTION BY MR. BRENNER TO ACCEPT THE CAC MINUTES FROM AUGUST 17, 2011, AS PRESENTED. SECONDED BY MR. MOCCIA AND CARRIED WITH A 6-0 VOTE. (Ms. Noble, Mr. Lasseter, and Mr. Martin absent.)**

## **CONSENT AGENDA**

Item 5.a. CIS Monthly Complaint Report for August 2011  
Item 5.b. Sole Source Procurements  
Item 5.c. Environmental Investigations Unit – Status Report  
Item 5.d. Southern Waste Systems Agreement

CONSENT AGENDA (continued)

**MOTION BY MR. MOCCIA TO APPROVE THE CONSENT AGENDA AS PRESENTED. SECONDED BY MS. GRASSO AND CARRIED WITH A 6-0 VOTE. (Ms. Noble, Mr. Lasseter, and Mr. Martin absent.)**

PUBLIC HEARING / WORKSHOP

**Item 7.1: Public Hearing – Hearing Regarding Denial of Operating Permits for Bushel Stop**

A special hearing will be held at the Board Meeting regarding the three Bushel Stop permits that had previously been recommended for approval which recommendation was rejected by the Board. Since that rejection, a Special Master Hearing was held with the recommendation that the Board approve the three permits. Board decision was postponed at that time to allow for a Public Hearing to be held at the next Board Meeting allowing the applicant to address the Board as to why the permits should be issued. Those who oppose the permits will have an opportunity to speak as well.

**NO FORMAL ACTION TAKEN.**

NEW BUSINESS

**Item 9.A.1: Power Purchase Agreement with Florida Power & Light**

The Power Purchase Agreement with Florida Power and Light for the new waste-to-energy facility has been approved by the Florida Public Service Commission and returned for execution by both parties. There are two stipulations left in the contract to be determined.

- Initial Committed Capacity which is how much energy is committed to be delivered to Florida Power and Light.
- Fixed Energy Payment Percentage which is a percentage of projected future energy payments that will be guaranteed based upon Fixed Energy Prices as predicted by Florida Power & Light allowing for a more stable rate level.

**MOTION BY MR. OSTROW SUPPORTING STAFF'S RECOMMENDAION. [Authorize Executive Director to execute the Agreement with the following stipulations: 1. Initial Committed Capacity shall be seventy (70) megawatts and 2. Fixed Fraction of energy payments shall be fifty percent (50%).] SECONDED BY MS. GRASSO AND CARRIED WITH A 6-1 VOTE. (Mr. Martin voting NO. Ms. Noble and Mr. Lasseter absent.)**

**Item 9.E.1: Amended and Restated Operations and Maintenance Agreement between the Solid Waste Authority and Palm Beach Resource Recovery Corporation Amendment No. 1 – Scrivener Error Correction**

Before Amendment No. 1 was executed after approval by the Board, two scrivener errors were found. The end of the fiscal year was referred to as September 20th instead of September 30th and the effective date for the start of the Price Index Adjustment Factors was incorrectly stated as October 1, 2012 instead of October 1, 2011.

**MOTION BY MR. HABERMAN SUPPORTING STAFF'S RECOMMENDAION. [Authorize the Executive Director to interlineate corrections of scrivener errors discovered in Amendment No. 1 to the Amended and Restated Operations and Maintenance Agreement between the Solid Waste Authority of Palm Beach County and the Palm Beach Resource Recovery Corporation previously approved by the Governing Board.] SECONDED BY MS. GRASSO AND CARRIED WITH A 7-0 VOTE. (Ms. Noble and Mr. Lasseter absent.)**

**NEW BUSINESS** (continued)

**Item 9.F.1: Solid Waste Management Facility Permit Renewal – Mack & Son, LLC**

- Yardwaste Processing Facility located in West Palm Beach
- Small Facility (two employees)
- Document of Financial Assurance expires in February

**MOTION BY MR. HABERMAN SUPPORTING STAFF'S RECOMMENDATION. [Authorize renewal of Operating Permit #WP 0070 YT09 to Mack & Son, LLC to the February 2012 Board meeting.] SECONDED BY MS. GRASSO AND CARRIED WITH A 7-0 VOTE. (Ms. Noble and Mr. Lasseter absent.)**

**Item 9.F.2: Solid Waste Management Facility Permit Renewal Sun Recycling, LLC – Sun IV – Wallis Road**

- Operates on Wallis Road
- Larger Construction Demolition Recycling Facility
- Roughly 55 Employees
- Minor Code Enforcement Site Plan Issues
- Granted Extension to February to Comply with Site Plan Issues

**MOTION BY MR. HABERMAN SUPPORTING STAFF'S RECOMMENDATION. [Authorize renewal of Operating Permit #PB 0061 CD00 to Sun IV to the February 2012 Board meeting.] SECONDED BY MS. GRASSO AND CARRIED WITH A 7-0 VOTE. (Ms. Noble and Mr. Lasseter absent.)**

**Item 9.F.3: Solid Waste Management Facility Permit Renewal - Southern Waste Systems – Sun V**

- Lantana Facility
- Smaller Construction Demolition Recycling Facility
- 21 Employees
- Significant Changes
- Trucks Relocated
- Last Complaint Received in April
- Lake Worth sent a Letter of Objection although they have no jurisdiction

**MOTION BY MR. OSTROW SUPPORTING STAFF'S RECOMMENDATION. [Authorize renewal of Operating Permit #SW 0065 CD02 to SWS - Sun V allowing for the operation of a solid waste processing facility to separate and screen C/D, yard trash, and source separated recovered materials fro a period of one (1) year.] SECONDED BY MS. GRASSO AND CARRIED WITH A 5-2 VOTE. (Mr. Martin and Mr. Brenner voting NO. Ms. Noble and Mr. Lasseter absent.)**

