

Westchester County Solid Waste Commission
2014 Proposed Operating Budget

Mission

The Mission of the Westchester County Solid Waste Commission is to promote the general health, welfare, and safety of the citizens of Westchester County by seeking to eliminate the influence of organized crime in the solid waste and recyclables hauling industries; ensuring that only individuals and companies of good character, honesty and integrity receive licenses to operate in the solid waste and recyclables hauling industries; increasing competition among haulers and enhancing consumer choice; and ensuring that solid waste generated within or brought into Westchester County is disposed of or recycled in an environmentally safe manner by assisting in the implementation of the County's Solid Waste Management Plan.

Goals of the Solid Waste Commission:

- a) To perform background checks on all applicants and principals requesting a license or registration so as to ensure the good character, honesty and integrity of licensees and registrants in Westchester County.
- b) To issue licenses and registrations for the performance of activities for which a license or registration is required by the Westchester County Solid Waste and Recyclables Collection Licensing Law (Chapter 826-a of the Laws of Westchester County).
- c) To ensure that only licensed carters haul solid waste and recyclables within Westchester County, and that licensed carters only use trucks registered with the Solid Waste Commission.
- d) To ensure that transfer stations are accepting solid waste and recyclables only from entities licensed by Westchester County.
- e) To investigate all complaints against haulers that occurs within Westchester County.
- f) To encourage entry into the solid waste and recyclables industry and encourage competition within the industry in Westchester County.
- g) To inform the public of its rights under the Westchester County Solid Waste and Recyclables Collection Licensing Law.
- h) To ensure that solid waste generated within or brought into Westchester County is disposed of or recycled in an environmentally safe manner consistent with the requirements of the County's Solid Waste Management Plan.

Ongoing Commission Initiatives

The Commission continues to receive and investigate complaints filed by citizens, businesses and other carters about pricing, collections, contracts, and possible violations of Chapter 826-a.

The Commission continues to conduct inspections at transfer stations in Westchester County to ensure that only licensed carters are dumping in the County, and that licensed carters are using only vehicles registered with the Commission.

The Commission continues to conduct educational sessions for interested municipal police departments about the municipal enforcement provisions of Chapter 826-a, and continues to field questions from police officers throughout the year about municipal enforcement. Since 2001, the Commission has briefed local government officials and/or police department personnel representing 31 of the County's municipalities.

The Commission also reminds public officials from both municipalities and school boards that the Commission investigates the backgrounds of, and licenses private carters. We recommend that they consult the list of licensed companies published on the Commission's website in order to ensure that they hire companies that have met our licensing standard of good character, honesty and integrity. We also invite them to contact us if they need assistance, if they have any questions about finding a licensed carter, or if they have problems with a carter.

The Commission continues to work with the Environmental Crimes Unit of the Westchester County Department of Public Safety as it investigates possible criminal activity related to the solid waste and recyclables hauling industry in Westchester County. In addition, the Commission continues to work with law enforcement and other government officials from municipal, County, state and federal agencies throughout the region concerning Commission investigations.

The Commission continues to strive to ensure that all customers are provided with service contracts, and that all service contracts comply with the provisions of Chapter 826-a, and include a copy of the Customer Bill of Rights specifying a customer's rights under Chapter 826-a. By ensuring that all customers are apprised of their rights, thereby facilitating a customer's ability to change carters when appropriate, the Commission enhances competition and consumer choice.

The Commission continues to review dump records from transfer stations located within Westchester County to ensure that only licensed carters are dumping in the County.

The Commission continues to share licensing information with the Departments of Health and Consumer Protection. The Commission also coordinates enforcement with the Department of Consumer Protection in cases where a homeowner has a dispute with a private carter over payment for hauling of residential waste.

The Commission continues to work with the Department of Environmental Facilities in its enforcement of Westchester County's recycling requirements, and in its collection of information about where carters take the waste and recyclables they collect, and how transfer stations handle the waste and recyclables deposited at their facilities.

Department Accomplishments:

On Going

A by-product of the Commission's close cooperation with the Department of Environment Facilities in the enforcement of the County's recycling requirements is that Inspectors for the Department of Environmental Facilities also monitor compliance with the provisions of Chapter 826-a. As a result, a number of the administrative enforcement cases brought by the Commission are based upon observations by the DEF's Inspectors. Concomitantly, Commission's inspectors refer recycling infractions to DEF for enforcement by that agency.

The Commission continues to review license applications and complete background investigations of companies seeking to operate in the solid waste and recyclables hauling industry in Westchester County in order to ensure that only companies and individuals of demonstrated good character, honesty and integrity are operating in the County. By encouraging reputable companies and individuals to operate in the County's hauling industry, the Commission seeks to promote competition, thereby keeping prices affordable for consumers.

The Commission continues to receive and investigate complaints filed by citizens, businesses and other carters about pricing, collections, contracts, and possible violations of Chapter 826-a. Commission staff interview the customers, witnesses and when appropriate, carters about these complaints. As a result of the Commission's efforts, disputes between customers and carters have been resolved; customers have been freed, when appropriate, to seek new carting services; and carters have been charged with violations of Chapter 826-a, when appropriate. In addition, the Commission has referred cases to the appropriate law enforcement or governmental agencies.

The Commission maintains an up-to-date website on which it includes a list of carters licensed to operate in the County; a list of transfer stations located in the

County; copies of laws applicable to the hauling industry in the County, including the Customer Bill of Rights; and applications for licenses and renewals.

