

MEMORANDUM

TO: Authority Board of Directors

FROM: William A. Rabbia, Executive Director

DATE: December 11, 2015

RE: Meeting Notice & Tentative Agenda – Monday, December 21, 2015 - 4:30 PM

1. Pledge of Allegiance
2. Approval of November 16, 2015 Authority Minutes
3. Public Hearing on Proposed 2016 Budget
4. Proposed 2016 Budget – Resolution
5. Regular Public Comment Period
6. 2015 Budget Transfers – Resolution
7. Lewis County Intergovernmental Agreement – Resolution
8. Village of Boonville Amended Agreement and Agreement with the Erwin Library Institute – Resolution
9. USDA-APHIS-WS Intergovernmental Agreement – Resolution
10. Arcadis - Professional Services Agreement – Resolution
11. Trainor Associates - Professional Services Agreement – Resolution
12. Designation of 2016 Meeting Dates and Official Publications – Resolution
13. Election of Officers and Committee Appointments for 2016 – Resolution
14. Commendation of Director of Recycling David Lupinski – Resolution

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**BOARD OF
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AUTHORITY MEETING MINUTES
November 16, 2015

DRAFT

Board Members Present: Chairman Neil Angell, Vice Chairman Ken Long, Treasurer Harry Hertline, James D'Onofrio, James Franco, Barbara Freeman, Robert Roberts and Jim Williams

Board Members Absent: Vincent Bono and Nancy Novak

Authority Staff Present: Bill Rabbia, Jodi Tuttle, Joe Artessa, Jim Biamonte, Patrick Donovan, David Lupinski, Andrew Opperman and William Schrader

Others Present: Kevin Martin, Esq. and F. X. Matt Brewing Company Representatives: Fred Matt, President; Jim Kuhr, Director of Brewery Operations & Brewmaster; Misty Jurkowski, Assistant to the Director of Brewery Operations & Point of Sales Department, Tyler Harvey, Brewery Sustainability Supervisor, Melissa Camman, Tour Center Manager and Anthony Jackson, Digital Marketer

Chairman Angell called the November 16, 2015 Authority Board meeting to order at 4:30 PM and opened with the Pledge of Allegiance.

A motion was made by Mr. Hertline, seconded by Mr. Franco and passed to approve the September 21, 2015 Authority Minutes.

There were no speakers for public comment period.

Director of Recycling David Lupinski said that in recognition of America Recycles Day, the Authority annually recognizes an individual, institution or industry that has taken the initiative to reduce its solid waste stream through recycling and proper disposal. This year the Authority is honoring the F. X. Matt Brewing Company of Utica as its 2015 Recycling Champion. Mr. Lupinski stated that Matt Brewing has a long history of environmental sustainability. For decades, the brewery has been recycling and reusing spent brewery grains, wood pallets, glass bottles, aluminum cans, corrugated cardboard and office paper. Mr. Lupinski said that the F. X. Matt Brewing is an advocate for the environment through its dedication to increasing recycling and waste reduction at its facility. The brewery has incorporated sustainability initiatives into every aspect of its operations, including daily production operations, marketing, and warehousing while achieving a 98.4% recycling rate. This was accomplished by producing 14,112 tons of recyclable and reusable materials while generating only 226.2 tons of solid waste. Matt Brewing recently installed an anaerobic digester for treatment of brewery liquid waste that produces 40% of the brewery's electric demand. In October 2015, F. X. Matt Brewing Company received RecycleOne Business certification. Mr. Lupinski said that the F.X. Matt Brewing Company is a leading example of how a local industry can implement a comprehensive, consistent and sustainable recycling, energy and solid waste reduction program.

The Authority presented representatives of the F. X. Matt Brewing Company with the Authority's 2015 Recycling Champion Award.

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AUTHORITY MEETING MINUTES

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On behalf of the F.X. Matt Brewing Company, President Fred Matt thanked the Authority for this recognition and expressed his gratitude to the brewery staff, Mr. Lupinski and Authority staff for their efforts throughout this endeavor.

Resolution No. 14 was introduced by Mr. Hertline, seconded by Mr. Roberts and passed commending the F. X. Matt Brewing Company as 2015 Recycling Champion. Authority Secretary Jodi Tuttle read the resolution aloud.

Executive Director Bill Rabbia and Comptroller Pat Donovan presented an overview of the proposed 2016 Authority budget through a PowerPoint presentation. Mr. Rabbia said that the draft budget was released to the public on October 30, 2015. The draft budget includes no changes to the Authority's tipping fees, noting that the proposed tipping fees for 2016 remain stable at 2015 rates. For the 25th consecutive year, recyclables will continue to be accepted at no charge. Graphs illustrating historical municipal solid waste (msw) tipping fees for the period 1990 – 2016 (projected) and historical msw tipping fees versus the rate of inflation for the period 1990 - 2015 were reviewed. An analysis of 2014 actual and 2015 and 2016 projected tonnage by waste class was provided. Overall waste volumes projected for 2016 total 260,200 tons versus 262,900 for 2015. Mr. Rabbia provided an overview of system revenues outlining 2014 actual, 6-month data from 2015, and projections for 2016. A historical review of recycling revenues and budget projections for 2016 was provided. Revenue generated from the sale of recyclables is projected at \$2,000,000 for 2016. Mr. Rabbia explained proposed 2016 revenue assumptions for system tip fees, recyclables, landfill gas, sale of carbon credits and miscellaneous revenues. The Authority will continue to operate two engines at its Regional Landfill power facility and continue revenue sharing with WM Renewable Energy in 2016. Mr. Rabbia said that the sale of carbon credits contract has been extended and is budgeted for in 2016. The projection for interest earnings has decreased as the result of the reduction in the 2006 EFC Debt Service Reserve Fund due to refinancing. Mr. Rabbia noted that 2016 will mark the third year of processing and marketing recyclables from Oswego County. The projection for electronics recycling revenue was eliminated based upon the current market situation.