**Item 9.F.4: Solid Waste Management Facility Permit Renewal - Southeastern Organics, LLC**

- Yardwaste Processing Facility
- Zoning and Site Plan Issues
- Tenant on Cross State Landfill
- Roughly 6 Employees
- Processes Yardwaste and Land Clearing Debris
- Entrance off Pike Road Complaints

**NEW BUSINESS--9.F.4 (continued)**

**MOTION BY MR. OSTROW SUPPORTING STAFF'S RECOMMENDATION. [Authorize renewal of Operating Permit #PH 0069 VR03 to Southeastern Organics, LLC, to the February 2012 Board meeting.] SECONDED BY MS. GRASSO AND CARRIED WITH A 7-0 VOTE. (Ms. Noble and Mr. Lasseter absent.)**

**Item 9.F.5: Solid Waste Management Facility Permit Renewal – Atlas Peat & Soil, Inc.**

- Outstanding Site Plan Issues
- Roughly 50 Employees (not all involved with yard trash mulching operation)
- Representatives from Atlas Peat & Soil have met with the County
- County Currently Awaiting Submittal of Changes
- Administrative Change handled at Staff Level

**MOTION BY MR. HABERMAN SUPPORTING STAFF'S RECOMMENDATION. [Authorize renewal of Operating Permit #AP 0067 VR03 to Atlas Peat & Soil to the February 2012 Board meeting.] SECONDED BY MS. GRASSO AND CARRIED WITH A 7-0 VOTE. (Ms. Noble and Mr. Lasseter absent.)**

**COMMITTEE MEMBER ATTENDANCE**

The Rules of Governance presently state "a Committee Member shall be subject to review by the Committee for removal after two absences from the Regular Meetings within a twelve (12) month period." Wording would need to be changed to reflect additional meeting dates. Determined that an absence will count whether or not there is a quorum at a regularly scheduled meeting.

**MOTION BY MR. MARTIN TO LEAVE THE WORDING OF RULE 2, RULES OF GOVERNANCE, AS IS AND ASKS FOR A COURTESY PHONE CALL BEFORE MEETINGS. SECONDED BY MS. GRASSO AND CARRIED WITH A 6-0 VOTE. (Ms. Noble, Mr. Lasseter, and Mr. Ostrow absent.)**

**MOTION BY MR. MARTIN TO AMEND THE RULES AND PROCEDURES OF THE CAC TO STATE THAT BOARD MEMBERS ARE EXPECTED TO ATTEND ALL SCHEDULED MEETINGS. SECONDED BY MS. GRASSO AND CARRIED WITH A 6-0 VOTE. (Ms. Noble, Mr. Lasseter, and Mr. Ostrow absent.)**

Mr. Mize clarified for Mr. Haberman that when a meeting is cancelled, you no longer have a scheduled meeting.

**COMMENTS BY CAC**

**Mr. Martin:** Follow up to recycling at Kreuzler Park.

Mr. Archambo explained it is an issue of who will pay for the recycling. Staff is still working on the issue and an update will be given. The Solid Waste Authority had a Pilot Collection Program in the past which was stopped due to contamination. Public drop offs are available in a lot of parks throughout the County. Costs are negotiated with the City the park is located in.

**Mr. Haberman:** Will not be in attendance at the December 7, 2011, meeting.

**CONFIRMATION OF NEXT MEETING:** December 7, 2011

**PUBLIC COMMENT**

Christine Hemphill  
Resident of Lake Worth

- Who paid for the Kreusler Park recycling in the past?
- Thinks the park is located in Palm Beach.
- Suggests that the courtesy phone call to CAC members be made whenever they would like to receive it.
- Seeing a lot of good work here.
- Happy and impressed.

Mr. Bruner clarified that the Solid Waste Authority paid for the recycling program at Kreusler Park in the past.  
Mr. Moccia thanked Ms. Hemphill for her comments but wanted to point out that the first responsibility is on the part of CAC members to call if they are not going to attend.

**MEETING ADJOURNED:**

2:40 PM

**ATTEST:**

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Arnold Halperin, Chair

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Kathy Levas, Acting Authority Clerk

# ATTENDANCE LIST

| MEMBER       | DIST. | 2/2011 | 4/2011 | 6/2011 | 8/2011 | 10/2011 | ABSENT |
|--------------|-------|--------|--------|--------|--------|---------|--------|
| L. Grasso    | #1    | P      | A      | P      | A      | P       | 2      |
| A. Halperin  | #2    | P      | A      | P      | P      | P       | 1      |
| R. Moccia    | #3    | P      | P      | P      | P      | P       | 0      |
| B. Noble     | #4    | A      | P      | A      | P      | A       | 3      |
| H. Ostrow    | #5    | P      | A      | P      | P      | P       | 1      |
|              | #6    |        |        |        |        |         |        |
| D. Martin    | #7    |        | P      | P      | P      | P       | 0      |
| B. Lasseter  | AL    | P      | A      | P      | P      | A       | 2      |
|              | AL    |        |        |        |        |         |        |
| M. Brenner   | AL    | P      | P      | A      | P      | P       | 1      |
| Mr. Haberman | AL    | P      | P      | P      | P      | P       | 0      |

Next scheduled meetings:

- December 7, 2011
- February 1, 2012
- April 4, 2012
- June 6, 2012
- August 15, 2012
- October 3, 2012
- December 5, 2012