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Preserving the environment through integrated recovery and disposal.

## MEMORANDUM

- TO: Authority Board of Directors
- FROM: William A. Rabbia, Executive Director
- DATE: March 6, 2015
  - RE: Meeting Notice & Tentative Agenda Monday, March 23, 2015 4:30 PM
- 1. Pledge of Allegiance
- 2. Approval of December 15, 2014 Authority Minutes
- 3. Public Comment Period
- 4. Independent Audit Paul Goetz, Partner, SaxBST
- 5. Reconciliation of 2014 Budget and 2014 Budget Amendments Resolution
- 6. Award Recycling Center Warehouse Construction Resolution
- 7. Mission Statement/Performance Measure Report Resolution
- 8. Annual Board of Directors Evaluation Resolution
- 9. Reappointment of Contracting Officer and Annual Approval of Property Disposition Policy - Resolution
- 10. Code of Ethics Policy and Fraud Policy Resolution
- 11. Procurement Policy and Designation of Sole Source Vendors Resolution
- 12. Public Authorities Reporting Information System (PARIS) Authorization Resolution
- 13. Updates:

Chairman

Kenneth A, Long

Vice Chairman

Earth Day Events **HOCTS Alternative Routing Study Final Report** 

14. Motion to go into Executive Session to discuss pending litigation and proposed real property acquisition

Vincent J. Bono

Alicia Dicks James M. D'Onofrio James A. Franco

Barbara Freeman Robert J. Roberts, III James M. Williams



# DRAFT

# AUTHORITY MEETING & PUBLIC HEARING MINUTES DECEMBER 15, 2014

<u>Board Members Present</u>: Chairman Neil Angell, Vice Chairman Ken Long, Vincent Bono, Alicia Dicks (via telecom), James Franco, Barbara Freeman, Robert Roberts and Jim Williams

Absent: James D'Onofrio and Treasurer Harry Hertline

<u>Authority Staff Present</u>: Bill Rabbia, Jodi Tuttle, Joe Artessa, Jim Biamonte, Patrick Donovan, David Lupinski, Andrew Opperman, Bill Schrader and Jamie Tuttle

Others Present: Kevin Martin, Esq. and one member of the general public [Duane Ulrich]

Chairman Angell called the December 15, 2014 Authority Board meeting to order at 4:30 PM, and opened with the Pledge of Allegiance.

A motion was made by Ms. Freeman, seconded by Mr. Williams and passed to approve the November 17, 2014 Authority Minutes.

Chairman Angell called the public hearing on the proposed 2015 budget to order. There was no one from the public interested in commenting.

In follow-up to last month's budget presentation, Executive Director Bill Rabbia provided a detailed explanation of the proposed 2015 capital budget.

Resolution No. 21 was introduced by Mr. Long, seconded by Mr. Bono and passed approving the 2015 Authority budget, 2015 rate schedule, and the solid waste collection and disposal permit rules and regulations.

With no further discussion related to the budget, regular public comment period followed.

Mr. Duane Ulrich said that instead of the Authority lowering its tipping fees it should do more for Ava. Mr. Ulrich said that he can't see sending trucks up Route 12 from Utica when they're half-way to Rome before they can get on Route 12. He said that the trucks should go through the Base, over Chestnut Street and up Route 26 as it's a shorter route and almost flat, compared to Route 12. Mr. Ulrich asked why garbage is coming from Lewis County through Boonville and then going to the dump if the Authority is supposed to have a closed system.

Mr. Rabbia replied that the Authority is prohibited from taking any garbage outside of Oneida and Herkimer Counties. He noted that there are some haulers that work across-county lines. Mr. Rabbia said that any hauler that delivers waste to the regional landfill is a permitted commercial hauler and all haulers within the Authority system must comply with the Authority's disposal permit rules and regulations. If the Authority is apprised of potential out-of-county waste being delivered, the Authority investigates the matter and works with the neighboring county. Mr. Rabbia said that non-permitted pick-up trucks and residents near the landfill utilize the Boonville transfer facility or deliver waste to the Authority's Utica and/or Rome transfer stations.

BOARD OF DIRECTORS

Chairman Kenneth A. Long Vice Chairman

Neil C. Angell

Harry A. Hertline *Treasurer* Vincent J. Bono Alicia Dicks James M. D'Onofrio James A. Franco Barbara Freeman Robert J. Roberts, III James M. Williams William A. Rabbia Executive Director Jodi M. Tuttle

Authority Board Secretary

# AUTHORITY MEETING & PUBLIC HEARING MINUTES DECEMBER 15, 2014

Page 2

Mr. Rabbia noted that local permitted contractors are allowed to utilize the regional landfill and that the local community is provided a discounted tipping fee rate.