Comptroller Pat Donovan provided an overview of system expenditures by cost center, including 2014 actual, 6-month data from 2015, and 2016 proposed. Mr. Donovan said that fuel expense was budgeted at \$3.00 per gallon as the result of industry forecasts. Health insurance expense was budgeted at a range of 4% to 12% increase over 2015 projected results. The budget reflects \$455,000 of contracted direct payments made to the Town of Ava and the Town and Villages of Boonville. Capital projects are funded through tipping fees reduced by \$375,000 from 2015. The Household Hazardous Waste budget reflects potential expense associated with CRT processing. Public education expenses are projected to be \$50,000. The Workers' Compensation budget is based upon a five-year average of the Authority's actual claims. Debt service costs will decrease by approximately \$210,000 as the result of refinancing of the 2006 EFC bonds. Mr. Donovan noted that the annual contributions to the NYS Retirement System will decrease for 2016.

In response to inquiries by Mr. D'Onofrio, Mr. Rabbia will provide additional graphs that reflect the average percentage of waste through the Utica and Rome Transfer Stations over a three-year period; a three-year average of recycling revenue by commodity; and Recycling Center/Regional Landfill debt service for years 2016 through 2026.

Mr. Rabbia reported that 2016 proposed landfill reserves total \$2,000,000 (\$400,000 for Regional Landfill equipment replacement and \$1,600,000 for Regional Landfill liner extension). Capital projects funded through tipping fees will decrease to \$1,090,000 in 2016 compared to \$1,465,500 in 2015. Capital projects for 2016 include a new scale deck, scale house, loading chute and additional doors at the Western Transfer Station and green waste grinder/waste compactor at the Regional Landfill. The proposed capital plan includes projections through 2020 and projected expenditures for landfill cell liner extension in 2017/2018 that will be funded through an established reserve. The overall budget for the City of Utica and the five Herkimer County villages in which the Authority administers their solid waste and recycling programs, is projected at \$4,822,000 for 2016.

AUTHORITY MEETING MINUTES

November 16, 2015

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The municipal budgets reflect price increases in toters and bags for the Villages of Herkimer and Dolgeville, effective January 1, 2016. The proposed 2016 Authority Budget totals \$24,347,000 [system revenues/expenses total \$19,525,000 and municipal revenues/expenses total \$4,822,000].

Following discussion, a motion was made by Mr. Williams, seconded by Mr. D'Onofrio and passed to set a public hearing on the proposed 2016 budget for December 21, 2015 at 4:30 PM.

Mr. Donovan said that the Authority is required to annually review and approve its Investment Policy and Guidelines and said that Resolution No. 15 before the Board would approve the Investment Policy and Guidelines without modification. He reported that the Finance Committee reviewed the Investment Policy and is recommending no modifications at this time. All Authority investments are in compliance with the Investment Policy.

Resolution No. 15 was introduced by Mr. Long, seconded by Mr. Hertline and passed to approve the Investment Policy and Investment Guidelines without modification.

Mr. Rabbia relayed that he and Authority Counsel Kevin Martin have met with a Village of Boonville Board and a Board Committee related to the improvements on the corner of Routes 294 and 46. He stated that the Village Board voted unanimously to have the Mayor sign the Memorandum of Understanding. At that meeting it was also decided that Authority Counsel and the Village Attorney would begin working on a draft amendment to the Host Community Compensation Agreement, which will essentially mirror the Memorandum of Understanding. Mr. Rabbia and Mr. Martin have also been working with the respective Boards of the Village's Erwin Library Institute and Dodge Pratt Northam (DPN) Group on a draft agreement for the conveyance of property to facilitate the improvements, as well as the DOT application. Mr. Rabbia will continue to keep the Board updated.

Solid Waste Engineer Andrew Opperman updated the Board on Solar City's project of installing solar cells on the Authority's property between Route 49 and River Road, Rome. Mr. Opperman said that Solar City is still a few weeks away from completion but that the project should be completed within the next month. National Grid will then do their part to hook up to the grid.

Mr. Rabbia said that the 2016 budget has no calculations or projections related to the solar project due to uncertainty of when the project would be up and running. The 2016 operations will affect future budgets.

Mr. Rabbia said that the Authority had provided all of the acreage contractually required (8.8 acres) for the project, but that only half of the acreage will be used. Once the fence is installed, the Authority will determine how much land is unutilized and then consider advertising for agricultural lease. In the past the Authority had an agricultural lease with a local farmer for planting corn on this property as well as an adjacent lot.

At 5:35 PM a motion was made by Mr. Roberts, seconded by Ms. Freeman and passed to go into executive session to discuss potential litigation.

At 5:51 PM a motion was made by Mr. Hertline, seconded by Mr. Roberts and passed to come out of executive session.

With no further business, a motion was made by Mr. Long, seconded by Mr. Roberts and passed to adjourn the meeting.

Respectfully submitted,

Jodi M. Tuttle
Authority Secretary

Introductory No.

