

ORIGINAL

STATE OF NEW YORK : COUNTY OF ROCKLAND  
TOWN OF ORANGETOWN: SANITATION COMMISSION

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PUBLIC HEARING to consider pursuant to  
Chapter 17B of the Town Code, "Garbage  
Removal," Section 6, "Charges, the  
Petition of Donald Brenner on behalf of  
the licensed garbage haulers of the  
Town of Orangetown for an increase in  
monthly rates and whether the  
Sanitation Commission should recommend  
to the Town Board that the Town Board  
amend the currently authorized rate  
schedule.

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Town of Orangetown  
Town Hall  
26 Orangeburg Road  
Orangeburg, New York  
November 15, 2023  
5:39 p.m.

BEFORE:

CHARLES "SKIP" VEZZETTI, CHAIRMAN  
BILL BECKMANN, BOARD MEMBER  
CHRISTOPHER HUBER, BOARD MEMBER  
TOM SIMETI, BOARD MEMBER  
  
RICHARD PAKOLA, DEPUTY TOWN ATTORNEY

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3 CHAIRMAN VEZZETTI: All right. I'll  
4 call this meeting to order of the Town of  
5 Orangetown Sanitation Commission. This is  
6 for the purpose of a public hearing based on  
7 the request for a consideration of a -- yeah,  
8 I'll get to that -- for a rate adjustment.  
9 We'll have the roll call.

10 THE CLERK: Chairman Skip Vezzetti?

11 CHAIRMAN VEZZETTI: Here.

12 THE CLERK: Bill Beckmann?

13 BOARD MEMBER BECKMANN: Here.

14 THE CLERK: Chris Huber?

15 BOARD MEMBER HUBER: Here.

16 THE CLERK: Tom Simeti?

17 BOARD MEMBER SIMETI: Here.

18 THE CLERK: Rick Pakola, Deputy Town  
19 Attorney?

20 MR. PAKOLA: Here.

21 THE CLERK: And myself, acting Clerk to  
22 the Sanitation Commission, Stephen Munno.

23 CHAIRMAN VEZZETTI: All right. The  
24 first thing that we have is, I'll ask our  
25 attorney Richard Pakola to enter any exhibits

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2 for the Board, like the petition, onto the  
3 record, into the record.

4 MR. PAKOLA: Yes. And according to the  
5 town code, all exhibits have to be  
6 recommended by me to be admitted, and then  
7 there's a vote. And I recommend that the  
8 Commission itself introduce three exhibits on  
9 its own.

10 So Commission Exhibit 1 is Mr. Brenner's  
11 petition for this hearing.

12 Commission Exhibit Number 2 is two  
13 documents. It's an affidavit of publication  
14 by the Rockland County Times. And Mr. Munno  
15 just handed me the second affidavit of  
16 publication we published in two newspapers.  
17 And the second is with the Journal News.

18 And then Commission Exhibit Number 3 is  
19 the Town Board's previous resolution relating  
20 to the current rates. And that is a one-page  
21 document. And that's Resolution 283 from  
22 June 14, 2022.

23 And I recommend that those be admitted  
24 as Commission Exhibits 1 through 3. And  
25 there should be a vote on that.

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2 CHAIRMAN VEZZETTI: All right. We have  
3 a recommendation from our attorney. Can we  
4 have a motion?

5 BOARD MEMBER SIMETI: A point of  
6 clarity. Just a question about  
7 clarification. The order of the exhibits,  
8 what's the, what is the order of the exhibits  
9 again?

10 MR. PAKOLA: Commission Exhibit 1 is  
11 Mr. Brenner's letter dated October 27, 2023.  
12 Commission Exhibit Number 2 is the two  
13 affidavits of publication. It's two  
14 documents in Exhibit Number 2. And  
15 Commission Exhibit Number 3 is a one-page  
16 document, and that is the Resolution  
17 Number 284 from the Town Board meeting of  
18 June 14, 2022.

19 BOARD MEMBER SIMETI: Got it. Thank  
20 you. I see that we have a copy of that. I'm  
21 sorry.

22 CHAIRMAN VEZZETTI: Do you have a copy?

23 BOARD MEMBER SIMETI: Yes.

24 CHAIRMAN VEZZETTI: Okay.

25 BOARD MEMBER BECKMANN: I gave him my

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2 copy.

3 CHAIRMAN VEZZETTI: Here, I got another  
4 copy.

5 BOARD MEMBER SIMETI: Thank you.

6 CHAIRMAN VEZZETTI: I think I have  
7 another one. Yeah, I have multiple copies.  
8 All right. So we have a motion made by  
9 Mr. Beckmann.

10 BOARD MEMBER SIMETI: Second it.

11 CHAIRMAN VEZZETTI: Second. All in  
12 favor?

13 (Response of aye was given.)

14 CHAIRMAN VEZZETTI: All right. Now I  
15 will entertain a presentation by Mr. Brenner  
16 representing the garbage haulers.

17 MR. BRENNER: Okay. As the board is  
18 well aware from my October 27th letter, which  
19 was caused by the fact that the landfill  
20 operation is going to be increasing charges  
21 based on discharge of the material at the  
22 Rockland transfer station. I then have  
23 supporting documentations which I have marked  
24 as Exhibit A, B, C, and D. And primarily,  
25 they are the comparable charges being charged

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2 by our sister towns based on the fact of the  
3 increase. And I would like -- we can discuss  
4 it, or I would like that placed into the  
5 record so that we understand why we're asking  
6 for these increases.

7 MR. PAKOLA: And I would recommend these  
8 be admitted as well, subject to someone  
9 explaining what they are, someone testifying  
10 as what they are. Mr. Brenner, you do plan  
11 to have someone testify?

12 MR. BRENNER: Yes, I do. Mr. Hiep.

13 BOARD MEMBER SIMETI: Counsel, why don't  
14 we have someone testify as to the basis of  
15 the admission of the documents before we  
16 admit the documents.

17 MR. PAKOLA: Okay. I just, I think it's  
18 a foregone conclusion that someone is. But  
19 we'll do that.

20 CHAIRMAN VEZZETTI: Who swears him in?

21 MR. PAKOLA: I will. But Mr. Brenner,  
22 are you ready to call your first witness?

23 MR. BRENNER: Yes, I am.

24 MR. PAKOLA: Okay.

25 MR. BRENNER: Kenneth Hiep, who is the

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owner of Hiep Sanitation Company. All right.

MR. PAKOLA: Mr. Hiep, if you can raise your right hand. Do you swear that the evidence you're about to give before this Commission shall be the truth, the whole truth, and nothing but the truth, so help you God?

MR. HIEP: I do.

MR. BRENNER: And your full name for the record?

MR. HIEP: Kenneth Hiep.

MR. PAKOLA: And your residence or business address for the record?

MR. HIEP: 22 Snake Hill Road, West Nyack, New York.

MR. PAKOLA: And Mr. Brenner had mentioned I think partially what your relationship is to his petition, but what is your relationship to this petition?

MR. HIEP: I own Kenneth Hiep Incorporated with my brother, Robert Hiep Incorporated, Rockland Wastepaper LLC. Those are my companies that are licensed in Orangetown.

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2 MR. PAKOLA: Thank you. Mr. Brenner,  
3 the witness is yours.

4 MR. BRENNER: Okay. Mr. Hiep, you have  
5 gone through this the data. Would you like  
6 to explain originally how you put the data  
7 together and for what reasons?

8 MR. PAKOLA: So tell us which exhibit  
9 you're looking at when you're talking about  
10 it.

11 MR. HIEP: Okay. Give me one moment so  
12 I can --

13 CHAIRMAN VEZZETTI: Speak so that the  
14 court reporter can hear you.

15 MR. HIEP: You got it. So in the past,  
16 we've always compared with similar towns.  
17 Let's start with Orangetown. Let's start  
18 with Stony Point. Stony Point.

19 MR. PAKOLA: So if you're talking about  
20 an exhibit, please tell us which one.

21 MR. HIEP: Which is A, B, and C.

22 MR. BRENNER: We're going to make  
23 Stony Point A, all right.

24 MR. PAKOLA: No, I've already marked  
25 them.

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2 MR. BRENNER: Oh, you did. All right.

3 MR. HIEP: Just tell me what it is.

4 What's Stony Point?

5 MR. BRENNER: It's the last one, then.

6 MR. PAKOLA: So that was D. The last  
7 one is D.

8 MR. BRENNER: It would be D.

9 MR. HIEP: Okay. And what's Orangetown?

10 MR. BRENNER: Orangetown would be B.

11 MR. HIEP: And Clarkstown?

12 MR. BRENNER: C.

13 MR. HIEP: What's the main sheet with  
14 everything on it?

15 CHAIRMAN VEZZETTI: A.

16 MR. HIEP: Okay. So maybe we should  
17 start with A. So this is a list of the  
18 residential garbage pick ups. The first  
19 column is Orangetown. It would -- it's  
20 \$33.50 as of January. We added \$4.60. It's  
21 20 cents on the dollar. So it's a \$23  
22 increase. So it's \$4.60, 20 cents times.

23 This is the same formula we used in  
24 Clarkstown, and the same formula being used  
25 in Stony Point. Except in Stony Point, it's

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2 in their -- they have an actual contract. So  
3 they don't have to have a meeting. So if  
4 this dumping goes up next year, it's 20 cents  
5 on the dollar. It's in the contract. Which  
6 is not a bad idea.

7 BOARD MEMBER BECKMANN: Could you just  
8 explain 20 cents on the dollar for us?

9 MR. HIEP: So this is what -- yeah.  
10 20 cents on the increase. So here.

11 BOARD MEMBER BECKMANN: So what's the  
12 current rate?

13 MR. HIEP: I'll make this -- I know what  
14 you're asking. So the tipping fee is \$76.

15 BOARD MEMBER BECKMANN: That's the  
16 current tipping fee.

17 MR. HIEP: Current. It's going to 99.

18 BOARD MEMBER SIMETI: Just a  
19 clarification. When you say \$76 --

20 MR. HIEP: Per ton.

21 BOARD MEMBER SIMETI: Per ton. Okay.  
22 Just so you understand, we're creating a  
23 record for the Town Board --

24 MR. HIEP: Oh, okay.

25 BOARD MEMBER SIMETI: -- to consider our

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2 recommendation to either approve or deny the  
3 request.

4 MR. HIEP: I understand. So I'll go a  
5 little slower.

6 BOARD MEMBER SIMETI: Thank you.

7 MR. HIEP: So currently it's \$76 per  
8 ton.

9 BOARD MEMBER BECKMANN: And it's going  
10 to 99.

11 MR. HIEP: Yes.

12 BOARD MEMBER BECKMANN: That's a  
13 30 percent increase.

14 MR. HIEP: Yes. It's \$23, and it's  
15 30 percent increase. So since you're putting  
16 it in that terms, \$4.60 is 14 percent  
17 increase. The 20 cents on the dollar on the  
18 household charge of \$33.50 is 14 percent. So  
19 it's not much to ask. It's very fair. I'll  
20 wait for you to finish.

21 BOARD MEMBER BECKMANN: I'm just doing  
22 the math.

23 MR. HIEP: I just did \$4.60 divided by  
24 \$33.50.

25 BOARD MEMBER BECKMANN: That's

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2 14 percent. 13-point --

3 MR. HIEP: So that's why it's very fair.  
4 It's not like we're asking for 30 percent.  
5 So this is in Clarkstown. You can see the  
6 numbers. The big difference here.

7 BOARD MEMBER SIMETI: You take \$33.50.

8 BOARD MEMBER BECKMANN: Right now it's  
9 \$33.50.

10 CHAIRMAN VEZZETTI: If it's on the  
11 record, please.

12 BOARD MEMBER BECKMANN: The math is  
13 \$33.50 plus \$4.60 is \$38.10. The \$4.60  
14 represents the 14 percent increase for the --  
15 they're proposing for the town rate.

16 MR. HIEP: Per unit.

17 BOARD MEMBER BECKMANN: Per unit. And  
18 at the same time, the County Solid Waste  
19 Authority, Rockland Green, whatever they call  
20 themselves, went from \$76 per ton to \$99 per  
21 ton, which is a 30 percent increase, or \$23  
22 per ton increase.

23 MR. HIEP: Okay. So what would you guys  
24 like? Would you like me to go over this one  
25 at a time? What would you like me to do?

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2 MR. PAKOLA: I would suggest that.

