

APPROVED

AUTHORITY MEETING MINUTES
September 12, 2022

Board Members Present: Chairman Ken Long, Vice Chairman Vincent Bono, Neil Angell, James D’Onofrio, Barbara Freeman, Nancy Novak [video conference], Richard Redmond and Jim Williams

Absent: Treasurer Harry Hertline and James Franco

Authority Staff Present: William Rabbia, Jodi Tuttle, Joseph Artessa, Eileen Brinck, Samantha Brown, Pat Lisandrelli, Joshua Olbrys and Andrew Opperman

Others Present: Authority Counsel Kevin Martin [video conference]

Chairman Long called the September 12, 2022, Authority Board meeting to order at 4:33 PM and opened with the Pledge of Allegiance.

A motion was made by Ms. Freeman, seconded by Mr. Bono, and passed to approve the June 20, 2022, Authority Minutes. [Mr. D’Onofrio was absent at time of vote. He arrived at 4:36 PM.]

Authority Board Secretary Jodi Tuttle relayed that there were no comments received for public comment period.

Executive Director William Rabbia said that Resolution No. 13 would authorize the Authority to enter into a landfill gas utilization agreement with BerQ RNG and designate the Authority to serve as lead agency under SEQRA (State Environmental Quality Review Act). Mr. Rabbia stated that the Authority determined that the action will not result in any significant adverse effect on the environment, therefore, an environmental impact statement is not necessary. He noted that the negative declaration has already been filed. On January 12, 2022, the Authority released a Draft Request for Proposals (RFP) to explore additional landfill gas utilization options, followed by a 60-day comment period. On February 10, 2022, a mandatory pre-bid meeting was held with eight companies in attendance. A Final RFP was developed and released on April 6, 2022, with final responses due on April 25, 2022. The Authority received six proposals and selected two of the six as finalists, BerQ RNG and CGE Ventures, based upon their proposals, interviews/tours, and verified qualifications. Authority staff is recommending entering into a landfill gas utilization agreement with BerQ RNG. Mr. Rabbia said that items related to contract negotiations will be discussed in executive session.

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Resolution No. 13 was introduced by Mr. Angell, seconded by Mr. Bono and passed, authorizing the Authority to enter into a landfill gas utilization agreement with BerQ RNG, and determining that the landfill gas utilization project will not have a significant adverse impact on the environment, and the Authority will not require the preparation of an environmental impact statement, and directing the Executive Director and Authority Counsel to take all necessary actions to negotiate and enter into a landfill gas utilization agreement with BerQ RNG. [8 Ayes; 0 Nays; Absent: Messrs. Franco and Hertline]

Comptroller Joseph Artessa said that Resolution No. 14 would designate additional unrestricted Authority funds toward established Authority capital reserve funds. The Authority established three capital reserve funds in 2007, including a Regional Landfill Equipment Reserve, a Regional Landfill Liner Extension Reserve, and a system-wide Capital Reserve. The five-year Capital Plan includes major improvements. Mr. Artessa recommended that the Board designate an additional \$1,800,000 to the Regional Landfill Equipment Reserve Fund; \$1,000,000 to the Regional Landfill Liner Extension Reserve Fund; and \$7,000,000 to the System-Wide Capital Reserve Fund.

Resolution No. 14 was introduced by Mr. Bono, seconded by Mr. D'Onofrio, and passed designating unrestricted funds toward established Authority Capital Reserve Funds. [8 Ayes; 0 Nays; Absent: Messrs. Franco and Hertline]

Mr. Rabbia said that the Authority entered into an intergovernmental agreement with Lewis County on January 1, 2016, for the processing and marketing of recyclables. The current intergovernmental agreement will expire on December 31, 2022. Lewis County is interested in entering into a new five-year agreement with the Authority for the processing and marketing of recyclable material collected and delivered by Lewis County to the Authority. Mr. Rabbia said that Resolution No. 15 would authorize the Authority to enter into another intergovernmental agreement with Lewis County. The proposed agreement would include a 2% escalator from the current fee and would increase annually by 2%, beginning January 1, 2024.

Resolution No. 15 was introduced by Ms. Freeman, seconded by Mr. Angell, and passed approving a five-year intergovernmental agreement with Lewis County for the processing and marketing of recyclables and directing the Executive Director and Authority Counsel to take all necessary actions to finalize the agreement. [8 Ayes; 0 Nays; Absent: Messrs. Franco and Hertline]

Deputy Executive Director Josh Olbrys updated the Board on the Regional Landfill capping/closure project through a PowerPoint presentation. The Authority is proposing to cap approximately 7-acres, primarily along cell 1. Thus far, approximately 3.5 acres has been graded and barrier protection installed. Work on stormwater drainage swales, re-installation of landfill gas piping, and seeding and mulching will follow. Much off the required work has been done in-house. Mr. Olbrys said that the project is estimated at \$2.5 million.

Mr. Rabbia reported that a few years ago the New York State Department of Environmental Conservation (NYSDEC) issued proposed revisions to the Part 360 regulations related to solid waste management facilities. NYSDEC is now cleaning up some of the regulations that may need additional attention (i.e., technical amendments and policy developments (i.e., urban fill [which would not have a large impact on this Authority])).

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The NYSDEC is also considering changing the design requirement of landfill liners from 60 mil to 80 mil and restricting expansion of facilities within a certain distance to schools/residences. Mr. Rabbia said that the Authority has been working with New York State Association for Solid Waste Management (NYSASWM) and New York State Association of Counties (NYSAC) and has submitted proposed revisions to NYSDEC. These comments are posted on the Board portal. Mr. Rabbia said that if these regulations are adopted, they could affect the Authority budget, but would have little impact on the Authority's Regional Landfill. However, it could have major implications for other regional landfills. The next step is for NYSDEC to respond to comments received.

For the 16th year, Mr. Rabbia said that the Authority is continuing its regional demolition program offered to all municipalities in the two-County region. Annually, the Authority sends correspondence to all legislators and city, village and town mayors and supervisors inviting them to participate in the program. Under the program, the Authority makes available a demolition crew and equipment, during the slower winter season, to demolish fully abated structures owned by a municipality. The Authority provides for transportation and demolition at no charge. The municipality(ies) is required to pay for the disposal of the demolition debris to be landfilled. The Town of Western has expressed interest in participating this year.

A motion was made by Ms. Freeman, seconded by Mr. Bono, and passed to set a public hearing on the proposed 2023 Authority budget on November 21st at 4:30 PM.

Mr. Rabbia reported that the Finance Committee met prior to this meeting and that the 2023 draft budget and key budget assumptions were presented to the Committee. The Authority is not proposing any tipping fee increases for 2023.

At 5:06 PM a motion was made by Mr. D'Onofrio, seconded by Mr. Angell, and passed to go into executive session to discuss contract negotiations.

At 5:37 PM, a motion was made by Mr. Bono, seconded by Ms. Freeman, and passed to come out of executive session.

With no further business, at 5:37 PM a motion was made by Mr. Bono, seconded by Ms. Freeman, and passed to adjourn the meeting.

Respectfully submitted,



Jodi M. Tuttle

Authority Secretary