Resolution No. 16

Introduced by:

Seconded by:

RE: APPROVAL OF 2016 ONEIDA-HERKIMER SOLID WASTE MANAGEMENT AUTHORITY BUDGET, 2016 RATE SCHEDULE, AND THE SOLID WASTE COLLECTION AND DISPOSAL PERMIT RULES AND REGULATIONS

WHEREAS, the Authority commenced the budget preparation process in August; and

WHEREAS, the Finance Committee of the Board of Directors reviewed financial information, revenue estimates, and expenditure requests and the Committee evaluated alternatives and compiled a proposed budget for 2016; and

WHEREAS, the proposed budget for the Oneida-Herkimer Solid Waste Management Authority for 2016 was distributed on October 29, 2015 in conformance with the Public Authorities Accountability Act, the Authority statute and bylaws; and

WHEREAS, the proposed budget has been available for public comment since October 29, 2015 and it was also the subject of a public briefing at the Authority meeting on November 16, 2015; and

WHEREAS, a public hearing was held on December 21, 2015 to receive and consider public comment on the proposed budget; and

WHEREAS, all other provisions of the Public Authorities Accountability Act, Authority statute and bylaws were met with respect to the proposed budget; and

WHEREAS, the proposed budget for the Authority covers the revenues and expenditures for the Administrative function, the Western Transfer Station, the Eastern Transfer Station, the Green Waste Compost Facility, the Recycling Center, the Household Hazardous Waste Facility, Debt Service, the Regional Landfill Facility, the Utica collection function, the Ilion collection function, the Frankfort collection function, the Mohawk collection function, the Dolgeville collection function and the Herkimer collection function; and

WHEREAS, the Authority is continuing a system of fees and charges which meet all its obligations and support its functions and also provide direct economic incentives to maximize recycling; now, therefore, be it

RESOLVED, that the Authority hereby adopts the 2016 budget as attached; and be it further

RESOLVED, the attached schedule of charges be adopted for Authority Services for 2016; and be it further

RESOLVED, that the Authority hereby approves the Solid Waste Collection and Disposal Permit Rules and Regulations as attached; and be it further

RESOLVED, that the Authority reserves the right to establish or amend fees, as it may deem necessary, at a later date.

Adopted by the following vote:

AYES__ NAYS__

Dated:

2016 PROPOSED FEE SCHEDULE WASTE CLASS	CONTRACT PERMITTED HAULER RATE PER TON OR RATE PER ITEM	NON-CONTRACT PERMITTED HAULER RATE PER TON OR RATE PER ITEM	RESIDENT RATE PER TON OR RATE PER ITEM
Municipal Solid Waste (MSW) [Non-Recyclable Waste]	\$66.00	\$115.00	\$66.00
Local Solid Waste (LSW) [Non-Recyclable Waste]	\$56.00	N/A	N/A
Sludge	\$66.00	\$115.00	N/A
Construction & Demolition (C&D)	\$58.00	\$115.00	\$58.00
C&D Trucking & Disposal Roll-Off	\$73.00	N/A	N/A
C&D Trucking & Disposal Trailer	\$58.00	N/A	N/A
C&D - Trailer Direct Haul	\$50.00	N/A	N/A
Waste Mixed with 25% Recyclables	\$140.00	\$230.00	\$140.00
Select C&D	\$25.00	N/A	\$25.00
Clean Wood Pallets	\$15.00	\$15.00	\$15.00
Direct Haul Special Waste	\$55.00	\$87.00	N/A
Direct Haul Asbestos (1 ton minimum)	\$90.00	\$159.00	N/A
Direct Haul Bulk Asbestos (> 4,000 tons per year)	\$80.00	\$140.00	N/A
ADC/Contaminated Soil – Regional Landfill Cover	\$15-\$30	N/A	N/A
Single Stream Recyclables(Oneida & Herkimer County)	\$0.00	\$49.00	\$0.00
Out of Region Single Stream Recyclables	\$27.00	N/A	N/A
Out of Region Container Recyclables	\$49.00	N/A	N/A
Recyclables Mixed with Unacceptable Material	\$70.00	\$115.00	\$70.00
Green Waste Compost Disposal	\$15.00	\$18.50	\$5.00 Flat Fee P/U Truck/Trailer
Green Waste Compost Disposal - Minimum Charge	\$5.00	\$5.00	Small Load - No Charge
Bulk Compost Out - Large P/U Truck (we load)	N/A	N/A	\$20.00 Flat Fee
Bulk Compost Out - Small P/U Truck (we load)	N/A	N/A	\$15.00 Flat Fee
Bulk Compost Out - Less than 100 yd. (we load)	N/A	N/A	\$15.00 Per Yard
Bulk Compost Out - Greater than 100 yd. (we load)	N/A	N/A	\$12.00 Per Yard - By Appointment Only
Bulk Compost Out - Greater than 500 yards per year	N/A	N/A	\$10.00 Per Yard
Stumps, Root Balls & Oversized Limbs	\$15.00	\$18.50	N/A
Tires up to 16" (Per Tire)	\$2.50	\$3.00	\$2.50
Tires 700 to 900 Series (Per Tire)	\$4.50	\$5.50	\$4.50
Tires 900 to 11.20 Series (Per Tire)	\$12.50	\$15.50	\$12.50
Tractor Tires (Per Tire)	\$20.00	\$25.00	\$20.00
Tires Bulk	\$190.00	\$235.00	\$190.00
Tires on a Rim Add for Each	\$2.00	\$2.00	\$2.00
Household White Goods (i.e. Washers) Per Item	\$0.00	\$0.00	\$0.00
Household Items w/CFCs (i.e. Freezers) Per Item	\$10.00	\$15.00	\$10.00
35-Gallon Bag of MSW	N/A	N/A	\$2.00
One Bulk Item (i.e. Chair/Sofa/Table)	N/A	N/A	\$5.00
Minimum Load Charge - MSW 0 to 250 lbs.	\$8.25 Flat Fee	\$15.00 Flat Fee	\$8.25 Flat Fee
Minimum Load Charge - MSW 251 to 500 lbs.	\$16.50 Flat Fee	\$28.75 Flat Fee	\$16.50 Flat Fee
Minimum Load Charge - MSW 501 to 750 lbs.	\$24.75 Flat Fee	\$43.25 Flat Fee	\$24.75 Flat Fee
Minimum Load Charge - MSW 751 to 1,000 lbs.	\$33.00 Flat Fee	\$57.50 Flat Fee	\$33.00 Flat Fee
Minimum Load Charge - LSW 0 to 250 lbs.	\$7.00 Flat Fee	N/A	N/A
Minimum Load Charge - LSW 251 to 500 lbs.	\$14.00 Flat Fee	N/A	N/A
Minimum Load Charge - LSW 501 to 750 lbs.	\$21.00 Flat Fee	N/A	N/A
Minimum Load Charge - LSW 751 to 1,000 lbs.	\$28.00 Flat Fee	N/A	N/A
Minimum Load Charge - C & D 0 to 250 lbs.	\$8.00 Flat Fee	\$15.00 Flat Fee	\$8.00 Flat Fee
Minimum Load Charge - C & D 251 to 500 lbs.	\$14.50 Flat Fee	\$28.75 Flat Fee	\$14.50 Flat Fee
Minimum Load Charge - C & D 501 to 750 lbs.	\$22.00 Flat Fee	\$43.25 Flat Fee	\$22.00 Flat Fee
Minimum Load Charge - C & D 751 to 1,000 lbs.	\$29.00 Flat Fee	\$57.50 Flat Fee	\$29.00 Flat Fee
Penalty for Untarped Loads	\$10.00	\$10.00	\$10.00
Manually Removing Frozen Loads	\$0.00	\$25.00	N/A
Vehicle Weight Fee	\$5.00	\$10.00	\$5.00
MSW = Municipal Solid Waste (Non-Recyclable Waste) LSW = Local Solid Waste (Non-Recyclable Waste) ADC = Alternate Daily Cover C&D = Construction & Demolition Debris T&D = Trucking & Disposal N/A = Non-Applicable			