3 CHAIRMAN VEZZETTI: Yeah, so it's  
4 entered into the record.

5 MR. HIEP: Okay. So Stony Point is  
6 \$33.35 now. I'm using their number, the  
7 \$4.60. And each year it goes up 50 percent.

8 BOARD MEMBER BECKMANN: 50 cents.

9 MR. HIEP: 50 cents, I'm sorry.

10 BOARD MEMBER BECKMANN: Not 50 percent.

11 MR. HIEP: Which is only 1.31 percent of  
12 an increase. Okay. We had that deal from  
13 two years ago. I'm keeping it to 50 cents on  
14 our agreed deal, very similar to Stony Point.

15 BOARD MEMBER BECKMANN: So what you're  
16 talking about, going to \$38.10 plus 50 cents,  
17 which is \$38.60. And then going from --

18 MR. HIEP: Yeah. I did it differently.  
19 It went from \$33.50, then 34 plus --

20 BOARD MEMBER BECKMANN: Plus the \$4.60.

21 MR. HIEP: Exactly. So we're keeping  
22 our original deal from '22 or '21.

23 So what I do want to bring to your  
24 attention is the 1.3 percent per year is  
25 nothing these days. Everybody knows what

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2 things cost. And just the cost of living is  
3 over 3 percent.

4 BOARD MEMBER BECKMANN: That deal was  
5 negotiated under a prior presidential  
6 administration.

7 MR. HIEP: I'm not -- listen. I'm being  
8 very fair. But I want to bring you to the  
9 Town of Clarkstown. \$38.08. Next year,  
10 \$1.34 increase, 3.5 percent. That is a more  
11 reasonable for these days and times. Three  
12 and a half percent is probably still light  
13 with what's going on lately. So I feel here,  
14 by the end of what we're up to, 206, in 2008,  
15 they'll be paying 44. You'll be paying 39.  
16 Well, 2006, I'm sorry. \$41.80, and you'll be  
17 paying 39.

18 MR. BRENNER: '26.

19 MR. HIEP: Yeah, '26, I'm sorry. I went  
20 to the end. They're a five year.

21 So I feel like I'm being very fair here.  
22 I'm keeping with that small 50 cent increase.  
23 And I'll just keeping up to par with  
24 everybody else. If it wasn't for the dump  
25 going up, I wouldn't be asking for anything.

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2 But all the supervisors voted on this.  
3 It's County Green. Every supervisor on that  
4 board. And they've left it alone since 2020.  
5 Commercial stops, they raise it to 99 in  
6 2020. They raise it another, to 108 in '22,  
7 and it's now 124.

8 So they've left the residents for as  
9 long as they can. They've actually been  
10 increasing the commercials, I think, to make  
11 up for the residents. And I hope they leave  
12 the commercials alone for a while because  
13 it's huge. It's a lot of money.

14 CHAIRMAN VEZZETTI: Okay.

15 MR. HIEP: Any questions?

16 CHAIRMAN VEZZETTI: Any questions from  
17 the Board.

18 BOARD MEMBER SIMETI: With respect to  
19 the documents that the petitioner is seeking  
20 to introduce, A, B, C, and D, these were  
21 documents that were generated by the  
22 petitioner; is that correct?

23 MR. BRENNER: That is correct.

24 BOARD MEMBER SIMETI: And these were  
25 documents that were generated from

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2 information in the --

3 MR. HIEP: I have copies of the  
4 contracts from Stony Point. I have a page  
5 contract from my Clarkstown.

6 BOARD MEMBER SIMETI: With you?

7 MR. HIEP: Yeah. I can, I can --

8 BOARD MEMBER SIMETI: I just want a  
9 representation on the record that the  
10 documents reflect entries that are --

11 MR. HIEP: I'm not making these up.

12 BOARD MEMBER SIMETI: Just for the  
13 record. Because they're not official  
14 documents there.

15 MR. HIEP: I understand.

16 BOARD MEMBER SIMETI: They're petitioner  
17 generated.

18 MR. HIEP: No problem.

19 CHAIRMAN VEZZETTI: All right. Any  
20 other questions?

21 BOARD MEMBER SIMETI: Help me  
22 understand. How many households might be  
23 contemplated? The garbage from how many  
24 households would be contemplated at a time?

25 MR. HIEP: It's very hard to figure out

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2 because you have four people in one house.

3 One old person. About half I think is very  
4 fair. Like, you know, that's why I broke it  
5 down into percentages for you. Like, they're  
6 raising me 30 percent. It's half the  
7 increase. It's probably close to about half.

8 BOARD MEMBER SIMETI: So for example --

9 MR. HIEP: Half of the \$30.

10 BOARD MEMBER SIMETI: So if you know,  
11 how many households do you have in  
12 Orangetown?

13 MR. HIEP: Around 8,000.

14 BOARD MEMBER SIMETI: 8,000, okay.

15 MR. HIEP: Around.

16 BOARD MEMBER SIMETI: So, and there  
17 would be a corresponding number in any given  
18 year. So let's say you have 8,000 presently  
19 in 2023; is that correct?

20 MR. HIEP: Approximately.

21 BOARD MEMBER SIMETI: Approximately.

22 MR. HIEP: Within a thousand.

23 BOARD MEMBER SIMETI: Within a thousand.

24 MR. HIEP: Yeah. About 8,000. Yeah,  
25 you know. I have a lot of seniors.

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2 BOARD MEMBER SIMETI: Oh, you give a  
3 break to seniors?

4 MR. HIEP: Yes.

5 BOARD MEMBER BECKMANN: Oh, yeah.  
6 Absolutely.

7 BOARD MEMBER SIMETI: Is that in our  
8 resolution?

9 MR. HIEP: Forever.

10 CHAIRMAN VEZZETTI: Forever, yes.  
11 Especially since we got old.

12 BOARD MEMBER BECKMANN: Well, the  
13 seniors use really less garbages.

14 BOARD MEMBER SIMETI: Mr. Chairman, I'd  
15 like to take a recess. I want to confer with  
16 members.

17 CHAIRMAN VEZZETTI: Okay. Can we go  
18 into executive session?

19 BOARD MEMBER SIMETI: Yeah.

20 CHAIRMAN VEZZETTI: Okay. So at this  
21 point, we'll go into executive session. And  
22 we'll call you back.

23 (Recess taken.)

24 CHAIRMAN VEZZETTI: All right, we're  
25 going to go back into session. I'm going to

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2 ask that Mr. Simeti make a motion.

3 MR. PAKOLA: All right. Were there any  
4 further questions?

5 CHAIRMAN VEZZETTI: Oh, are there any  
6 further questions? Excuse me.

7 BOARD MEMBER SIMETI: Yeah. So the  
8 Board had an opportunity to discuss the  
9 presentation. There was a question as to  
10 whether or not the petitioner received a  
11 letter from Rockland Green confirming the  
12 increase, the amount, and when it became  
13 effected.

14 MR. HIEP: The Thursday after we met,  
15 they voted.

16 BOARD MEMBER SIMETI: I'm actually, I'm  
17 aware of the vote, but --

18 MR. BRENNER: It will take effect on  
19 January --

20 BOARD MEMBER BECKMANN: He was at the  
21 meeting.

22 BOARD MEMBER SIMETI: I came a little  
23 late. But for the record.

24 CHAIRMAN VEZZETTI: He just wants it on  
25 the record, a copy of it.

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2 BOARD MEMBER SIMETI: Is there a  
3 document that you've received from Rockland  
4 Green?

5 MR. HIEP: That it is definitely \$99.

6 MR. PAKOLA: Yes, yes, yes.

7 MR. HIEP: I'm sure I can get one sent  
8 to you.

9 MR. BRENNER: Hold on. Here it is. I  
10 have it.

11 BOARD MEMBER SIMETI: Or a copy of the  
12 resolution.

13 MR. PAKOLA: Let's mark that  
14 Petitioner's E.

15 CHAIRMAN VEZZETTI: This is the one from  
16 February 7, 2003.

17 MR. BRENNER: Rockland Green --

18 CHAIRMAN VEZZETTI: I just want a copy  
19 of the --

20 BOARD MEMBER SIMETI: So just we have an  
21 understanding, because we're approving based  
22 on a representation based upon a global  
23 expectation.

24 MR. BRENNER: This letter went to the  
25 supervisor saying it's going to \$99.

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2 CHAIRMAN VEZZETTI: We have that one.

3 MR. BRENNER: Oh, okay.

4 MR. PAKOLA: Mr. Simeti is asking a  
5 question.

6 CHAIRMAN VEZZETTI: Okay. Tom?

7 BOARD MEMBER SIMETI: Yes, thank you.  
8 Please, if you would.

9 MR. HIEP: I tried calling Jerry Damiani  
10 after that. He was with lawyers all day.  
11 I'm sure it went to \$99. If you can pass a  
12 motion, and then we forward you a letter from  
13 the County --

14 BOARD MEMBER BECKMANN: Yeah, put a  
15 condition on it.

16 MR. HIEP: -- would that be sufficient?  
17 Condition on it being \$99.

18 BOARD MEMBER SIMETI: And the  
19 effective --

20 MR. HIEP: I still call it.

21 BOARD MEMBER SIMETI: That sounds more  
22 like what we're looking for in the first  
23 instance.

24 MR. HIEP: It's just going to be \$99.

25 BOARD MEMBER SIMETI: Some formal

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2 document, a letter, copy of the resolution  
3 that otherwise provides -- the Rockland Green  
4 that provides the amount of the increase,  
5 when it becomes effective.

6 MR. HIEP: It's \$99.

7 BOARD MEMBER SIMETI: I respect the  
8 representation and our global expectation.  
9 But we just want something, because we're  
10 approving this rate, we're considering this  
11 rate --

12 MR. HIEP: Based on \$99.

13 BOARD MEMBER SIMETI: -- based on the  
14 representation that it was approved. It's  
15 not -- there's no formal document in the  
16 record that --

17 BOARD MEMBER BECKMANN: That says it.

18 MR. HIEP: I understand.

19 BOARD MEMBER BECKMANN: Okay. And then  
20 the other thing that I think would be good is  
21 just supply the backup for these, for  
22 Stony Point and for Clarkstown.

23 MR. BRENNER: You want the formal  
24 contract.

25 BOARD MEMBER BECKMANN: Not the formal

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2 contract, just a resolution, that's all.

3 That it was done.

4 BOARD MEMBER SIMETI: I think, well --

5 BOARD MEMBER BECKMANN: How do you call  
6 it?

7 BOARD MEMBER SIMETI: I think what  
8 Mr. Beckmann is asking is for, you know, just  
9 a formal documentation from the respective  
10 towns that identify or support the  
11 representation in the document being  
12 submitted by the petitioner.

13 BOARD MEMBER BECKMANN: That's all.

14 PUBLIC SPEAKER: It's also on the  
15 website, if you want to look it up, Rockland  
16 Green.

17 BOARD MEMBER SIMETI: But that's not our  
18 burden here. So we ask that --

19 BOARD MEMBER BECKMANN: Okay. Counsel  
20 can just submit it.

21 BOARD MEMBER SIMETI: So the petitioner  
22 understands our role and the process. Our  
23 role is to make a record, to have this public  
24 hearing, make a recommendation to the Town  
25 Board. The Town Board is going to have a

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2 record before it. It's going to have the  
3 transcript for the proceeding, the documents  
4 admitted and accepted by the Board, and to  
5 support our recommendation. We would like to  
6 make sure that we have sufficient  
7 documentation and support our recommendation  
8 so the Town Board accepts, obviously, what we  
9 recommend. That's all.

10 MR. HIEP: Okay. So can't you just --  
11 pending \$99, 20 cents on the dollar solves  
12 the whole --

13 MR. BRENNER: No, no. They're going  
14 to --

15 BOARD MEMBER BECKMANN: That's not an  
16 issue. Subject to getting the papers.

17 BOARD MEMBER SIMETI: I'm only talking  
18 about proof issues at this point. Now we're  
19 going to address the increase, the  
20 presentation of the increase.

21 MR. HIEP: Okay.

22 BOARD MEMBER SIMETI: And this -- and a  
23 vote.

24 CHAIRMAN VEZZETTI: All right.

25 BOARD MEMBER SIMETI: Is that right?

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2 CHAIRMAN VEZZETTI: Yes. All right.  
3 Can we have a motion on this? Are there any  
4 more questions?