Enforcement

During 2013, through the Commission meeting of October 17, 2013, the Commission authorized the initiation of 79 cases for a variety of violations, to wit:

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| -- Unlicensed Operation | -- Failure to pay required Commission fees or fines |
| -- Failing to register a vehicle used to haul solid waste and/or recyclables | -- Failing to display current Commission decals on a registered truck used to haul solid waste and/or recyclables |
| -- Failure to comply with the waste and recyclables reporting requirements of Chapter 826-a | -- Failing to properly label a container used to store solid waste and/or recyclables |

Tax Levy:

The Solid Waste Commission proposed budget for calendar year 2014 is “tax levy neutral” as required by law.

The budget is based solely upon application, license and per-truck fees that the Solid Waste Commission anticipates receiving from licensees and applicants during the 2014 calendar year.

Expenditures

The projected expenses for 2014 for the Solid Waste Commission totals \$1,524,059, calculated as follows:

Annual Regular (1010)

The 2014 Proposed is \$5,826 more than the 2013 Adopted.

Overtime (1400)

The 2014 Proposed, \$5,000, is the same as the 2013 Adopted.

Retirement Systems (1650)

The 2014 Proposed is \$3,319 more than the 2013 Adopted.

FICA/Medicare (1651)

The 2014 Proposed is \$2,207 less than the 2013 Adopted, based upon a percentage of the Commission's expected total salaries.

Employee Health Insurance (1680)

The 2014 proposed is \$10,571 less than the 2013 Adopted.

Unemployment Insurance (1720)

The 2014 Proposed is \$500 more than the 2013 Adopted.

Replacement Equipment (2300)

The 2014 Proposed is \$1,000 more than the 2013 Adopted.

Automotive Supplies (3010)

The 2014 Proposed is \$1,000 more than the 2013 Adopted.

Books and Periodicals (3070)

The 2014 Proposed, \$1,100, is the same as the 2013 Adopted.

General Supplies (3240)

The 2014 Proposed is \$1,000 less than the 2013 Adopted.

Printing & Office Supplies (3600)

The 2014 Proposed, \$5,000, is the same as the 2013 Adopted.

Postage (3700)

The 2014 Proposed, \$8,200, is the same as the 2013 Adopted.

Equipment Service & Rental (4070)

The 2014 Proposed is \$1,380 less than the 2013 Adopted.

Travel and Meals (4110)

The 2014 Proposed is \$1,300 more than the 2013 Adopted.

Public and Legal Notices (4250)

The 2014 Proposed, \$1,000, is the same as the 2013 Adopted.

Educational Training (4360)

The 2014 Proposed, \$1,600, is the same as the 2013 Adopted.

Contractual Services (4380)

The 2014 Proposed, \$95,540, is the same as the 2013 Adopted.

Contribution - Workers Comp Fund (4945)

The 2014 Proposed is \$1,123 less than the 2013 Adopted.

Services by Personnel (5147)

The 2014 Proposed is \$63. This is a new fee announced by the Department of Human Resources.

Fleet Management (5160)

The 2014 Proposed is \$526 less than the 2013 Adopted. This expense line covers expenses incurred by the Commission for fleet vehicle usage when one of the Commission's cars is unavailable.

Automotive (5170)

The 2014 Proposed is \$3,185 more than the 2013 Adopted. This account covers repairs and maintenance charges for the vehicles owned by the Commission. This figure was recommended to the Commission by the Department of Public Works.

Information Support Service (5205)

The 2014 Proposed is \$839 more than the 2013 Adopted based upon figures submitted to the Commission by the Department of Information Technology.

Buildings & Space (5220)

The 2014 Proposed is \$2,665 less than the 2013 Adopted based upon figures submitted to the Commission by the Department of Public Works.

Telecommunications (5250)

The 2014 Proposed is \$13 more than the 2013 Adopted based upon figures submitted to the Commission by the Department of Information Technology.

Data Processing (5260)

The 2014 Proposed is \$25,868 less than the 2013 Adopted, based upon figures submitted by the Department of Information Technology.

Services by Department of Law (5325)

The 2014 Proposed is \$8,569 less than the 2013 Adopted.

Services by Public Safety (5390)

The 2014 Proposed is \$10,572 less than the 2013 Adopted, based upon figures submitted by the Department of Public Safety.

Services by County Center (5453)

The 2014 Proposed, \$1,000, is the same as the 2013 Adopted.

Services by Records Center (5485)

The 2014 Proposed is \$93 less than the 2013 Adopted based upon figures submitted by the Department of Information Technology.

Revenue

The Solid Waste Commission's revenues are based primarily upon application, licensing, per-truck fees and transfer station fees charged to haulers licensed or applying for a license to operate in the Westchester County solid waste and recyclables hauling industries. The Commission's revenues also include fines charged for violations of Chapter 826-a of the Laws of Westchester County.

The projected revenues for 2014 for the Solid Waste Commission totals \$1,524,059, calculated as follows:

Application Fees (9122) and Other Charges (9289)

In 2014, we anticipate receiving application fees (Account 9122) and fines (Account 9289) totaling \$172,909. The decrease from the 2013 Adopted reflects a reduction in the amount of fines the Commission anticipates collecting due to better compliance with Westchester County Solid Waste

and Recyclables Collection Licensing Law (Chapter 826-a of the Laws of Westchester County).

Vehicle Fees (9137)

In 2014 we anticipate receiving per-truck fees totaling \$750,400 from all licensing categories.

Transfer Station Fees (9138)

In 2014 we anticipate receiving a total of \$411,250. Transfer stations pay annual fees ranging from \$12,500 to \$20,000 depending upon the amount of materials they reuse or recycle. Additionally, the operators of the Resco incinerator pay a fee of \$50,000 per year.

Annual License Fees (9542)

In 2014 we anticipate receiving license fees totaling \$189,500.