**The
Authority**
ONEIDA-HERKIMER SOLID WASTE AUTHORITY

**SOLID WASTE
COLLECTION AND DISPOSAL
PERMIT
RULES AND REGULATIONS**

**1600 Genesee Street
Phone: (315) 733-1224**

**Web Site: www.ohswa.org
E-mail: ohswa.org**

**Utica, NY 13502
Fax: (315) 733-2305**

These rules and regulations apply to the collection and disposal of all solid waste and recyclables generated in Oneida County and/or Herkimer County. In addition, the provisions of Local Law #1 of 1990 for Oneida County and Local Law #1 of 1990 for Herkimer County (the "Local Laws") shall be applicable to all permits issued hereunder and must be fully complied with by the permit holder.

I. Solid Waste Collection and Disposal Permit

All persons, companies, partnerships, municipalities or other entities engaged in the commercial collection, pick-up, transfer, removal, and/or disposal of solid waste and/or recyclables in Oneida County and/or Herkimer County shall obtain a permit issued by the Oneida-Herkimer Solid Waste Management Authority (the "Authority") ("Permit") authorizing the Permit holder to engage in the commercial collection, pick-up, transfer, removal, and/or disposal of solid waste and/or recyclables in Oneida County and/or Herkimer County.

- A. Any Permit issued by the Authority shall be in the nature of a privilege and shall not be deemed to create a property interest with respect to said Permit in the Permit holder. Any Permit issued by the Authority shall be subject to the terms, conditions, rules and regulations set forth hereunder, in the Authority's Facility Rules and Regulations, the Local Laws, as well as any other applicable laws, statutes, ordinances, rules, regulations and procedures.
- B. Failure to obtain a Permit shall prohibit any person, company, partnership, municipality, or other entity from engaging in the commercial collection, pick-up, transfer, removal and/or disposal of solid waste and/or recyclables within Oneida County and/or Herkimer County.
- C. The Authority reserves the right to deny a Permit to any person, company, partnership, municipality or other entity that it deems unfit to engage in the commercial collection, pick-up, transfer, removal and/or disposal of solid waste and/or recyclables in Oneida County and/or Herkimer County based upon prior activities, information submitted in the Permit application or obtained from other reliable sources.

- D. The Authority reserves the right to revoke any Permit for failure to comply with the terms, conditions, rules and regulations set forth hereunder, and/or set forth in the Authority Facility Rules and Regulations, the Local Laws, as well as any other applicable laws, statutes, ordinances, rules, regulations and procedures.
- E. The Authority reserves the right to refuse to renew a Permit in the event the Permit holder has failed or is failing to comply with terms, conditions, rules and regulations set forth hereunder, and/or set forth in the Authority Facility Rules and Regulations, the Local Laws, as well as any other applicable laws, statutes, ordinances, rules, regulations and procedures or, if such renewal conflicts with any other applicable provision of law regulating the commercial collection, pick-up, transfer, removal and/or disposal of solid waste and/or recyclables within Oneida County and/or Herkimer County.