5 BOARD MEMBER SIMETI: Can the, can  
6 Counsel clarify the vote before the Board?

7 MR. PAKOLA: I'm sorry. Can I  
8 clarify --

9 BOARD MEMBER SIMETI: What's the vote,  
10 what is the vote before the Board at this  
11 point?

12 CHAIRMAN VEZZETTI: The vote is for a  
13 recommendation to the Town Board.

14 MR. PAKOLA: Right. This Commission's  
15 task for this hearing is to make a  
16 recommendation. Either deny it outright, or  
17 recommend approval as submitted, or something  
18 else.

19 BOARD MEMBER SIMETI: And the petitioner  
20 is requesting an increase of \$4.60.

21 CHAIRMAN VEZZETTI: No. No, no, no, no,  
22 no, no, no.

23 BOARD MEMBER SIMETI: Yeah, we  
24 understand. I'm sorry.

25 MR. PAKOLA: Let's clarify that. Is

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2 it -- Exhibit B is what you're questioning,  
3 right?

4 BOARD MEMBER BECKMANN: Right,  
5 Exhibit B. \$4.60.

6 MR. HIEP: Yeah, it would be \$38.10.  
7 And then for the next two years, it will go  
8 up 50 cents per year.

9 MR. BRENNER: But you have it there.

10 MR. HIEP: Exhibit B.

11 BOARD MEMBER HUBER: I just have a  
12 question. Why are you saying it's \$4.60  
13 every year? It's only \$4.60 once, and then  
14 50 cents every year.

15 MR. HIEP: It's the same thing. I added  
16 the 50 cents at the first number. \$33,50,  
17 \$4.35 -- see what I did.

18 BOARD MEMBER HUBER: Oh, yeah, I got  
19 you.

20 MR. HIEP: I added it there. My  
21 secretary -- I wanted it the other way.

22 BOARD MEMBER HUBER: I got it. I  
23 understand.

24 MR. HIEP: See, here I added it there.  
25 Here I added it there.

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2 CHAIRMAN VEZZETTI: Actually, if you  
3 changed it.

4 MR. PAKOLA: I'm sorry, if I can  
5 comment.

6 CHAIRMAN VEZZETTI: Yes.

7 MR. PAKOLA: Mr. Hiep, actually that  
8 first number is what is already approved. So  
9 it's already approved.

10 MR. HIEP: That \$33.50 in January.

11 MR. PAKOLA: And then next year, it's  
12 34. And next, the following year is \$34.50.  
13 So that is what it is.

14 MR. HIEP: It's \$38.10 in January.

15 MR. PAKOLA: So you're just adding \$4.60  
16 per year in addition to what it already is.

17 MR. HIEP: No. It's the first year in  
18 January, the rate will go to \$33.50. I made  
19 it \$4.60. Then it's just an additional  
20 50 cents a year.

21 MR. PAKOLA: Mr. Hiep, my point is that  
22 is what is -- the Town Board already approved  
23 the first number. The Town Board approved  
24 for January 2025 \$34.

25 MR. BRENNER: And what they're saying --

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2 MR. PAKOLA: And for January '26.

3 MR. BRENNER: You're saying \$38.10 plus  
4 the \$4.60.

5 MR. HIEP: No, no. January 2024, it's  
6 \$38.10. January 2025, it's \$38.60. January  
7 '26, it's \$39.10. Just look at the end  
8 numbers.

9 MR. PAKOLA: Correct. But it's just  
10 \$4.60 addition.

11 MR. HIEP: It's only once. I'm just  
12 doing that to show you. It's one \$4.60  
13 addition. And then it's 50 cents. Look at  
14 the first number.

15 MR. PAKOLA: I see.

16 MR. HIEP: See, it went \$35.50, 34. She  
17 did it --

18 MR. PAKOLA: Yeah, that's misleading.

19 CHAIRMAN VEZZETTI: Can you resubmit  
20 this with a -- so it's a little more clear?

21 MR. HIEP: It really is, if you look at  
22 the end numbers.

23 CHAIRMAN VEZZETTI: Now you've explained  
24 it to us, but wait until the Town Board gets  
25 this.

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2 MR. HIEP: I can do whatever you want,  
3 but.

4 MR. BRENNER: What you can do is you  
5 can --

6 BOARD MEMBER HUBER: Take out the other  
7 \$4.60s and put it once.

8 MR. HIEP: Yeah. Yeah, that's all.

9 BOARD MEMBER HUBER: Put 50 cents.

10 MR. HIEP: You're right. Just cross out  
11 the \$4.60 in the middle in the bottom two.  
12 Yeah, I'll do it right here.

13 BOARD MEMBER SIMETI: I think we --

14 CHAIRMAN VEZZETTI: And then go \$3.10  
15 plus.

16 MR. HIEP: The 50 cents I added on the  
17 first number.

18 BOARD MEMBER BECKMANN: We all  
19 understand the math. Just the presentation.

20 BOARD MEMBER SIMETI: So then I respect,  
21 that from your perspective it's, you know,  
22 the total number is important.

23 BOARD MEMBER BECKMANN: From our point  
24 of view.

25 BOARD MEMBER SIMETI: It's only the

1 Proceedings

2 increase that the --

3 MR. PAKOLA: Actually, in looking at  
4 this again, I think it is accurate because  
5 you're adding \$4.60 to each year, what was  
6 previously approved.

7 CHAIRMAN VEZZETTI: Yes, yes.

8 MR. PAKOLA: So that stands. It's only  
9 going up 50 cents, but you're adding \$4.60.

10 MR. HIEP: I understand your confusion.  
11 It was too late when I looked at it.

12 MR. BRENNER: No, no. It's okay the way  
13 it is.

14 CHAIRMAN VEZZETTI: Okay. All right.  
15 As long as everybody's clear and it's  
16 understandable.

17 BOARD MEMBER SIMETI: It's not okay  
18 because it's not -- it's \$38.10 per quarter,  
19 correct? You bill --

20 MR. HIEP: Per month.

21 CHAIRMAN VEZZETTI: Per month.

22 BOARD MEMBER SIMETI: 38 per month?

23 MR. HIEP: Of course.

24 BOARD MEMBER SIMETI: \$4.60, so then  
25 you're adding \$4.60 a month.

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2 MR. HIEP: Of course.

3 BOARD MEMBER SIMETI: I thought you  
4 mentioned last time --

5 MR. HIEP: We bill quarterly. It's a  
6 month.

7 PUBLIC SPEAKER: The price is a month.

8 BOARD MEMBER SIMETI: Oh, you bill  
9 quarterly.

10 MR. HIEP: We bill quarterly.

11 PUBLIC SPEAKER: But bill quarterly,  
12 yes.

13 (Discussion held off the record.)

14 MR. HIEP: So what did -- okay. But if  
15 we have to get the other papers, I can  
16 always --

17 MR. BRENNER: The other papers we will  
18 get.

19 MR. HIEP: And I can do this.

20 CHAIRMAN VEZZETTI: All right. Tom, how  
21 we doing here? All right. Do we have any  
22 more questions? Any more questions? Bill,  
23 Tom, any more questions? No?

24 BOARD MEMBER SIMETI: I motion for an  
25 executive session. Discuss it further.

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2 Because our understanding was --

3 CHAIRMAN VEZZETTI: All right. We have  
4 another motion for executive session. All in  
5 favor?

6 (Response of aye was given.)

7 CHAIRMAN VEZZETTI: All right.

8 (Recess taken.)

9 CHAIRMAN VEZZETTI: All right,  
10 gentlemen. We have been in executive  
11 session. We have a bit of some consternation  
12 here as to how we figure out these figures  
13 were calculated. So what we, what we want to  
14 do is we need better verification of the  
15 figures. And maybe, Bill, you can explain.

16 BOARD MEMBER BECKMANN: We can't figure  
17 out how you got your \$4.60. Okay. Because  
18 we're here just to talk about the increase  
19 and the tipping.

20 CHAIRMAN VEZZETTI: Right.

21 MR. HIEP: \$4.60 is what I took from  
22 Stony Point.

23 BOARD MEMBER BECKMANN: No, no. I  
24 understand that. But we're talking now just  
25 a little different. I understand where you

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2 got your \$4.60 from Stony Point and the  
3 others.

4 MR. HIEP: Applied across.

5 BOARD MEMBER BECKMANN: This is what the  
6 group came up with. We all know it's going  
7 from 76 to 99, a 30 percent increase, \$23 per  
8 ton. They had me do the math. We did an  
9 average of your calculation of tonnage, which  
10 was \$14,000 average from both.

11 MR. HIEP: Hold on. 14 --

12 BOARD MEMBER BECKMANN: Thousand tons.

13 MR. HIEP: What is 14,000 tons?

14 BOARD MEMBER BECKMANN: That's what you  
15 pay at the Solid Waste Authority.

16 (Discussion held off the record.)

17 BOARD MEMBER BECKMANN: Okay, so we got  
18 14,000 tons per year as an average for you,  
19 based on the solid waste information. That  
20 was the tonnage in Orangetown.

21 MR. HIEP: Okay. Robert or Kenneth?

22 BOARD MEMBER BECKMANN: Ken.

23 MR. HIEP: Okay.

24 BOARD MEMBER BECKMANN: Okay. One year  
25 was 14,897. Other years, 12,830 for eleven

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2 months. This is what Mr. Simeti picked up  
3 on. So it comes out to 14,000 times 23 is  
4 322,000 a year, divided by 8,000, which is  
5 your estimate of clients. And that comes out  
6 to \$40.25 for just the increase in tonnage,  
7 if the numbers we have are correct.

8 MR. PAKOLA: So I think if we can just  
9 explain what you're looking at so they can  
10 get us the answer.

11 CHAIRMAN VEZZETTI: It's too -- the  
12 statistics have become a little too  
13 confusing. We need a better basis.

14 MR. BRENNER: If you remember the last  
15 hearing, okay, the last hearing,  
16 Mr. Vezzetti -- not Vezzetti, I'm sorry,  
17 Mr. Simeti.

18 CHAIRMAN VEZZETTI: Simeti.

19 MR. HIEP: He said we can use -- go, you  
20 say.

21 MR. BRENNER: Very specifically, he  
22 brought this up at the last hearing, and we  
23 were told we could not jam the numbers  
24 together. And he said I will either have  
25 those numbers or --

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2 MR. HIEP: Or similar comparisons.

3 MR. BRENNER: -- comparisons. That's  
4 his, that's what he said. We've given you  
5 similar comparisons.

6 MR. HIEP: Same as the last time.

7 MR. BRENNER: Okay. Those are his  
8 words. You want to go back in the minutes,  
9 check the minutes of your own meeting. Those  
10 were his words. We've given you similar -- I  
11 think you're working more with numbers here  
12 because he gave me 12,000 tons as his. The  
13 town has much more garbage than that.

14 BOARD MEMBER SIMETI: No, no. We have  
15 the --

16 CHAIRMAN VEZZETTI: I think that was an  
17 example.

18 BOARD MEMBER SIMETI: That was just an  
19 example. Okay. So I move to put in the two  
20 documents from Rockland Green that reflect  
21 the tonnage and the cost to all carters in  
22 Orangetown for consideration of the Board, as  
23 well as a copy to the petitioner, as I guess  
24 E.

25 MR. PAKOLA: I think it's 4.

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2 BOARD MEMBER SIMETI: 4.

3 CHAIRMAN VEZZETTI: 2 or 4.

4 MR. PAKOLA: Yeah, it's 4. Commission  
5 Exhibit 4, it's a two-page document.

6 Mr. Brenner, there's a copy. And if we can  
7 explain to the petitioner.

8 BOARD MEMBER SIMETI: Rockland Green  
9 provided this document and it reflects -- not  
10 calculations. What does it represent. You  
11 know, tonnage at the landfill for 2022 and  
12 2023 up to March, to November 3, 2023. So  
13 we're trying to figure out, we know what the  
14 carters in Orangetown are paying based on the  
15 tons, and trying to figure out the cost  
16 increase to the carter that's to be passed  
17 along to the customer. And it's very simple.

18 MR. HIEP: It's really not. You left  
19 out Robert Hiep Inc. You left out Rockland  
20 Wastepaper LLC.

21 CHAIRMAN VEZZETTI: I think --

22 BOARD MEMBER SIMETI: That's not, that's  
23 not --

24 BOARD MEMBER BECKMANN: That's not  
25 representative, then.

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2 BOARD MEMBER SIMETI: Then you're  
3 saying -- well, I wouldn't know the  
4 difference. I don't know all the carters,  
5 respectfully. I don't know all the names of  
6 the carters that provide residential waste.  
7 Is this -- this is residential waste, not  
8 commercial. And --

9 CHAIRMAN VEZZETTI: It says residential  
10 on it. So I think --

11 BOARD MEMBER SIMETI: Oh, okay.

12 CHAIRMAN VEZZETTI: I think the issue, I  
13 think the issue is the trying to calculate  
14 this, a fair and reasonable increase, is very  
15 difficult.