Ms. Freeman said that it would be foolish to make a hauler within a small geographical area near the landfill drive all the way to the Authority's Utica or Rome transfer stations.

Mr. Donovan said that Resolution No. 22 would approve budget transfers to close-out transfers needed for 2014. He said that budget transfers are needed to cover additional operating expenses including professional service fees, maintenance and service contracts, and temporary labors costs at the Recycling Center; costs for additional insurance, telephone, public education and other expenses in Administration; costs associated with overtime; auto supplies, and materials and supplies at the Regional Landfill; overtime costs, auto supplies and other expenses at the Green Waste Compost facility; and additional costs related to the disposal of household hazardous waste.

Resolution No. 22 was introduced by Mr. Roberts, seconded by Mr. Long and passed approving 2014 budget transfers.

Mr. Rabbia said that Resolution No. 23 would authorize the Authority to enter into a Power Purchase Agreement (PPA) with Solar City Corporation, and grant a related license of Authority property at 575 Perimeter Road in Rome (adjacent to the Authority's Western Transfer Station).

Mr. Rabbia said that a ground-mounted solar array system would be placed on 8.8 acres of Authority property and would be sized to generate enough electricity to off-set electricity consumed at all of the Authority's Utica facilities, its Western Transfer Station, and the pumps at the closed Ash Landfill. Current delivery and supply charges are \$0.115 cents per kilowatt hour. The Authority's current monthly utility charges average just under \$15,000. Mr. Rabbia said that when the Authority moves forward with the solar deal the Authority will continue to purchase electricity and continue to procure the best deal for electricity in the marketplace. The Authority would then be credited a virtual net meter credit for all of the solar electricity generated, based upon an annual average cost in the service area. Through the PPA, the Authority would pay a fixed \$0.06 a kilowatt hour for everything the solar array generates for the term of the contract. The array proposed could generate a potential annual savings of roughly \$80,412. Mr. Rabbia noted that there are no upfront capital costs with this project. He said that Solar City would do the building but that the Authority would give them use of the land and guarantee payment for anything that's generated. Solar City estimates a savings of approximately \$2.1 million over 20 years.

Attorney Kevin Martin said that he and Mr. Rabbia have had long negotiations with Solar City to accommodate to the Authority's set-up. In terms of risk to the Authority, Mr. Martin said that this is a pretty good arrangement. He said that the only way you can default is if you fail to pay Solar City on a monthly basis. The penalty for default would be to purchase the system from Solar City. In the event the law changes, there is an escape hatch, which goes in both directions. If the project turns out to be uneconomical for Solar City they have a contractual obligation to remove the equipment and restore the land to what it was before at no expense to the Authority.

Mr. Rabbia said that the largest risk would be regulation changes related to the virtual net meter credit, but considering there are so many municipalities across state that are tying into these solar PPAs if the regulators even thought about changing the regulations there would be a huge outcry. Mr. Rabbia stated that the SEQRA Negative Declaration has already been completed.

# AUTHORITY MEETING & PUBLIC HEARING MINUTES DECEMBER 15, 2014 Page 3

Ms. Freeman asked about the life of the equipment and if there was any discussion regarding upgrades.

Mr. Rabbia said that photovoltaic cell technology is designed/engineered beyond the term of the contract.

Resolution No. 23 was introduced by Ms. Freeman, seconded by Mr. Roberts and passed approving a Solar Power Purchase Agreement between the Authority and Solar City Corporation, and granting a related license of Authority property at 575 Perimeter Road, Rome, NY.

Mr. Rabbia said that the Authority has utilized the U.S. Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) Wildlife Services for approximately eight years to primarily control birds at the Regional Landfill, and beavers, muskrats and other nuisance wildlife at its Utica and Rome facilities. He said that Resolution No. 24 would authorize an additional one-year agreement with the USDA-APHIS-WS to manage nuisance wildlife at Authority facilities.

Resolution No. 24 was introduced by Mr. Franco, seconded by Mr. Long and passed to enter into a one-year intergovernmental agreement with USDA-APHIS-WS for nuisance wildlife management at Authority facilities.

Mr. Rabbia said that Resolution No. 25 would allow the Authority to enter into a new three-year professional service agreement with Total Solutions. Total Solutions has provided comprehensive IT management, including third-party vendor interface, hosted exchange email service, managing antivirus and back-up, and web filtering services to the Authority since 2010.