II. Terms and Conditions of Permit

- A. This Permit shall be renewed in accordance with the provisions set forth in these procedures.
- B. The Permit holder shall comply with all Federal, State, County, municipal and Authority requirements, statutes, laws, ordinances, rules and regulations.
- C. The Permit holder shall respond to any notice it receives from the Authority which requests a response in the fashion and within the time set forth in any such notice.
- D. The Permit holder agrees that the Authority shall have the right, but shall in no way be obligated to inspect all collection vehicles and equipment as well as solid waste facilities owned or operated by Permit holder and used for the processing of solid waste and/or recyclables collected in Oneida County and/or Herkimer County at any time without prior notice to determine whether the Permit holder is in compliance with all solid waste and/or recyclable transfer and disposal rules and regulations and Permit conditions.
- E. All loads of solid waste, green waste and recyclables shall be covered and/or tarped at the time of delivery to Authority facilities. Failure to tarp or cover loads arriving at Authority facilities will result in additional fees charged.

- F. Solid waste and recyclables shall not be commingled at any time.
- G. All waste collected in Oneida County and/or Herkimer County shall be delivered to a facility designated by Authority. All recyclables collected in Oneida County and/or Herkimer County at the curbside or delivered to a transfer station for recycling shall be delivered to a facility designated by the Authority. The facilities currently designated by the Authority include the following:

For Recyclables: **Authority Recycling Center**
80 Leland Avenue
Utica, New York, 13502

For Solid Waste: **Authority's Western Transfer Station**
575 Perimeter Road
Rome, New York 13440; and/or

Authority's Eastern Transfer Station
80 Leland Avenue
Utica, New York 13502; and/or

Authority's Regional Landfill [With Special Approval]
7044 NYS Route 294
Boonville, New York 13309

For Green/Yard Waste: **Oneida-Herkimer Municipal Yard Waste**
Compost Facility
80 Leland Avenue
Utica, New York 13502

Each instance in which solid waste and/or recyclables is delivered to a non-designated facility shall constitute a violation of Local Law #1 of 1990 for Oneida County and/or Local Law #1 of 1990 for Herkimer County.

- H. The Permit holder shall procure and maintain vehicle liability insurance throughout the term of the Permit.

III. Procedure

- A. Any person seeking a Permit for the business of commercial collection, pick-up, transfer, removal and/or disposal of solid waste and/or recyclables shall file an application for a Permit on a form provided by the Authority. The form shall be filled out completely and submitted along with the appropriate fees and additional required documentation, or it will be returned or denied, at the Authority's discretion. Applicants shall supply a Certificate of Insurance to the Authority documenting the insurance required in paragraph II. H. above at the time the Permit application is submitted.
- B. Upon receipt of the Permit application, Authority staff shall review the application for completeness and accuracy. If information presented by the applicant is accurate and complete, and applicant is deemed fit to be issued a Permit, the Permit will be granted.
- C. If a Permit is denied based upon applicant's unfitness, the applicant may be provided an opportunity to be heard as determined by the Authority Board.

IV. Enforcement

Failure to comply with any provision of relevant Federal, state, or local law, the terms, conditions, rules and regulations, and requirements of a Permit issued hereunder, the Authority's Facility Rules and Regulations, may subject the Permit holder to Permit revocation as well as any penalties applicable, including but not limited to the penalties set forth in Section 12 of Local Law #1 of 1990 for Oneida County and Section 13 of Local Law #1 of 1990 for Herkimer County.

V. Severability

If any section or part of a section, paragraph, sentence, clause, phrase or work of these rules and regulations is, for any reason, held or declared to be unconstitutional, inoperative or void, such holding shall not affect the remaining portions of these Rules and Regulations.

Preserving the environment through integrated recovery and disposal.

Introductory No.

Resolution No. 17

Introduced by:

Seconded by:

RE: 2015 BUDGET TRANSFERS

WHEREAS, the Authority Board, by Resolution No. 21 of 2014 adopted the 2015 Operating and Capital Budget; and

WHEREAS, it has been determined that budget transfers are needed for unanticipated expenses as indicated below; and

WHEREAS, other expenses are lower than anticipated or revenue is more than anticipated and both are more than sufficient to cover the additional operating expense; now, therefore, be it hereby

RESOLVED, the following 2015 Budget Transfers are approved:

<u>From:</u>	900-8165	MRF – Contingency	\$10,000.00
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<u>To:</u>	693-8165	MRF – Maint./Service Contracts	\$10,000.00
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Explanation: To cover additional Maint./Service Contracts

<u>From:</u>	601-8165	MRF – Salaries	\$10,000.00
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<u>To:</u>	608-8165	MRF – Temporary Labor	\$10,000.00
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Explanation: To cover additional Temporary Labor costs. Sorter positions funded in salaries, but utilizing temporary agency.

<u>From:</u>	656-8165	MRF – Gas & Oil	\$8,000.00
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<u>From:</u>	900-8165	MRF – Contingency	\$7,000.00
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<u>To:</u>	692-8165	MRF – Tire Disposal	\$15,000.00
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Explanation: To cover additional disposal fees for tires. Will also see additional revenue.

<u>From:</u>	900-8175	RLF – Contingency	\$15,000.00
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<u>To:</u>	651-8175	RLF – Auto Supplies	\$15,000.00
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Explanation: To cover additional auto supplies.