16 MR. HIEP: Isn't fair and reasonable the  
17 same as every other town around here?

18 CHAIRMAN VEZZETTI: Well, we have to --  
19 the Board feels that -- I know. But the  
20 Board feels that we have a responsibility to  
21 present a, you know, the facts as best we can  
22 get them based on certain statistics.

23 The other point I want to bring up is on  
24 this one. When we did look at it, we  
25 thought -- didn't we think, feel that this --

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2 this isn't in the record right now. This is  
3 another -- this is the one with the 50 cents,  
4 this. That seemed to be more representative  
5 of what you were doing other than this other  
6 one, which seems -- see the comparisons of  
7 the two? See that there? That's the one  
8 that -- just the way it's presented is what  
9 we're saying.

10 MR. BRENNER: No, no. That sheet can be  
11 modified.

12 CHAIRMAN VEZZETTI: Yeah, that's what  
13 I'm just saying.

14 MR. BRENNER: We don't have a problem  
15 with that.

16 BOARD MEMBER SIMETI: We would like to  
17 have that moved into evidence. Is that it?

18 CHAIRMAN VEZZETTI: The second one in  
19 there.

20 MR. HIEP: You like this one better.

21 CHAIRMAN VEZZETTI: Yeah.

22 MR. HIEP: Showing 50 cents.

23 BOARD MEMBER SIMETI: Correct.

24 CHAIRMAN VEZZETTI: Yes.

25 BOARD MEMBER BECKMANN: Yes.

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2 MR. HIEP: So that's done. So you don't  
3 want to use this one, you want to use this  
4 one.

5 CHAIRMAN VEZZETTI: Well, then we'd have  
6 to --

7 MR. PAKOLA: The exhibits stay as they  
8 are. But that one will be Exhibit E.

9 MR. HIEP: That's fine.

10 MR. BRENNER: Put it in as Exhibit 2 for  
11 clarity purposes.

12 MR. PAKOLA: Exhibit E.

13 MR. HIEP: 3 and \$23.34, put 50 cents  
14 into \$4.60, and then use 50 cents --

15 CHAIRMAN VEZZETTI: Well, we felt  
16 that --

17 MR. HIEP: I understand that.

18 CHAIRMAN VEZZETTI: See what I mean?  
19 The other one is a little confusing.

20 MR. HIEP: Yeah, I understand.

21 CHAIRMAN VEZZETTI: It looks like  
22 there's an increase of \$4.60 every year, even  
23 though there is. But you know what I'm  
24 saying.

25 MR. BRENNER: Okay, though it's --

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2 MR. HIEP: It's clearer.

3 CHAIRMAN VEZZETTI: Yes, exactly.

4 MR. HIEP: So why don't we take this out  
5 and put this in?

6 MR. PAKOLA: We can keep them both.

7 MR. BRENNER: You can keep both. This  
8 will be exhibit what?

9 MR. PAKOLA: It's Exhibit E.

10 MR. BRENNER: And it's being submitted  
11 for clarity purposes.

12 CHAIRMAN VEZZETTI: Do you want to  
13 resolve it?

14 MR. PAKOLA: And if you can vote on  
15 Exhibit E to come in, I recommend that it  
16 comes in.

17 CHAIRMAN VEZZETTI: Yes. There's a  
18 motion to --

19 BOARD MEMBER SIMETI: Motion.

20 CHAIRMAN VEZZETTI: -- allow Exhibit E  
21 be put into the record.

22 MR. HIEP: That's the one you're taking  
23 out.

24 MR. BRENNER: Well, they're going to  
25 leave it in.

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2 MR. PAKOLA: We can keep it.

3 CHAIRMAN VEZZETTI: It's in there, but  
4 that's --

5 MR. BRENNER: We just thought it's  
6 clearer. That's clearer.

7 CHAIRMAN VEZZETTI: We understand. Now  
8 the other question is the concern that the  
9 Board is having is that it's unclear how you  
10 came up with the \$4.60. Is there -- do you  
11 have another means of providing us with  
12 statistics that show a justification for the  
13 \$4.60?

14 MR. HIEP: That's just what I used from  
15 Stony Point, we used in Clarkstown.

16 BOARD MEMBER BECKMANN: We understand  
17 the comparable approach. What the Board is  
18 very concerned about is anybody can sit down  
19 and do the simple math. But when you do the  
20 simple math, it doesn't justify the \$4.60.  
21 It comes in with the number of \$33.35, if you  
22 do some simple math. And that's the issue.  
23 So there has to be something.

24 MR. HIEP: Off of, off of them numbers.

25 BOARD MEMBER BECKMANN: Off the tonnage

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2 numbers that we did. If you just take the  
3 average tonnage.

4 MR. HIEP: But you're missing Robert  
5 Hiep.

6 BOARD MEMBER BECKMANN: No, no, no. I'm  
7 not questioning that. That may show  
8 something different. We just did simple math  
9 at if you were 14,000 tons a year, an  
10 operator, and you have \$23 a ton, and you  
11 have 8,000 clients, it would show out. And  
12 if you had 6,000 clients, the numbers come  
13 out perfect. But at 8,000 clients, it just  
14 doesn't make sense. That's the issue there.  
15 And of course the Board is aware that I know  
16 we have seasonal clients. We have two  
17 families.

18 MR. HIEP: A lot of people don't pay for  
19 service at all.

20 BOARD MEMBER BECKMANN: Right. We have  
21 people that don't pay for service at all.  
22 And we have two families, three families. We  
23 understand all that.

24 So the Board was concerned if somebody  
25 just did simple math on the tonnage, that it

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2 doesn't show a justification for \$4.60. It  
3 would show a justification for about \$3.35.  
4 That's the issue that's here on the simple  
5 math approach. And I know it's not simple  
6 math, but we just did it as simple math.

7 MR. BRENNER: It's only residential.

8 BOARD MEMBER BECKMANN: That's only  
9 residential, correct. That's all we  
10 regulate, is the residential.

11 MR. BRENNER: In other words, you're  
12 only locking this in terms of dumping fees.

13 BOARD MEMBER BECKMANN: Well, the  
14 increase is only --

15 MR. BRENNER: What about the  
16 differential costs of running the operation?

17 BOARD MEMBER BECKMANN: Well, that's not  
18 in front of the Board right now.

19 CHAIRMAN VEZZETTI: Our last -- but that  
20 was the last, the basis for the last  
21 increase, right.

22 BOARD MEMBER HUBER: Yeah.

23 BOARD MEMBER BECKMANN: The last  
24 increase was basis. We're here on the --

25 CHAIRMAN VEZZETTI: We're just on the

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2 dumping fees. We just need --

3 MR. BRENNER: But our lovely government  
4 is wash the money some more down, by printing  
5 more.

6 BOARD MEMBER BECKMANN: No, we  
7 understand that, so.

8 MR. HIEP: So how many residents are  
9 there?

10 BOARD MEMBER BECKMANN: That's a good  
11 question.

12 MR. PAKOLA: If I can say, you're the  
13 witness, not this Board. I mean.

14 MR. BRENNER: Well, you presented this.  
15 That's the only reason we're asking.

16 MR. PAKOLA: Right. But I mean --

17 BOARD MEMBER BECKMANN: No, we just did  
18 simple math, that's all. The simple math  
19 portion of it, that's all. That's all we're  
20 concerned about. And we know there's other  
21 costs besides the tipping fees.

22 MR. BRENNER: Well, I think we should  
23 ask for a temporary -- can we come back next  
24 week or something like that? If we can't, we  
25 can't.

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2 BOARD MEMBER BECKMANN: We understand.

3 MR. BRENNER: There's a time factor  
4 here.

5 CHAIRMAN VEZZETTI: Yeah, we realize  
6 that. All right. We'll have --

7 BOARD MEMBER HUBER: I think the only  
8 thing that we're looking for is just a little  
9 more clarification on your \$4.60 when we get  
10 \$3.35.

11 BOARD MEMBER BECKMANN: We understand  
12 clearly \$3.35 out of the \$4.60. That math  
13 works.

14 BOARD MEMBER SIMETI: But it also needs  
15 to be documentation. Not documentation  
16 prepared for the hearing. It needs to be  
17 actual documentation that's supported by  
18 certification under business record rule so  
19 that there is an accurate representation, not  
20 an estimation, of what the cost and what the  
21 household, how many customers there are for  
22 every carter that would benefit from this  
23 increase.

24 MR. PAKOLA: But I don't know if  
25 Mr. Hiep has to be responsible for everyone.

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2 I think we can --

3 BOARD MEMBER SIMETI: Oh, no. Mr. Hiep  
4 isn't.

5 MR. PAKOLA: -- treat Mr. Hiep as  
6 representative.

7 BOARD MEMBER SIMETI: He's not -- no,  
8 he's just a witness. I understand that  
9 Mr. Brenner represents the carters, is that  
10 correct?

11 MR. PAKOLA: Many of the carters.

12 BOARD MEMBER SIMETI: He's not  
13 representing one company. He's representing  
14 the carters before the Board. So he has  
15 access to the, he has access to the clients  
16 that have the information. I think it's  
17 simple. I don't know. And then we can  
18 fairly accurately compute what the cost  
19 consequence is to the customer because of the  
20 increase in the tipping fee to be paid by the  
21 carter. Is there another way?

22 CHAIRMAN VEZZETTI: Well, that's what  
23 we'll ask for. See what we can get.

24 BOARD MEMBER SIMETI: Okay.

25 CHAIRMAN VEZZETTI: And we'd also

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2 request a, if you can get a, the notification  
3 or copy of the resolution of Rockland Green  
4 to verify it. Right?

5 BOARD MEMBER BECKMANN: Yeah. Rockland  
6 Green and then the backup for the other ones,  
7 too. Just a piece of paper.

8 BOARD MEMBER SIMETI: Or the letter from  
9 Rockland Green that goes out to the carters  
10 that notify them of the increase.

11 CHAIRMAN VEZZETTI: Yeah, that all.  
12 Anything.

13 BOARD MEMBER SIMETI: I mean, that's,  
14 that would be acceptable, I believe, subject  
15 to Board approval and Counsel's  
16 recommendation.

17 CHAIRMAN VEZZETTI: All right. Make a  
18 motion?

19 MR. BRENNER: Well.

20 MR. PAKOLA: Mr. Brenner, just to make  
21 sure that you know what is being asked.

22 MR. BRENNER: Well, I was going to have  
23 to -- I really, I understand what you're  
24 looking for. I don't know if we can get that  
25 data. That's one of the problems. I'm going

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2 to have to get the data. I'm just --

3 BOARD MEMBER SIMETI: So then,  
4 Mr. Brenner, I'll ask you and your client for  
5 a methodology in which to pass along this  
6 cost increase. That's all.

7 (Discussion held off the record.)

8 MR. BRENNER: I would like a  
9 continuation to get you the information  
10 you're looking for.

11 CHAIRMAN VEZZETTI: Okay. There's a  
12 request for continuation. Can we set a date  
13 for another public hearing?

14 MR. PAKOLA: If we announce it right  
15 now, since this is a public hearing, we don't  
16 have to publish notice. That would be the  
17 best. So what date?

18 BOARD MEMBER BECKMANN: How about  
19 December 6th?

20 CHAIRMAN VEZZETTI: December 6th.

21 MR. HIEP: So this is going to go into  
22 next year.

23 BOARD MEMBER BECKMANN: No, no.

24 MR. HIEP: Can I say something really  
25 quick?

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2 MR. HIEP: Yes, it does, because first  
3 there has to be the Town Board.