Resolution No. 25 was introduced by Mr. Roberts, seconded by Mr. Williams and passed approving a Professional Services Agreement (PSA) with Total Solutions, Inc. for the period January 1, 2015 through December 31, 2017.

Mr. Rabbia said that the Authority's current PSA with consulting engineers Barton & Loguidice, P.C. (B & L) expires at the end of 2014. The Authority has utilized B & L for all of its regulatory and engineering needs at its Utica and Rome facilities and throughout landfill siting and construction. Resolution No. 26 would extend a PSA with B & L for the next four years.

Resolution No. 26 was introduced by Mr. Bono, seconded by Mr. Roberts and passed approving a PSA with Barton & Loguidice for the period 2015 through 2018.

Resolution No. 27 was introduced by Mr. Williams, seconded by Mr. Bono and passed designating the following meeting dates for 2015: March 23, May 18, June 15, September 21, November 16 and December 21; designating the Utica Observer-Dispatch, the Rome Daily Sentinel, and the Herkimer Evening Telegram for publication of all official notices of the Authority; and directing the Authority Secretary to post all official notices on the Authority's web site.

Resolution No. 28 was introduced by Ms. Freeman, seconded by Mr. Williams and passed electing the following slate of officers and committee members for 2015: <u>Slate of Officers</u>: Neil Angell, Chair; Ken Long, Vice Chair; and Harry Hertline, Treasurer; <u>Audit Committee</u>: Harry Hertline (Chair), Ken Long (Vice Chair) and Robert Roberts; <u>Finance Committee</u>: Harry Hertline (Chair); Neil Angell (Vice Chair), Ken Long and Robert Roberts; <u>Governance Committee</u>: Ken Long (Chair); Barbara Freeman and James Williams; and <u>FOIL Appeals Committee</u>: Barbara Freeman (Chair), James D'Onofrio and James Franco.

# AUTHORITY MEETING & PUBLIC HEARING MINUTES DECEMBER 15, 2014

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Mr. Rabbia updated the Board on the NYS Electronic Equipment Recycling and Reuse Act which will prohibit all households and generators of electronic waste from disposing of electronic waste (i.e. computers, computer components, televisions and other electronic devices) as garbage, effective January 1, 2015. Mr. Rabbia said that the Authority has been communicating with local municipalities in this regard and will be issuing a press release on how to recycle electronics in the coming days. Electronic waste will continue to be accepted at the Authority's Utica and Rome Convenience Stations, year-round, at no charge, for proper recycling. Additional information on electronics recycling can be found on the NYSDEC's website.

At 5:21 PM a motion was made by Mr. Roberts, seconded by Mr. Williams and passed to go into executive session to discuss real property acquisition and pending litigation. At 5:39 PM a motion was made by Mr. Bono, seconded by Mr. Roberts and passed to come out of executive session.

With no further business, a motion was made by Mr. Williams, seconded by Ms. Freeman and passed to adjourn the meeting.

Respectfully submitted,

Jodi M. Tuttle Authority Secretary



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Introductory No.

# Resolution No. 1

Introduced by: Seconded by:

# RE: RECONCILIATION OF 2014 BUDGET AND 2014 BUDGET AMENDMENTS TO REFLECT 2014 ACTUAL

WHEREAS, the Authority Board, by Resolution No. 23 of 2013 adopted the 2014 Budget; and

- WHEREAS, the Authority Board approved budget transfers to the 2014 Budget by Resolution No. 2 dated March 24, 2014, Resolution No. 11 dated May 12, 2014, Resolution No. 15 dated September 15, 2014 and Resolution No. 22 dated December 15, 2014; and
- WHEREAS, the changes to total revenues and expenses for 2014 were included in the completed independent audited financial statements issued in March of 2015 and it is necessary to reconcile the 2014 Budget to the 2014 audited financial statements; now, therefore, be it
- **RESOLVED,** that for purposes of the rate covenant compliance report for the Series 2007 bonds, Series 2006 bonds, Series 1998 bonds and Series 2011 bonds, the 2014 Budget shall reflect actual 2014 expenses as audited.

Adopted by the following vote:

AYES\_\_\_\_NAYS\_\_\_

Dated:

BOARD OF DIRECTORS Neil C. Angell Harry A. Hertline Chairman Treasurer

Treasurer ng Vincent J. Bono

Kenneth A. Long Vice Chairman James M. D'Onofrio James A. Franco

Alicia Dicks

Barbara Freeman Robert J. Roberts, III James M. Williams



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#### Introductory No.