<u>From:</u>	900-8175	RLF - Contingency	\$25,000.00
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<u>To:</u>	605-8175	RLF – Other Fees & Services	\$25,000.00
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Explanation: To cover additional professional fees for Landfill, including new monitoring wells and carbon credit verification.

<u>From:</u>	900-8185	GWC – Contingency	\$4,100.00
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<u>To:</u>	651-8185	GWC – Auto Supplies	\$1,500.00
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<u>To:</u>	693-8185	GWC – Maint./Service Contracts	\$2,600.00
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Explanation: To cover costs for additional auto supplies and Maint./Service contracts.

<u>From:</u>	900-8186	HHW – Contingency	\$4,000.00
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<u>From:</u>	900-8175	RLF - Contingency	\$16,000.00
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<u>To:</u>	605-8186	HHW – Other Fees & Services	\$20,000.00
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Explanation: To cover costs for additional disposal expenses for HHW material.

Adopted by the following vote:

AYES__ NAYS __

Dated:

BOARD OF DIRECTORS

Neil C. Angell
Chairman

Harry A. Hertline
Treasurer

James M. D'Onofrio

James A. Franco

Barbara Freeman

Nancy A. Novak

Robert J. Roberts, III

James M. Williams

William A. Rabbia

Executive Director

Jodi M. Tuttle

Authority Board Secretary

Preserving the environment through integrated recovery and disposal.

Introductory No.

Resolution No. 18

Introduced by:

Seconded by:

RE: APPROVAL OF INTERGOVERNMENTAL AGREEMENT WITH LEWIS COUNTY FOR PROCESSING AND MARKETING OF RECYCLABLES

WHEREAS, the Authority has invested in a state-of-the-art single stream processing facility to process recyclables from Oneida and Herkimer Counties; and

WHEREAS, the Authority has proven it has excess capacity which will allow more recyclables to be processed within its fixed operating labor; and

WHEREAS, the Authority is authorized under its enabling legislation, to take out-of-region recyclables; and

WHEREAS, the Authority has taken out-of-region recyclables while charging a fee to cover the cost of processing such recyclables; and

WHEREAS, Lewis County is interested in formulating an intergovernmental agreement with the Authority for the processing and marketing of recyclable material collected and delivered by Lewis County to the Authority; now, therefore, be it

RESOLVED, that the Authority Board authorizes and directs the Executive Director and Authority Counsel to take all necessary actions to finalize an intergovernmental agreement with Lewis County.

Adopted by the following vote:

AYES__ NAYS__

Dated:

BOARD OF DIRECTORS

Neil C. Angell
Chairman

Kenneth A. Long
Vice Chairman

Harry A. Hertline
Treasurer

Vincent J. Bono

James M. D'Onofrio

James A. Franco

Barbara Freeman

Nancy A. Novak

Robert J. Roberts, III

James M. Williams

William A. Rabbia
Executive Director

Jodi M. Tuttle
Authority Board Secretary

Introductory No.

Resolution No. 19

Introduced by:

Seconded by:

RE: APPROVAL OF AN AMENDED COMMUNITY COMPENSATION AGREEMENT WITH THE VILLAGE OF BOONVILLE AND APPROVAL OF AN AGREEMENT WITH THE ERWIN LIBRARY AND INSTITUTE OF BOONVILLE, NEW YORK

WHEREAS, the Oneida-Herkimer Solid Waste Authority ("the Authority") utilizes New York State highways through the Village of Boonville ("the Village") and the parties have established a working relationship to address concerns regarding traffic safety and transportation practices, among other things; and

WHEREAS, the parties entered into a written agreement dated as of March 2007 ("the Agreement"), in which the Authority made a commitment to assist the Village in developing a possible bypass at the Village's option, a copy of which is attached to the Amendment to Agreement as Exhibit "A"; and

WHEREAS, the Authority and the Village seek to make mutually beneficial modifications to the Agreement to improve transportation through the Village at the intersection of State Routes 294 and 46 (also known as Ford St. and Post St.) in lieu of a bypass, and executed a Memorandum of Understanding regarding the same; and

WHEREAS, the Authority utilizes New York State highways that pass through the Village of Boonville near the Erwin Library and Institute ("the Library") and intends to fund the construction of certain improvements at the intersection of State Routes 294 and 46 (also known as Ford St. and Post St.), which will allow the public and the Authority to more safely utilize the intersection ("the Intersection Project") and will benefit the Village and the Library; and

WHEREAS, the Intersection Project is expected to be completed in accordance with the conceptual drawing attached to the Amendment to Agreement with the Village as Exhibit "B", and attached to the Agreement with the Library as Exhibit "A", and will improve the parking, accessibility, traffic and aesthetics of land the Library purchased known as the former Family Dollar property, which is adjacent to the State Routes 294 and 46 intersection; and

WHEREAS, it may be necessary for the Library to transfer a fee interest, and/or an easement, in a small amount of land from the former Family Dollar property to the State of New York to allow for an expanded turning lane and walkway at the State Routes 294 and 46 intersection; and

WHEREAS, the Board of Trustees of the Village of Boonville has approved and executed the Amendment to the Agreement, which is attached hereto as Exhibit "A" and made a part hereof, and the Board of Trustees of the Erwin Library and Institute has approved and executed an Agreement regarding the Intersection Project, which is attached hereto as Exhibit "B" and made a part hereof, together with all of their exhibits; now, therefore, be it hereby

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RESOLVED, that the Authority Board of Directors approves the Amendment to Agreement with the Village of Boonville and directs the Executive Director and Authority Counsel to take all action necessary to execute and effectuate the Amendment to Agreement; and be it further

RESOLVED, that the Authority Board of Directors approves the Agreement with the Erwin Library and Institute and directs the Executive Director and Authority Counsel to take all action necessary to execute and effectuate the Agreement.