4 CHAIRMAN VEZZETTI: It goes to the Town  
5 Board.

6 MR. HIEP: Then there has to be a public  
7 hearing for the Town Board to vote.

8 MR. BRENNER: No.

9 MR. PAKOLA: Keep in mind it doesn't  
10 have to be public for the Town Board. And  
11 this is the public hearing.

12 MR. HIEP: Last time we had to wait  
13 until --

14 MR. BRENNER: Well, she didn't put it on  
15 the agenda the last time.

16 BOARD MEMBER SIMETI: When is the Town  
17 Board meeting in December?

18 MR. PAKOLA: I'm not sure.

19 MR. BRENNER: We got to find out when  
20 the Town Board meeting is in December.

21 BOARD MEMBER HUBER: Bill said the  
22 second Tuesday in December. The 12th, should  
23 be the 12th.

24 CHAIRMAN VEZZETTI: So we can get it  
25 done on the 6th. All right. Your request

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2 for --

3 MR. HIEP: Can I say something really  
4 quick? So my father gave you an estimate of  
5 8,000 houses. That's out of all the  
6 companies that he owns combined. So your  
7 figure of whatever you said, five, 7,000 --

8 BOARD MEMBER BECKMANN: We just did  
9 simple math based on what we were told.

10 MR. HIEP: I know, but --

11 BOARD MEMBER BECKMANN: So we have to  
12 get the math.

13 MR. HIEP: But you were based on Kenneth  
14 Hiep.

15 BOARD MEMBER BECKMANN: Yeah.

16 MR. HIEP: Yes. But he has other  
17 companies that also pick up here.

18 BOARD MEMBER BECKMANN: Correct.

19 MR. HIEP: And also if they're in a  
20 different truck. Sometimes they're  
21 dumping --

22 BOARD MEMBER BECKMANN: That's fine. If  
23 it was 6,000 into the --

24 MR. BRENNER: I have to give you the  
25 justification for the tonnage.

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2 CHAIRMAN VEZZETTI: Right.

3 MR. BRENNER: And his costs are going up  
4 because of this tonnage.

5 CHAIRMAN VEZZETTI: Right.

6 MR. BRENNER: Okay.

7 CHAIRMAN VEZZETTI: That's what we're  
8 asking. That's all we're asking.

9 MR. BRENNER: It's costing you more to  
10 deliver it to the heavier trucks. I have to  
11 give you a case to support it. I understand  
12 what he's saying.

13 BOARD MEMBER SIMETI: But help me  
14 understand. It's just a cost increase. It's  
15 not a population density increase. So it's  
16 really simple math the way I see it.

17 MR. BRENNER: Well, it's not simple math  
18 because if I have a truck now that's going to  
19 make more trips because --

20 BOARD MEMBER SIMETI: Okay. You know  
21 what, you don't have to present it tonight.  
22 You can make your presentation on the 12th --  
23 6th.

24 MR. BRENNER: Okay.

25 BOARD MEMBER SIMETI: That's fine. If

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2 you want to give it to us in advance so we  
3 have an ability to view it.

4 MR. BRENNER: I will try.

5 BOARD MEMBER SIMETI: I respect that  
6 it's a difficult task.

7 CHAIRMAN VEZZETTI: It's not so simple  
8 as to say okay, the tipping fee's going up  
9 from, what was it, 77 or --

10 BOARD MEMBER HUBER: 76.

11 CHAIRMAN VEZZETTI: 76 to 99, and divide  
12 it by something. We don't have anything to  
13 do that, to verify why it would be a \$4.60  
14 increase the first year. We just want  
15 something to be able to say this is how it  
16 was presented.

17 MR. HIEP: It's just the number everyone  
18 uses.

19 BOARD MEMBER BECKMANN: And we  
20 understand it's the comparables. We  
21 understand the comparables.

22 MR. HIEP: That's what we were told to  
23 bring.

24 BOARD MEMBER BECKMANN: I understand  
25 that. Here's the math issue that has to be

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2 resolved. That's all. Because the math  
3 issue just shows a little different number.  
4 That's the issue.

5 MR. BRENNER: So what you're really  
6 saying is the other towns may be overpaying  
7 tremendously.

8 BOARD MEMBER BECKMANN: No, I'm not  
9 saying that. I'm just saying right now, just  
10 doing the simple, stupid math, okay, based on  
11 the information we have, it didn't work out.  
12 Worked out 70 percent of it, but didn't work  
13 out a hundred percent.

14 MR. HIEP: So how do I get --

15 CHAIRMAN VEZZETTI: Motion to --

16 MR. HIEP: -- costs from my other  
17 business.

18 BOARD MEMBER SIMETI: Mr. Chairman, I'll  
19 defer. I'll defer to the petitioner for  
20 their methodology. And then we'll have an  
21 opportunity to review it and make a decision.  
22 Maybe they'll come.

23 CHAIRMAN VEZZETTI: All right. So  
24 you're saying that whatever they present  
25 us --

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2 BOARD MEMBER SIMETI: Whatever they  
3 present us, we'll consider.

4 CHAIRMAN VEZZETTI: -- to verify it,  
5 we'll consider.

6 MR. HIEP: This is very difficult.

7 CHAIRMAN VEZZETTI: It is. I know it  
8 is. Trying to figure it out is not easy.  
9 So. But.

10 MR. HIEP: So where are my other two --  
11 where's all the other residential? Oh,  
12 you're missing Robert Hiep Inc.

13 BOARD MEMBER SIMETI: This is --

14 MR. HIEP: This is a very difficult way  
15 to do it.

16 MR. PAKOLA: Mr. Hiep, you're not tied  
17 to that, though. You can present your own.

18 CHAIRMAN VEZZETTI: Yes.

19 MR. HIEP: Okay. Now my father's going  
20 to take one of my routes and break it down to  
21 a certain amount of houses, and then get the  
22 weights for a week, and multiply them by  
23 4.33.

24 MR. PAKOLA: I think as long as you give  
25 the Board, the Commission some basis.

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2 BOARD MEMBER BECKMANN: Any  
3 methodologies.

4 MR. HIEP: That would be easier for me.

5 BOARD MEMBER BECKMANN: When I was a  
6 baby, okay, we used to use 5.5 pounds per day  
7 per person, and computed it out the old ways  
8 before recycling came, and we had it down to  
9 a science years and years ago. But today,  
10 everything is changed, so.

11 MR. HIEP: I mean, if I can grab a  
12 hundred houses.

13 BOARD MEMBER BECKMANN: It doesn't  
14 matter. Something like you said. I know  
15 statistically, if you have more than 30 in a  
16 statistical model, that works perfectly. The  
17 statistics are good on 30 samples without a  
18 problem.

19 MR. HIEP: All right. So we have --

20 MR. PAKOLA: Okay. If someone else is  
21 talking, you need your name for the record.  
22 What's your name?

23 MR. HIEP: No, I understand. So I  
24 can -- you just want me to sort of break down  
25 costs per house. I can do it with 50 houses,

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2 a hundred houses, in a mini packer. I can  
3 control it, dump it separately, keep the dump  
4 receipt for a week, multiply it times 4.33.  
5 It's my monthly cost.

6 BOARD MEMBER BECKMANN: Correct.  
7 Because the simple math -- simple math,  
8 okay -- supports \$3.35 just doing it very  
9 simple without the thinking. And I know  
10 there's a tremendous more amount to think  
11 about.

12 MR. HIEP: All right. I'm going to  
13 probably try to do something like that.

14 CHAIRMAN VEZZETTI: That should be okay.

15 BOARD MEMBER SIMETI: I was hoping it  
16 was simple.

17 CHAIRMAN VEZZETTI: It hasn't been  
18 simple.

19 BOARD MEMBER SIMETI: But it should be.  
20 But maybe I don't understand.

21 CHAIRMAN VEZZETTI: Well, the question,  
22 you know, when you get right down to it, I  
23 know what you presented was based on what the  
24 other towns did. But the question that we  
25 had is where did they come up with this,

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2 right? How did they come up with this  
3 particular number? We don't know. And we  
4 were trying to figure it out, right? And it  
5 wasn't coming out. Well, if we can't figure  
6 this out, maybe you can show us how. So  
7 that's what we feel is, we need for the  
8 public and for the Board.

9 MR. HIEP: Okay.

10 BOARD MEMBER SIMETI: Thank you for your  
11 time. We respect that. We're just trying to  
12 make it right for everybody.

13 CHAIRMAN VEZZETTI: So we'll have a  
14 motion to adjourn, or a motion to postpone?

15 BOARD MEMBER SIMETI: A motion to  
16 December 6th.

17 BOARD MEMBER BECKMANN: A motion for a  
18 continuance.

19 CHAIRMAN VEZZETTI: A motion for a  
20 continuance to December 6th. At 5:00, right?

21 MR. PAKOLA: 5:15, I think.

22 CHAIRMAN VEZZETTI: What's that?

23 BOARD MEMBER SIMETI: I can't get here  
24 before 5:15.

25 CHAIRMAN VEZZETTI: Okay. 5:15, then,

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right?

BOARD MEMBER SIMETI: Yeah.

CHAIRMAN VEZZETTI: Okay, for 5:15. All  
those in favor?

(Response of aye was given.)


CHAIRMAN VEZZETTI: Okay. So see you on  
the 6th, 5:15.

(Time noted: 7:25 p.m.)

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THE FOREGOING IS CERTIFIED to be a true  
and correct transcription of the original  
stenographic minutes to the best of my ability.

  
Jennifer L. Johnson



## LAWYER NOTES/ERRATA SHEET

[illegible]**Print Name:**

**Sworn or affirmed to before me this**

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

**Notary Public**

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Exhibits -

*Donald Brenner, P.E., LL.B.*

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*Phone 845-359-2210*

*Fax 845-359-8070*

October 27, 2023

via email: [rsfraga@orangetown.com](mailto:rsfraga@orangetown.com)

Rosanna Sfraga, Town Clerk  
Town of Orangetown  
26 W. Orangeburg Road  
Orangeburg, NY 10962

Re: Residential Garbage Haulers  
Town on Orangetown  
23-1394-9

Dear Mrs. Sfraga, Town Clerk:

In accordance with Section 17B - Subsection 6 the Residential Haulers in the Town are requesting that the Sanitation Commissioner schedule a public hearing to modify the rates due to the projected increase charges at the County receiving station.

By copy of this letter I am informing the Town's Deputy Attorney, Richard Pakola and the Town's Clerk to the Sanitation Board, Stephen Munno.

Very truly yours,

*Donald Brenner*  
Donald Brenner

DB/hi

cc: Deputy Town Attorney, Richard Pakola  
Sanitation Board  
Orangetown Residential Haulers

# ROCKLAND COUNTY TIMES

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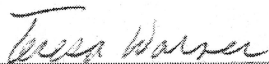
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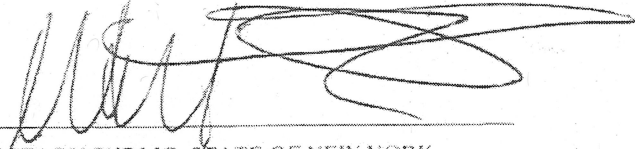
TERESA WARNER of the Town of Orangetown, County of Rockland,  
State of New York, being duly sworn says that she is the Principal Clerk of the  
ROCKLAND COUNTY TIMES, a newspaper published in the Town of Clarkstown,  
County of Rockland, State of New York, and that the legal notice of which the  
annexed is a copy was published in the issue of: *November 2, 2023.*



TERESA WARNER

Sworn to before me this

*2* day of *November* 2023



NOTARY PUBLIC, STATE OF NEW YORK

WALTER H SANCHEZ  
Notary Public, State of New York  
Registration No. 01SA4857488  
Qualified in Queens County  
Filed in Rockland County  
Commission Expires April 21, 2026

### PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town of Orangetown Sanitation Commission on the 15th day of November, 2023, at 5:30 PM, at Orangetown Town Hall, 26 Orangeburg Road, Orangeburg, New York, to consider pursuant to Chapter 17B of the Town Code, "Garbage Removal," section 6, "Charges," the Petition of Donald Brenner on behalf of the licensed garbage haulers of the Town of Orangetown for a modification to rates and whether the Sanitation Commission should recommend to the Town Board that the Town Board amend the currently authorized rate schedule.

At the time and place of the public hearing specified above, all interested persons will be given an opportunity to be heard.

By order of the Sanitation Commission of the Town of Orangetown.

Dated: November 1, 2023

Stephen F. Munno, Acting  
Clerk  
Sanitation Commission  
Rosanna Sfraga  
Town Clerk

1x11-2/27/101

*Commission Ex. 2*

**RESOLUTION NO. 283 – Continued**

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

**RESOLUTION NO. 284****APPROVE / GARBAGE HAULERS / MONTHLY RATE INCREASE**

**WHEREAS**, in a letter dated March 25, 2022, Donald Brenner, Esq., as attorney and on behalf of the licensed garbage haulers of the Town of Orangetown, requested an increase in the authorized rates for the collection of garbage within the Town of Orangetown; and

**WHEREAS**, pursuant to Town Code Section 17B-6.C, the Town of Orangetown Sanitation Commission on April 27, 2022 duly held a public hearing on the matter; and

**WHEREAS**, the Orangetown Sanitation Commission, after considering the testimony and exhibits entered into evidence at the public hearing, recommends to the Town Board pursuant to Section 17B-6.H of the Town Code that the Town Board approve a rate increase for the garbage haulers in the Town of Orangetown from \$30.00 per month to \$32.50 per month effective July 2022 with a \$0.50 increase annually in January for a period of four years thereafter.