**Resolution No. 2** 

Introduced by: Seconded by:

# RE: AWARD OF CONTRACT TO BEEBE CONSTRUCTION SERVICES, INC. FOR \$397,900 FOR CONSTRUCTION OF A STORAGE ADDITION TO THE EXISTING ONEIDA-HERKIMER RECYCLING CENTER FOR BALE STORAGE

- **WHEREAS,** the Authority owns and operates the Oneida-Herkimer Recycling Center which receives and processes single stream recyclables from Oneida and Herkimer Counties; and
- WHEREAS, implementation of single stream recycling has increased recyclables diverted from municipal solid waste and the landfill; and
- WHEREAS, the configuration of the current Recycling Center does not provide for adequate storage of recyclable materials processed and baled; and
- WHEREAS, pursuant to the approval of the Board in the 2015 Budget and Capital Plan, final design and specifications for Recycling Center modifications Contract No. 15-0001 General Construction were completed by Barton & Loguidice and an advertisement for sealed bids was issued in compliance with General Municipal Law Section 103 on February 19, 2015; and
- WHEREAS, on February 25, 2015 a mandatory pre-bid meeting was held and on March 10, 2015 bids were received and opened from the following companies for the construction of a 4,500 square foot addition to the existing Recycling Center for bale storage, with results as follows:

Bidder & Address	<b>Total Bid</b>
National Building Restoration	\$407,900
Utica, NY	
Charles A. Gaetano Construction Corp.	\$449,000
Utica, NY	
Joseph Priore Construction	\$428,700
Utica, NY	
Beebe Construction Services, Inc.	\$397,900
Utica, NY	
McGinnis-Nelson Construction	\$442,500
Clinton, NY	
Edgebrook Construction	\$470,480
Marcy, NY	

BOARD OF

Neil C. Angell Chairman

Vice Chairman

Chairman Treasurer Kenneth A. Long Vincent J. Bono

Harry A. Hertline

Alicia Dicks James M. D'Onofrio James A. Franco Barbara Freeman Robert J. Roberts, III James M. Williams

# Introductory No. Resolution No. 2 Page 2

- **WHEREAS,** the bids have been evaluated for compliance with the specifications; the contractor's qualifications have been confirmed; and reference projects have been checked; and
- **WHEREAS,** the bid price received by Beebe Construction Services, Inc. is within the estimate provided by Barton & Loguidice; and
- **WHEREAS,** Beebe Construction Services, Inc. has been determined to be qualified and the bid has been determined an acceptable low bid; now, therefore, be it
- **RESOLVED,** that the Authority Board accepts and approves the bid submitted by Beebe Construction Services, Inc. and hereby awards a contract for construction of a 4,500 square foot addition to the existing Recycling Center for bale storage; and further be it
- **RESOLVED,** the Board directs the Executive Director and Counsel to take all action necessary to implement this award and complete this work.

Adopted by the following vote:

AYES\_\_\_\_ NAYS\_\_\_\_



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#### Introductory No.

**Resolution No. 3** 

Introduced by:
Seconded by:

# RE: APPROVAL OF ONEIDA-HERKIMER SOLID WASTE MANAGEMENT AUTHORITY MISSION STATEMENT AND PERFORMANCE MEASURE REPORT FOR 2014

- WHEREAS, Section 2824-a of the New York State Public Authorities Law requires that the Oneida-Herkimer Solid Waste Management Authority (the "Authority") develop and adopt a Mission Statement and Performance Measures to assist the Authority in evaluating accomplishments of the mission and goals of the Authority; and
- **WHEREAS,** the Authority was required to file a Mission Statement and Performance Measures with the Authorities Budget Office (ABO) on or before March 31, 2011; and
- **WHEREAS,** the Authority adopted its Mission Statement and Performance Measures with adoption of Resolution No. 36 of 2010 and filed as required; and
- **WHEREAS,** the Authority is also required to annually review its Mission Statement and Performance Measures and publish a Measurement Report; and
- WHEREAS, the Governance Committee of the Oneida-Herkimer Solid Waste Management Authority has developed the attached Performance Measure Report for 2014 and recommends adoption by the full Board; now, therefore, be it
- **RESOLVED,** that the Oneida-Herkimer Solid Waste Management Authority Board of Directors has reviewed and hereby approves the Authority's current Mission Statement without modifications at this time; and be it further
- **RESOLVED,** that the Oneida-Herkimer Solid Waste Management Authority Board of Directors hereby approves the attached Performance Measure Report for 2014; and be it further
- **RESOLVED,** that the Authority Board of Directors further directs the Secretary of the Board to file and post the Performance Measure Report for 2014 in accordance with the New York State Public Authorities Law.