Adopted by the following vote:

AYES____ NAYS____

Dated:

Introductory No.

Resolution No. 20

Introduced by:

Seconded by:

RE: AWARD OF AGREEMENT TO UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) ANIMAL AND PLANT HEALTH INSPECTION SERVICE (APHIS) WILDLIFE SERVICES (WS)

WHEREAS, the Oneida-Herkimer Solid Waste Authority desires to continue to minimize impacts associated with nuisance wildlife, such as gulls, starlings, crows, muskrats, beavers, turkey vultures, woodchucks and pigeons (nuisance wildlife), at the Oneida-Herkimer Regional Landfill and other Authority Facilities; and

WHEREAS, the USDA-APHIS-WS has statutory authority under the Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C. 426-426b) as amended, and the Act of December 22, 1987 (101 Stat. 1329-331, 7 U.S.C. 426c), to cooperate with states, local jurisdictions, individuals, public and private agencies, organizations, and institutions while conducting a program of wildlife services involving mammal and bird species that are reservoirs of zoonotic diseases, or animal species that are injurious and/or a nuisance to, among other things, agriculture, horticulture, forestry, animal husbandry, wildlife, and human health and safety; and

WHEREAS, the USDA-APHIS-WS employs expert biologists and technicians that conduct nuisance wildlife management services, secure all necessary permits and prepare associated reports; and

WHEREAS, Authority staff have observed and interacted with USDA-APHIS-WS technicians and biologists as they conducted nuisance wildlife management at Authority Facilities for nine years; and

WHEREAS, the USDA-APHIS-WS has fulfilled all its duties and responsibilities and has successfully managed nuisance wildlife at Authority Facilities for nine years; and

WHEREAS, the USDA-APHIS-WS has developed a Cooperative Service Agreement to conduct four days per week, on-site, integral nuisance wildlife control program at the Oneida-Herkimer Solid Waste Management Facilities which will reduce human health and safety risks and property damage associated with nuisance wildlife; and

WHEREAS, Authority staff have negotiated a one-year agreement with USDA-APHIS-WS; and

BOARD OF DIRECTORS

Neil C. Angell
Chairman

Kenneth A. Long
Vice Chairman

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Executive Director

Jodi M. Tuttle

Authority Board Secretary

WHEREAS, the USDA-APHIS-WS offers the unparalleled resources and expertise of the Federal Government in nuisance wildlife management; now, therefore, be it

RESOLVED, that the Authority Board accepts and approves the attached Inter-Governmental Agreement put forth by USDA-APHIS-WS and commencing on January 1, 2016 and continuing for one year from that date; and be it further

RESOLVED, that the Authority Board directs the Executive Director to take all necessary action to implement this Agreement.

Adopted by the following vote:

AYES__ NAYS__

Dated:

Preserving the environment through integrated recovery and disposal.

Introductory No.

Resolution No. 21

Introduced by:

Seconded by:

RE: APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH ARCADIS, ENVIRONMENTAL CONSULTANTS

WHEREAS, the Authority has utilized several professional engineering and consulting firms to provide necessary services for the planning, design and construction of Authority facilities; and

WHEREAS, the firm of ARCADIS has been used by the Authority for the site investigation and planning of the Regional Landfill Facility; and

WHEREAS, the Authority Board approved contracts with ARCADIS for site studies, preparation of environmental impact statements, and preparation of permit documents from the Landfill Facility (Resolution No. 3 of 1995) and the Authority retained ARCADIS to prepare all final environmental monitoring plans and site analytical plans required during facility operation and continuing requirements for monitoring, reporting and permit compliance (Resolution No. 7 of 2010); and

WHEREAS, the construction of the landfill facility was completed and there are continuing requirements for monitoring, reporting and permit compliance which require the services of hydrogeologists, chemists and other professional services as outlined in the attached proposed Agreement; and

WHEREAS, the Authority has utilized ARCADIS for monitoring, reporting, and permit compliance for the first nine years of operation of the Regional Landfill and the Ash Landfill since its closure; and

WHEREAS, the estimated costs for these professional services are indicated and the firm is required to request and receive written authorization from the Authority before proceeding with the work, and this proposed Agreement recognizes that the work will be within the annual budgets authorized by the Authority Board; now, therefore, be it

RESOLVED, that the Authority Board of Directors hereby approves an Agreement for Environmental Consulting Services with ARCADIS and directs the Executive Director and the Authority Counsel to take the action necessary to execute the Agreement.

Adopted by the following vote:

AYES__ NAYS__

Dated:

BOARD OF DIRECTORS

Neil C. Angell
Chairman

Kenneth A. Long
Vice Chairman

Harry A. Hertline
Treasurer

Vincent J. Bono

James M. D'Onofrio

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James M. Williams

William A. Rabbia

Executive Director

Jodi M. Tuttle

Authority Board Secretary

Preserving the environment through integrated recovery and disposal.

Introductory No.

Resolution No. 22

Introduced by:

Seconded by:

RE: APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH TRAINOR ASSOCIATES, INC.