**NOW, THEREFORE, BE IT RESOLVED**, pursuant to Section 17B-6.I of the Town of Orangetown Town Code, the following monthly rate increases are hereby approved and authorized as follows:

Year	Effective Date	Amount
2022	7/1/2022	\$32.50
2023	1/1/2023	\$33.00
2024	1/1/2024	\$33.50
2025	1/1/2025	\$34.00
2026	1/1/2026	\$34.50

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Thomas Diviny and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

**RESOLUTION NO. 285****APPOINT T. P. BAILEY / CHAIRPERSON / ORANGETOWN PARKS AND RECREATION DEVELOPMENT ADVISORY COMMITTEE / 2022 / 1-YEAR TERM**

**RESOLVED**, that T. P. Bailey is hereby appointed Chairperson of the Orangetown Parks and Recreation Development Advisory Committee, for a 1-year term, commencing January 01, 2022, and expires on December 31, 2022.

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 5 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Supervisor Teresa M. Kenny, Councilperson Brian Donohue

Noes: None

## RESIDENTIAL PICK UP GARBAGE FOR JANUARY 2024 - DECEMBER 2028

Garbage Collection (Unit price per eligible dwelling unit per month)

Year	Town of Orangetown	Town of Clarkstown	Town of Stony Point
2024	\$38.10	\$38.08	\$37.95
2025	\$38.60	\$39.42	\$38.45
2026	\$39.10	\$41.80	\$38.94
2027		\$43.22	\$39.45
2028		\$44.43	

Petitioner's Ex "A"

**Town of Orangetown Residential Pick-Up Rate**  
**Residential Pick-up of Garbage for January 2024 –**  
**December 2027**

Unit cost for the period January 2024 through December 31 2027.

Garbage Collection (Unit price per eligible dwelling unit per month)

(Based on Rockland Green's Tipping increase to \$99.00/ton starting January 1, 2024)

January 2024 -                    \$ 33.50 + 4.60 = \$38.10

January 2025 -                    \$ 34.00 + 4.60 = \$38.60

January 2026 -                    \$ 34.50 + 4.60 = \$ 39.10

Petitioner's Ex "B"

**Town of Clarkstown Residential Pick-Up Rate**  
**Residential Pick-up of Garbage for January 2024 –**  
**December 2028**

Unit cost for the period January 2024 through December 31 2028.

Garbage Collection (Unit price per eligible dwelling unit per month)

(Based on Rockland Green's Tipping increase to \$99.00/ton starting January 1, 2024)

January 2024 -	<u>\$ 38.08</u>
January 2025 -	<u>\$ 38.08 + 1.34 = \$39.42</u>
January 2026 -	<u>\$ 39.42 + 2.38 = \$41.80</u>
January 2027 -	<u>\$ 41.80 + 1.42 = \$43.22</u>
January 2028 -	<u>\$ 44.22 + 1.21 = \$44.43</u>

Peterson's Ex. "C"

**Town of Stony Point Residential Pick-Up Rate**  
**Residential Pick-up of Garbage for January 2024 –**  
**December 2028**

Unit cost for the period January 2024 through December 31 2028.

Garbage Collection (Unit price per eligible dwelling unit per month)

(Based on Rockland Green's Tipping increase to \$99.00/ton starting January 1, 2024)

January 2024 -	<u>\$ 33.35 + 4.60 = \$37.95</u>
January 2025 -	<u>\$ 37.95 + 0.50 = \$38.45</u>
January 2026 -	<u>\$ 38.45 + 0.50 = \$38.95</u>
January 2027 -	<u>\$ 38.95 + 0.50 = \$39.45</u>

Petitioner's Ex. "D"

*Donald Brenner, P.E., LL.B.*

*Attorney-At-Law • Professional Engineer  
4 Independence Avenue, Tappan, New York 10983*

*Phone 845-359-2210*

*Fax 845-359-8070*

**MEMORANDUM**

**TO:** Sanitation Commission and Sanitation Board  
Town of Orangetown

**FROM:** Donald Brenner P.E., LL.B

**DATE:** December 5, 2023

**RE:** Orangetown Residential Garbage Haulers  
Rate Adjustment  
23-1394-9

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The Commission held a public hearing on November 15, 2023 when haulers informed the Board that the Rockland County Solid Waste Management Authority where increasing the rate charge at the Transfer Station (for residential uses) to \$99.00 per ton (see Appendix A and Appendix B).

The Board requested that the haulers provide them with additional data to support an adjustment to their charges based on this increase.

Therefore, the following data is being place onto the Record.

Exhibit "F"

Hauler No. 1 - Donato Marangi Inc.  
Collection Date: December 1, 2023 (see Appendix C)

<u>ITEM</u>	<u>DATA</u>
Pickup Dates	
Tuesday	3,500 lbs
Friday	<u>2,300 lbs</u>
Weekly Total	5,800 lbs
Yearly (times 52)	301,600 lbs
Number of Houses Serviced	60
Yearly lbs (household)	5,026.67 lbs
Converse to Tons (divide by 2,000)	2.52 tons
Increase in dumping fee (\$99 - \$76)	\$23.00
Increase in Cost Yearly (2.52 x \$23)	\$57.96
Monthly increase in cost (divide by 12)	\$4.83

Hauler No. 2 - Deluca Sanitation Corp.  
Collection Date: November 17, 2023 and  
November 21, 2023(see Appendix D)

<u>ITEM</u>	<u>DATA</u>
Pickup Dates	
Tuesday	2,420 lbs
Friday	<u>2,980 lbs</u>
Weekly Total	5,400 lbs
Yearly (times 52)	280,800 lbs
Number of Houses Serviced	50
Yearly lbs (household)	5,616 lbs
Converse to Tons (divide by 2,000)	2.81 tons
Increase in dumping fee (\$99 - \$76)	\$23.00
Increase in Cost Yearly (2.81 x \$23)	\$64.63
Monthly increase in cost (divide by 12)	\$5.39

Hauler No. 3 - Heip Inc.  
Collection Date: November 28, 2023 and  
December 1, 2023(see Appendix E)

<u>ITEM</u>	<u>DATA</u>
Pickup Dates	
Tuesday	3,060 lbs
Friday	<u>2,280 lbs</u>
Weekly Total	5,340 lbs
Yearly (times 52)	277,680 lbs
Number of Houses Serviced	60
Yearly lbs (household)	4,628 lbs
Converse to Tons (divide by 2,000)	2.32 tons
Increase in dumping fee (\$99 - \$76)	\$23.00
Increase in Cost Yearly (2.32 x \$23)	\$53.36
Monthly increase in cost (divide by 12)	\$4.45

*Donald Brenner, P.E., L.L.B.*

Sanitation Commission and Sanitation Board Town of Orangetown  
Town of Orangetown

December 5, 2023  
Page 2 of 2

Accordingly, the revised monthly cost would be:

Town of Orangetown Residential Pick-Up Charge

Residential Pick-up of Garbage for January 2024 - December 2027

Unit cost for the period January 2024 through December 31, 2027.

Garbage Collection (Unit price per eligible dwelling unit per month)  
(Base on Rockland Green’s Tipping increase to \$99.00/ton starting January 1, 2024)

January 2024	-	<u>\$33.50 + 4.60 =</u>	<u>\$38.10</u>
January 2025	-	<u>\$38.10 + .50 =</u>	<u>\$38.60</u>
January 2026	-	<u>\$38.60 + .50 =</u>	<u>\$39.10</u>

DB/hi

---

## **Appendix A**

**ROCKLAND COUNTY SOLID WASTE MANAGEMENT AUTHORITY**  
**2024 Proposed Rate Schedule for Authority Facilities**

**2024 Rates**  
**Per Ton**

**Transfer Station**

Acceptable Waste:

In-County (Municipal Residential)	\$	99.00
In-County (Commercial)	\$	124.00
Out-of-County/State	\$	124.00

Tires:

Car each	\$	6.00
Truck each	\$	20.00
Per Ton	\$	400.00

Scrap Metal / Ton

N/C

**Cocomposting Facility (per ton)\***

Clean Unprocessed Wood Waste:	\$	25.00
Clean Chipped Wood	N/C	
Wood Pallets	\$	10.00
Brush	\$	57.00

**Concrete Crushing Facility**

Asphalt	\$	23.00
Concrete	\$	23.00
Surcharge for Concrete w/PSI of 3,500 or greater (per ton)	\$	25.00
Oversize Charges (per load):		
Rate 1 (Less than 10 ton truck)	\$	30.00
Rate 2 (10-15 ton truck)	\$	60.00
Rate 3 (15 tons & Up)	\$	200.00

**Yard Waste Facility - Clarkstown**

Leaves (Out of County/Commercial)	\$	51.00
Grass	\$	70.00
Brush	\$	57.00
Mixed Yard Waste	\$	105.00
Stumps	\$	150.00

*\* All loads of chipped or unprocessed clean wood (uncoated, untreated, unpainted and unstained wood or lumber) must be inspected by the Cocomposting facility operator, who has the authorization to approve or disapprove all deliveries. Unacceptable material, residue, or contaminated wood must be removed at generator/hauler expense and disposed of at their expense. In addition, the Authority will price clean chipped wood based on market conditions.*

## **Appendix B**

# ROCKLAND COUNTY TIMES

Offices: 119 Main Street (2nd Floor) • Nanuet, NY 10954-2882 • Tel: (845) 627-1414 • Fax: (845) 627-1411

Legal Notice

(Ref. No.: 27101)

## AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK )  
COUNTY OF ROCKLAND )

TERESA WARNER of the Town of Orangetown, County of Rockland,  
State of New York, being duly sworn says that she is the Principal Clerk of the  
ROCKLAND COUNTY TIMES, a newspaper published in the Town of Clarkstown,  
County of Rockland, State of New York, and that the legal notice of which the  
annexed is a copy was published in the issue of: *November 2, 2023.*

*Teresa Warner*

TERESA WARNER

Sworn to before me this

*2* day of *November*, 2023

*[Signature]*

NOTARY PUBLIC, STATE OF NEW YORK

WALTER H SANCHEZ  
Notary Public, State of New York  
Registration No. 01SA4857488  
Qualified in Queens County  
Filed in Rockland County  
Commission Expires April 21, 2026

### PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town of Orangetown Sanitation Commission on the 15th day of November, 2023, at 5:30 P.M. at Orangetown Town Hall, 26 Orangeburg Road, Orangeburg, New York, to consider pursuant to Chapter 17B of the Town Code, "Garbage Removal," section 8, "Charges," the Petition of Donald Brenner on behalf of the licensed garbage haulers of the Town of Orangetown for a modification to rates and whether the Sanitation Commission should recommend to the Town Board that the Town Board amend the currently authorized rate schedule.

At the time and place of the public hearing specified above, all interested persons will be given an opportunity to be heard.

By order of the Sanitation Commission of the Town of Orangetown.

Dated: November 1, 2023

Stephen F. Munno, Acting  
Clerk  
Sanitation Commission  
Rosanna Straga  
Town Clerk

11-227101

Commission Expires 2026

## **Appendix C**

ROCKLAND COUNTY SWMA (dba ROCKLAND GREEN)  
1/2 MAIN STREET NANUET, NY 10954  
PHONE: (845) 753-2200 FAX: (845) 753-2281

SITE

Clarkstown

HAULER ID

Donat

FK

BILL TO Donat				BILL TO DONATO MARANGI INC.				BILL TO 175 Route 303 Valley Cottage, NY 10989			
SITE 02	DATE 12/01/23	ENTRY TIME 08:29	OPER ELA	EXIT TIME 08:29	OPER ELA	GROSS WEIGHT 16420	TARE WEIGHT 14120	NET WEIGHT 2300			
VEHICLE/TRAILER # -5880		VEHICLE TYPE Packer Truck		TICKET NUMBER 2960132		MANIFEST#/BOL		C.C TYPE/FACILITY Transfer Stati		REFERENCE 72931ND	
DESCRIPTION WM (Municipal/Residential MSW Clarks				QTY 1.15	UNITS TN	RATE \$76.00	AMOUNT \$87.40	ORIGIN Pearl River			
C.C. APPROVAL: 161083 - Token				C.C. HOLDER NAME:				C.C. NUMBER			
RECYCLE				REBATE							
YES	NO	WAX	GARBAGE	MIX	OTHER		MRF SIGNATURE				

I hereby certify that the above information is true to the best of my knowledge. If this is a credit card transaction, the cardholder will pay card issuer the above amount pursuant to the cardholder agreement (Merchant agreement if credit card voucher).

INT  
te:

SIGNATURE

TOTAL  
\$87.40

ROCKLAND COUNTY SWMA (dba ROCKLAND GREEN)  
1/2 MAIN STREET NANUET, NY 10954  
PHONE: (845) 753-2200 FAX: (845) 753-2281

SITE

Clarkstown

HAULER ID

Donat

BILL TO				BILL TO DONATO MARANGI INC.				BILL TO 175 Route 303 Valley Cottage, NY 10989			
DATE 11/28/23	ENTRY TIME 07:26	OPER ELA	EXIT TIME 07:26	OPER ELA	GROSS WEIGHT 17620	TARE WEIGHT 14120	NET WEIGHT 3500				
VEHICLE/TRAILER # -5880		VEHICLE TYPE Packer Truck		TICKET NUMBER 2959300		MANIFEST#/BOL		C.C TYPE/FACILITY Transfer Stati		REFERENCE 72931ND	
DESCRIPTION WM (Municipal/Residential MSW Clarks				QTY 1.75	UNITS TN	RATE \$76.00	AMOUNT \$133.00	ORIGIN Pearl River			
C.C. APPROVAL: 187891 - Token				C.C. HOLDER NAME:				C.C. NUMBER			
RECYCLE				REBATE							
YES	NO	WAX	GARBAGE	MIX	OTHER		MRF SIGNATURE				

I hereby certify that the above information is true to the best of my knowledge. If this is a credit card transaction, the cardholder will pay card issuer the above amount pursuant to the cardholder agreement (Merchant agreement if credit card voucher).

SIGNATURE

TOTAL  
\$133.00

## **Appendix D**

E: (845) 753-2200 FAX: (845) 753-2281

Clarkstown

DELUCA

BILL TO				BILL TO				BILL TO			
UCA				DELUCA SANITATION CORP.				PO Box 65 Congers, NY 10920			
SITE	DATE	ENTRY TIME	OPER	EXIT TIME	OPER	GROSS WEIGHT	TARE WEIGHT	NET WEIGHT			
2	11/17/23	09:40	MY	09:40	MY	23700	21280	2420			
VEHICLE NUMBER		VEHICLE TYPE		TICKET NUMBER		MANIFEST#/BOL		C.C TYPE/FACILITY		REFERENCE	
2-8155		Packer Truck		2957310				Transfer Stati			
2226NC										Tipping - Clarkstown	
DESCRIPTION				QTY	UNITS	RATE	AMOUNT	ORIGIN			
(Municipal/Residential MSW Clarks				1.21	TN	\$76.00	\$91.96	Orangetown			
APPROVAL: 00614G				C.C. HOLDER NAME: DELUCA/ROBERT				C.C. NUMBER XXXXXXXXXXXX4644			
Credit Card											
				RECYCLE		REBATE		LOOSE OCC		BALED OCC	
YES	NO	WAX	GARBAGE		MIX	OTHER		MRF SIGNATURE			

I hereby certify that the above information is true to the best of my knowledge. If this is a credit card transaction, the cardholder will pay card issuer the above amount pursuant to the cardholder agreement (Merchant agreement if credit voucher).

TOTAL

\$91.96

SIGNATURE

AND COUNTY SWMA (dba ROCKLAND GREEN)  
MAIN STREET NANUET, NY 10954  
E: (845) 753-2200 FAX: (845) 753-2281

SITE

HAULER ID

Clarkstown

DELUCA

BILL TO				BILL TO				BILL TO			
UCA				DELUCA SANITATION CORP.				PO Box 65 Congers, NY 10920			
SITE	DATE	ENTRY TIME	OPER	EXIT TIME	OPER	GROSS WEIGHT	TARE WEIGHT	NET WEIGHT			
	11/21/23	07:05	ELA	07:05	ELA	40980	38000	2980			
VEHICLE/TRAILER #		VEHICLE TYPE		TICKET NUMBER		MANIFEST#/BOL		C.C TYPE/FACILITY		REFERENCE	
07		Packer Truck		2958043				Transfer Stati		95625JV	
DESCRIPTION				QTY	UNITS	RATE	AMOUNT	ORIGIN			
(Municipal/Residential MSW Clarks				1.49	TN	\$76.00	\$113.24	Orangetown			
APPROVAL: 05562G				C.C. HOLDER NAME:				C.C. NUMBER XXXXXXXXXXXX8			
Credit Card											
				RECYCLE		REBATE					
YES	NO	WAX	GARBAGE		MIX	OTHER		MRF SIGNATURE			

I hereby certify that the above information is true to the best of my knowledge. If this is a credit card transaction, the cardholder will pay card issuer the above amount pursuant to the cardholder agreement (Merchant agreement if credit voucher).

TOTAL

\$113.24

SIGNATURE

## **Appendix E**

ROCKLAND COUNTY SWMA (dba ROCKLAND GREEN)  
MAIN STREET NANUET, NY 10954  
PHONE: (845) 753-2200 FAX: (845) 753-2281

SITE  
Clarkstown

HAULER ID  
Hiepr

BILL TO eppr				BILL TO ROBERT HIEP, INC.				BILL TO 22 Snake Hill Road West Nyack, NY 10994			
SITE 02	DATE 11/28/23	ENTRY TIME 07:32	OPER ELA	EXIT TIME 07:32	OPER ELA	GROSS WEIGHT 43540	TARE WEIGHT 40480	NET WEIGHT 3060			
VEHICLE/TRAILER # 001		VEHICLE TYPE Packer Truck		TICKET NUMBER 2959304		MANIFEST#/BOL		C.C TYPE/FACILITY Transfer Stati		REFERENCE 60384MJ	
DESCRIPTION Municipal/Residential MSW Clarks				QTY 1.53	UNITS TN	RATE \$76.00	AMOUNT \$116.28		ORIGIN Orangetown		
APPROVAL: 128581				C.C. HOLDER NAME:				C.C. NUMBER			
YES		NO		WAX		RECYCLE		REBATE			
GARBAGE		MIX		OTHER		MRF SIGNATURE					

I hereby certify that the above information is true to the best of my knowledge. If this is a credit card transaction, the cardholder will pay card issuer the above amount pursuant to the cardholder agreement (Merchant agreement if credit voucher).

NT  
SIGNATURE

TOTAL  
\$116.28

ROCKLAND COUNTY SWMA (dba ROCKLAND GREEN)  
MAIN STREET NANUET, NY 10954  
PHONE: (845) 753-2200 FAX: (845) 753-2281

SITE  
Clarkstown

HAULER ID  
HIEPK

BILL TO EPK				BILL TO KENNETH HIEP, INC.				BILL TO 22 Snake Hill Road West Nyack, NY 10994			
SITE 02	DATE 12/01/23	ENTRY TIME 07:04	OPER ELA	EXIT TIME 07:10	OPER JB	GROSS WEIGHT 43760	TARE WEIGHT 41480	NET WEIGHT 2280			
VEHICLE/TRAILER # 0506		VEHICLE TYPE Packer Truck		TICKET NUMBER 2960094		MANIFEST#/BOL		C.C TYPE/FACILITY Transfer Stati		REFERENCE 63810KA	
DESCRIPTION (Municipal/Residential MSW Clarks				QTY 1.14	UNITS TN	RATE \$76.00	AMOUNT \$86.64		ORIGIN Orangetown		
APPROVAL: 188434 Token				C.C. HOLDER NAME:				C.C. NUMBER			
YES		NO		WAX		RECYCLE		REBATE			
GARBAGE		MIX		OTHER		MRF SIGNATURE					

I hereby certify that the above information is true to the best of my knowledge. If this is a credit card transaction, the cardholder will pay card issuer the above amount pursuant to the cardholder agreement (Merchant agreement if credit voucher).

T  
SIGNATURE

TOTAL  
\$86.64

<p><b>A</b></p> <p>ability (1) 11:7  accepting (1) 5:4  actual (2) 5:22 9:12  additional (4) 2:17 8:4 9:17,18  adjacent (1) 10:9  adjourn (1) 10:19  Adjourned (2) 2:7,8  adjustment (1) 2:5  admitted (1) 3:13  admitting (1) 3:15  ADVISOR (1) 1:18  agreed (1) 8:8  agreement (1) 9:9  agreements (1) 6:17  allowing (1) 3:17  amount (1) 7:22  amounts (1) 7:25  annual (1) 8:5  answer (1) 3:10  APPEARANCES... 1:15  appended (1) 6:9  appendices (1) 4:21  arithmetic (1) 2:24  asked (2) 3:4,11  asking (1) 8:9  assume (1) 5:15  attached (1) 5:22  attachment (1) 4:16  attachments (1) 4:20  Attorney (1) 2:15  Authority (1) 5:14  average (4) 7:13 8:8 8:19,21  averages (1) 8:20  aware (1) 5:9  aye (4) 3:24,25 10:2 10:20</p> <p><b>B</b></p> <p>B (1) 5:17  back (3) 2:18,24 6:15  backyard (1) 6:25  based (4) 5:25 7:6,7 9:11  basis (1) 6:3  Beckmann (12) 1:12 4:10,10,15 4:22 5:13 7:6,11 8:12,21 9:10,21  best (2) 6:25 11:6</p>	<p>bill (1) 5:15  bills (3) 2:19,23 5:22  Board (3) 9:16 10:4 10:12  Brenner (16) 2:12 2:13,14 4:23 5:2 5:11,20,22 6:6,12 6:15 7:10,15,21 9:8 10:13  Brenner's (1) 4:19</p> <p><b>C</b></p> <p>calculated (1) 6:14  calculation (1) 7:22  calculations (2) 5:18 6:16  calendar (5) 6:10 9:5,17,18,19  call (4) 2:6,20 4:4,7  carters (1) 9:13  cents (3) 9:6,17,19  CERTIFIED (1) 11:4  Chairman (21) 1:10 2:2,8,11 3:16,20 3:23 4:2,3,6,8,12 8:11,17,24 9:3,20 9:24 10:3,14,18  charged (2) 5:14,23  charges (1) 8:22  Charles (2) 1:10 4:7  Chris (3) 4:9 7:16 8:25  CHRISTOPHER... 1:11  City (1) 1:24  clarify (1) 5:16  Clarkstown (2) 6:19 7:3  clear (1) 6:8  client (2) 6:2,23  close (1) 10:16  collection (1) 6:3  commission (3) 1:4 3:14 4:13  COMMITTEE (1) 1:18  communities (1) 6:18  comparable (4) 7:7 8:15,22 9:14  comparing (1) 10:8  computation (1) 6:4  conclusion (1) 6:20</p>	<p>Congers (1) 1:23  continued (1) 2:9  contract (1) 3:6  converted (1) 8:2  correct (9) 5:19,20 6:5,6,11,12 7:10 7:15 11:5  cost (2) 2:25 3:2  Counsel (1) 9:12  County (9) 1:1 2:19 3:6 7:5,8 8:10,23 9:14 10:10  course (1) 2:25  Court (1) 4:4</p> <p><b>D</b></p> <p>data (2) 9:12,14  December (2) 1:7 4:25  Deluca (1) 2:22  divided (3) 7:12,24 8:5  document (2) 4:18 7:14  dollar (2) 8:13,13  dump (1) 2:19  dumping (1) 8:3</p> <p><b>E</b></p> <p>ESQ (1) 1:17  example (1) 9:4  examples (1) 8:16  excuse (1) 4:6  exhibit (10) 2:16 3:17,18 4:15,19 5:6,6,17,18 6:9  Exhibits (1) 3:12</p> <p><b>F</b></p> <p>F (6) 2:16 3:18 4:15 4:19 5:6 6:9  fair (2) 8:18 10:10  far (1) 3:12  favor (4) 3:17,24 9:25 10:19  fee (3) 7:12 8:3,14  feel (1) 10:10  first (1) 8:7  floor (1) 2:13  FOREGOING (1) 11:4  further (1) 8:25</p> <p><b>G</b></p> <p>garbage (2) 2:4</p>	<p>10:7  give (1) 2:13  given (6) 2:21 3:3 3:25 6:24 10:2,20  glad (1) 3:10  goes (1) 6:15  going (5) 2:3,15 3:8 5:4 8:10  gonna (1) 4:15  good (1) 8:12  gotten (1) 2:23  Green (6) 2:19 3:8 4:17,24 5:3,9</p> <p><b>H</b></p> <p>Hall (1) 1:6  haulers (5) 2:4,11 5:19 7:3 10:7  hauling (1) 2:19  hearing (2) 2:3 10:17  Hiep (1) 2:23  higher (2) 6:19,22  home (1) 7:24  honestly (1) 5:11  household (2) 3:3 8:2  Huber (8) 1:11 3:22 3:23 4:9,9 7:16,16 9:2</p> <p><b>I</b></p> <p>impacted (1) 8:14  included (1) 3:5  increase (7) 6:4,10 7:12 8:13 9:6,16 10:12  increased (1) 8:3  indicated (1) 9:6  individual (1) 3:3  information (1) 9:11</p> <p><b>J</b></p> <p><b>K</b></p> <p>know (7) 4:23 5:2,2 5:11 6:25 7:19 10:15</p> <p><b>L</b></p> <p>landfill (1) 5:23  LEGAL (1) 1:18  letter (5) 3:8 4:17 4:20 5:3 6:8</p>	<p>look (1) 7:21  looking (1) 8:19  looks (1) 4:19  lowest (2) 6:24 7:4</p> <p><b>M</b></p> <p>Marangi (1) 2:22  meeting (4) 2:10,16 3:11 4:24  Melissa (1) 11:12  MEMBER (3) 1:11 1:12,13  Members (2) 1:9 4:13  methodology (2) 5:25,25  minutes (1) 11:6  motion (7) 3:20 9:10,21,24 10:3 10:16,18  move (1) 9:15  multiplied (1) 7:23</p> <p><b>N</b></p> <p>New (3) 1:1,24,24  noted (1) 10:21  number (2) 8:5,6  numbers (2) 6:21 7:9</p> <p><b>O</b></p> <p>Oh (1) 4:6  Okay (4) 2:14 4:22 5:16 6:7  once (1) 7:22  ORANGE (1) 1:22  Orangetown (5) 1:3 1:6 2:22 6:23 7:4  original (2) 6:16 11:6</p> <p><b>P</b></p> <p>p.m (2) 1:7 10:21  PAKOLA (7) 1:17 2:7,9 3:12 4:3,18 10:15  part (1) 9:8  particular (1) 8:7  passes (1) 10:3  Pezzullo (1) 11:12  Point (2) 6:19 7:2  postponed (1) 2:6  presentation (2) 8:12 9:12  presented (1) 10:6</p>
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STATE OF NEW YORK : COUNTY OF ROCKLAND