WHEREAS, the Authority is committed to promoting waste reduction, recycling and proper solid waste management to all individuals, businesses, industries, institutions and schools throughout the region through public information/education; and

WHEREAS, the Authority periodically requires assistance from professional public relations firms for communication consulting and creative services; and

WHEREAS, the Authority issued a Request for Proposals dated September 13, 2010 for an advertising agency to develop a public education and community outreach program specific to single stream recycling education; and

WHEREAS, Trainor Associates, Inc. was selected based upon years of experience in the field, quality of work and competitive pricing; and

WHEREAS, the Authority has a number of ongoing projects where the use of a professional public relations firm is warranted to continue to improve public information and increase public education opportunities; and

WHEREAS, the estimated costs for these professional services are indicated in the attached proposed Agreement and Trainor Associates, Inc. is required to request and receive written authorization from the Authority before proceeding with any work, and this proposed agreement recognizes that the work will be within the annual budget authorized by the Authority Board; now, therefore, be it

RESOLVED, that the Authority Board of Directors hereby approves a Professional Services Agreement with Trainor Associates, Inc. and directs the Executive Director to take the action necessary to execute the Agreement.

Adopted by the following vote:

AYES__ NAYS__

Dated:

Introductory No.

Resolution No. 23

Introduced by:

Seconded by:

RE: ESTABLISH REGULAR MEETING DATES FOR 2016 AND DESIGNATE OFFICIAL NEWSPAPERS FOR PUBLICATION OF LEGAL NOTICES

WHEREAS, the Authority customarily adopts a regular meeting schedule for the upcoming year and designates official newspapers for the publication of legal notices; now, therefore, be it

RESOLVED, that the Authority Board of Directors hereby designates the following meeting dates for 2016: March 28, May 9, June 20, September 19, November 21 and December 19. The Chairman may call additional meetings as necessary and after public notice; and further be it

RESOLVED, that the Board of Directors hereby designates the Utica Observer-Dispatch, the Rome Daily Sentinel, and the Times Telegram (formerly Herkimer Evening Telegram) for publication of all official notices of the Authority and the Board further directs the Authority Secretary to post all official notices on the Authority's web site.

Adopted by the following vote:

AYES__ NAYS__

Dated:

BOARD OF DIRECTORS

Neil C. Angell
Chairman

Harry A. Hertline
Treasurer

James M. D'Onofrio

James A. Franco

Barbara Freeman

Nancy A. Novak

Robert J. Roberts, III

James M. Williams

William A. Rabbia
Executive Director

Jodi M. Tuttle
Authority Board Secretary

Preserving the environment through integrated recovery and disposal.

Introductory No.

Resolution No. 24

Introduced by: Ms. Freeman

Seconded by: Mr. Williams

RE: ELECTION OF OFFICERS AND COMMITTEE MEMBERS FOR 2016

WHEREAS, pursuant to the New York State Public Authorities Accountability Act and the Authority's Bylaws, the following slate of officers has been recommended by the Nominating Committee to serve for 2016:

Neil Angell, Chairman
Ken Long, Vice Chairman
Harry Hertline, Treasurer

; now, therefore, be it

RESOLVED, that the Authority Board hereby elects the following slate of officers for 2016:

Neil Angell, Chairman
Ken Long, Vice Chairman
Harry Hertline, Treasurer

; and further be it

RESOLVED, that the Authority Board of Directors hereby appoints the following members to serve on the following committees for 2016:

Audit Committee:

Harry Hertline – Chairman, Audit Committee
Ken Long - Vice Chairman, Audit Committee
Robert J. Roberts, III

Finance Committee:

Harry Hertline – Chairman, Finance Committee
Neil Angell - Vice Chairman, Finance Committee
Ken Long
Robert Roberts

Introductory No.
Resolution No. 24
Page 2

Governance Committee:

Ken Long – Chairman
Barbara Freeman
James Williams

FOIL Appeals Committee:

Barbara Freeman – Chair
James D’Onofrio
James Franco

Adopted by the following vote:

AYES__ NAYS__

Dated:

Preserving the environment through integrated recovery and disposal.

Introductory No.

Resolution No. 25

Introduced by:

Seconded by:

RE: COMMENDING THE SERVICE OF DIRECTOR OF RECYCLING DAVID E. LUPINSKI

WHEREAS, David E. Lupinski's dedication and passion for recycling and environmental stewardship began in 1988 when he spearheaded Herkimer County's Recycling Department before transferring to the Oneida-Herkimer Solid Waste Authority; and

WHEREAS, Director of Recycling David E. Lupinski has served the Oneida-Herkimer Solid Waste Authority since 1990; and

WHEREAS, Mr. Lupinski has played a major role in the success of the Authority's regional recycling program since the opening of the Oneida-Herkimer dual-stream Recycling Center in 1991 through its conversion to its state-of-the-art single stream system and RecycleOne-One and Done recycling program in 2012; and

WHEREAS, Mr. Lupinski helped develop a regional, user-friendly, curbside recycling program and has successfully managed the residential and commercial recycling programs that serve the 78 municipalities throughout the two-county region; and

WHEREAS, Mr. Lupinski has demonstrated the highest levels of leadership, commitment, and dedication in the position of Director of Recycling; now, therefore, be it hereby

RESOLVED, that the Oneida-Herkimer Solid Waste Management Authority Board of Directors hereby congratulates and recognizes the exceptional dedication and accomplishments by David E. Lupinski during his 25 years of service to the Authority and the residents of Oneida and Herkimer Counties, and extends the highest level of appreciation and commendation.

Adopted by the following vote:

AYES___ NAYS___

Dated:

BOARD OF DIRECTORS

Neil C. Angell
Chairman

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Vice Chairman

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