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TOWN OF ORANGETOWN

SANITATION COMMISSION

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Town of Orangetown Town Hall  
Wednesday  
December 6, 2023  
5:37 p.m.

MEMBERS:

CHARLES VEZZETTI, CHAIRMAN

CHRISTOPHER HUBER, MEMBER

WILLIAM BECKMANN, MEMBER

THOMAS SIMETI, MEMBER

APPEARANCES:

RICHARD PAKOLA, ESQ.,

LEGAL ADVISOR TO THE COMMITTEE

ROCKLAND & ORANGE REPORTING

2 Congers Road, Suite 2

New City, New York 10956

(845)634-4200

1 Proceedings

2 THE CHAIRMAN: It's about 5:37, I'm  
3 going to reopen the public hearing on the  
4 request from our residential garbage haulers  
5 for a rate adjustment that we, what would  
6 you call it, postponed or --

7 MR. PAKOLA: Adjourned.

8 THE CHAIRMAN: Adjourned --

9 MR. PAKOLA: And continued at our last  
10 meeting.

11 THE CHAIRMAN: So for the haulers Mr.  
12 Brenner has -- will be representing them and  
13 I give you the floor Mr. Brenner.

14 MR. BRENNER: Okay. As I spoke to your  
15 Attorney, we're going to put this in as  
16 Exhibit F. At our last meeting you requested  
17 that we do some additional work for you so  
18 what we did do is we actually went back and  
19 got hauling bills from Green, County dump,  
20 whatever you want to call it, which I've  
21 given to you. All three are users in the  
22 Town of Orangetown, Marangi, Deluca and  
23 Hiep. I've gotten their bills, I've worked  
24 them back with the arithmetic on it, I've  
25 shown of course what the cost of tons were

1 Proceedings

2 and came out actually what the cost would be  
3 to the individual household which I've given  
4 you. I think that's what you asked for.

5 I've also included with it you wanted a --  
6 we have the Rockland County contract, this  
7 is the second time, and I also have the  
8 letter from Green showing the price is going  
9 up. If there's anything else I would be  
10 glad to answer questions but I think that's  
11 what you asked for at the last meeting.

12 MR. PAKOLA: And as far as Exhibits I'm  
13 supposed to recommend that it be admitted  
14 which I do and then the commission is  
15 supposed to vote on admitting it.

16 THE CHAIRMAN: All right. Do we have a  
17 vote in favor of allowing the Exhibit,  
18 Exhibit F, was that?

19 MR. SIMETI: Yes.

20 THE CHAIRMAN: We have a motion by Mr.  
21 Simeti.

22 MR. HUBER: Second.

23 THE CHAIRMAN: Second by Mr. Huber. All  
24 in favor say aye.

25 (Response of aye was given.)

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2 THE CHAIRMAN: All right.

3 MR. PAKOLA: Mr. Chairman, perhaps we  
4 could also take a roll call for the Court  
5 Reporter?

6 THE CHAIRMAN: Oh, excuse me, yes.  
7 We'll take the roll call. Charles Vezzetti,  
8 Chairman.

9 MR. HUBER: Chris Huber.

10 MR. BECKMANN: William Beckmann.

11 MR. SIMETI: Tom Simeti.

12 THE CHAIRMAN: All right. Do we have  
13 any -- all the Members of the Commission  
14 have reviewed the submission, any questions?

15 MR. BECKMANN: Is Exhibit F, we gonna  
16 get an attachment of it for the record the  
17 letter from Rockland Green?

18 MR. PAKOLA: Yeah, this whole document  
19 is Exhibit F. It looks like Mr. Brenner's  
20 letter and there's a few attachments to it,  
21 appendices.

22 MR. BECKMANN: Okay.

23 MR. SIMETI: Mr. Brenner, do you know if  
24 Rockland Green had their meeting for  
25 December?

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2 MR. BRENNER: I don't know. I know we  
3 did get a letter from Rockland Green they  
4 are going to recommend accepting.

5 MR. SIMETI: Yes, there's -- your  
6 Exhibit A and your the Exhibit F reflects  
7 the proposed rate schedule. I was just  
8 wondering if it was their -- it was actually  
9 taken by Rockland Green if you were aware of  
10 it.

11 MR. BRENNER: I honestly don't know.

12 MR. SIMETI: Thank you.

13 MR. BECKMANN: I received the rates from  
14 Solid Waste Authority that were charged on  
15 the tax bill so I assume they did something.

16 MR. SIMETI: Okay. And just to clarify,  
17 there was three -- in your exhibit B, in  
18 your -- in the exhibit there's calculations  
19 from three haulers; is that correct?

20 MR. BRENNER: That's correct.

21 MR. SIMETI: And --

22 MR. BRENNER: We attached actual bills  
23 that the landfill charged.

24 MR. SIMETI: For purpose of the  
25 methodology -- based methodology being

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2 proposed by the -- your client is to utilize  
3 these three collection samples for the basis  
4 for a computation for an increase; is that  
5 correct?

6 MR. BRENNER: That is correct.

7 MR. SIMETI: Okay. And so just so the  
8 record is clear, I see in a letter that's  
9 also appended to this Exhibit F reflects a  
10 proposed increase of \$4.60 for the calendar  
11 year 2024; is that correct?

12 MR. BRENNER: That is correct.

13 MR. SIMETI: How was that \$4.60, how was  
14 that calculated?

15 MR. BRENNER: That goes back to the  
16 original calculations that we put together  
17 in that these were the agreements that were  
18 reached in the other communities. Stony  
19 Point and Clarkstown were actually higher  
20 and they came to the conclusion that the  
21 4.60 came from, as you can see these numbers  
22 all came in even higher than 4.60, but this  
23 client is -- Orangetown has always been the  
24 lowest of the three Towns and they've given  
25 the best service. You know we have backyard

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2 service here and I think Stony Point does,  
3 Clarkstown does not, but our haulers in  
4 Orangetown have always been the lowest in  
5 the County for this.

6 MR. BECKMANN: So based on this, 4.60  
7 was based on the comparable rates in the  
8 County and support would show here the  
9 numbers actually for 4.45 and 5.39.

10 MR. BRENNER: That's correct.

11 MR. BECKMANN: Talking about a \$23  
12 increase with tonnage fee divided by  
13 whatever the tonnage is average is here in  
14 this document.

15 MR. BRENNER: That is correct.

16 MR. HUBER: Chris Huber has a question.  
17 What are these receipts supposed to be  
18 proving to me or us? They're saying that,  
19 you know, you had quantity 1.21 tons and \$76  
20 and it's 91, what is that showing me?

21 MR. BRENNER: If you look at the typical  
22 calculation, once we got the amount of  
23 weekly from the towns we then multiplied the  
24 yearly, we divided it by the home service  
25 and it gave us the yearly amounts per

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2 household, we then converted it to tons. We  
3 increased the dumping fee, it was \$23, the  
4 additional tonnage times the \$23 came to the  
5 annual number and that was divided by 12 and  
6 that's where the last number came from. So  
7 this particular one, the first one, 4.83  
8 it's an average and we agreed -- we are  
9 asking for the 4.61 which is what's the  
10 going rate really within the County.

11 THE CHAIRMAN: All right.

12 MR. BECKMANN: Very good presentation.  
13 Shows dollar for dollar that the increase  
14 and the tipping fee how it's impacted the  
15 rates and the comparable supported tonnage  
16 from the examples.

17 THE CHAIRMAN: Right. Seems to -- seems  
18 to be a fair sampling and verifies the  
19 average. Well, we're only looking for  
20 averages.

21 MR. BECKMANN: Verifies the average and  
22 it's comparable charges elsewhere in the  
23 County.

24 THE CHAIRMAN: Right. Do we have any  
25 other further questions on it? Chris?

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2 MR. HUBER: No.

3 THE CHAIRMAN: Tom any?

4 MR. SIMETI: \$4.60 for example for 2024  
5 is for calendar year '24 and then you've  
6 indicated an increase of 50 cents for '25  
7 and '26?

8 MR. BRENNER: Which is part of the  
9 agreement that the Town makes.

10 MR. BECKMANN: I will make a motion  
11 based on the information provided,  
12 presentation by Counsel, the actual data  
13 that was submitted by the carters, along  
14 with the comparable data in Rockland County  
15 I, would move that our recommendation to the  
16 Town Board would be an increase of \$4.60 for  
17 calendar year '24, an additional 50 cents  
18 for calendar year '25 and an additional 50  
19 cents for calendar year '26.

20 THE CHAIRMAN: All right. We have a  
21 motion by Mr. Beckmann, may we have a  
22 second?

23 MR. SIMETI: I would second, yes.

24 THE CHAIRMAN: Motion, second, all those  
25 in favor?

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2 (Response of aye was given.)

3 THE CHAIRMAN: Motion passes. So we'll  
4 make a recommendation to the Town Board that  
5 having reviewed the statistics that have  
6 been presented to us by our residential  
7 garbage haulers and their representatives  
8 and also in comparing those rates to those  
9 of our adjacent or other Towns in the  
10 County, we feel that this is a fair and  
11 reasonable request and we'll recommend the  
12 increase to the Town Board.

13 MR. BRENNER: That's it.

14 THE CHAIRMAN: Do we have anything else?

15 MR. PAKOLA: Not that I know of.

16 MR. SIMETI: Motion to close the public  
17 hearing.

18 THE CHAIRMAN: We have a motion to  
19 adjourn, all those favor?

20 (Response of aye was given.)

21 (Time noted 5:51 p.m.)

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4 THE FOREGOING IS CERTIFIED to be  
5 a true and correct transcription of the  
6 original stenographic minutes to the best  
7 of my ability.

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10 Melissa Pezzullo  
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12 Melissa Pezzullo  
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