Adopted by the following vote:

AYES\_\_\_ NAYS\_\_\_

Neil C. Angell

Kenneth A, Long

Vice Chairman

Chairman

Dated:

BOARD OF DIRECTORS

Vincent J. Bono

Alicia Dicks James M. D'Onofrio James A. Franco Barbara Freeman Robert J. Roberts, III James M. Williams



#### Introductory No.

**Resolution No. 4** 

Introduced by: Seconded by:

## **RE: ANNUAL BOARD OF DIRECTORS EVALUATION**

- WHEREAS, Sections 2800(1)(a)(15), 2800(2)(a)(15) and Section 2824(7) of the New York State Public Authorities Law requires that the Oneida-Herkimer Solid Waste Management Authority Board of Directors (the "Authority") conduct an annual evaluation of its performance; and
- **WHEREAS,** Board members must be committed to the highest standards of corporate governance and hold itself accountable to the mission of the Authority and the public interest; and
- WHEREAS, this annual assessment is a reminder to each Board member of his or her duties, why those responsibilities are important, and whether they are performing those duties appropriately; and
- WHEREAS, the evaluation provides an opportunity for Board members to measure their individual collective effectiveness, determine if they are following their own policies and procedures, identify areas for Board improvement, and to compare how their evaluation of the Board's performance compares to that of other Board members; and
- **WHEREAS,** the Authorities Budget Office (ABO) recommends that each Board member annually perform his/her own evaluation of the whole Board and the evaluation should be conducted confidentially with the results compiled by the Governance Committee; and
- WHEREAS, to the extent that the results of the evaluation demonstrate the need for the Board to improve its performance, amend it practices or procedures, or clarify its expectations of Board members, the Board is expected to implement suitable corrective actions immediately; and
- WHEREAS, the Oneida-Herkimer Solid Waste Management Authority approved an Evaluation form by Resolution No. 37 of 2010; and
- WHEREAS, the Governance Committee of the Oneida-Herkimer Solid Waste Management Authority is required to annually review the Board of Directors Evaluation form and recommends no modifications at this time; and
- **WHEREAS,** Board member comments are protected from disclosure under Article 6 of Public Officers Law, but summary of the results of the assessment are to be provided to the Authorities Budget Office (ABO); now, therefore, be it

Neil C. Angell

Kenneth A. Long

Vice Chairman

Chairman

Vincent J. Bono

Alicia Dicks James M. D'Onofrio James A. Franco Barbara Freeman Robert J. Roberts, III James M. Williams

Introductory No. Resolution No. 4 Page 2

- **RESOLVED,** that the Oneida-Herkimer Solid Waste Management Authority Board of Directors hereby approves the attached Confidential Evaluation of Board Performance with no modification at this time; and be it further
- **RESOLVED,** that each Board Member will annually complete such evaluation and that member responses will be confidentially submitted to the Authority Governance Committee and then aggregated; and be it further
- **RESOLVED,** that the Authority Board of Directors directs the Secretary of the Board to submit a summary of results of the Board of Directors Evaluation to the ABO via e-mail on or before March 31<sup>st</sup> of each year.

Adopted by the following vote:

AYES\_\_\_NAYS\_\_\_



#### Introductory No.

**Resolution No. 5** 

Introduced by: Seconded by:

# RE: RE-APPOINTMENT OF CONTRACTING OFFICER RESPONSIBLE FOR THE DISPOSITION OF AUTHORITY PROPERTY AND APPROVAL OF THE PROCEDURE FOR THE DISPOSITION OF AUTHORITY PROPERTY

- **WHEREAS,** since its formation, the Authority has advertised for the sale of, or placed or public auction, personal and real property no longer needed for Authority operations; and
- **WHEREAS,** the Authority prepares and maintains an inventory of such surplus personal and real property; and
- WHEREAS, Section 2896 of the New York State Public Authorities Accountability Act (PAAA) has required that the Authority adopt a procedure for the disposition of personal and real property which provides for inventory of property, public notice, open-competitive bidding, and documentation of property sold and that the Authority appoint a contracting officer to administer that procedure; and
- **WHEREAS,** the PAAA requires that the Procedure for the Disposition of Authority Property be annually reviewed and approved by the Board of Directors; and
- WHEREAS, the Authority Board adopted the Procedure for the Disposition of Property by Resolution No. 28 dated October 16, 2006; and
- WHEREAS, in 2006, the Authority Board appointed James V. Biamonte, Authority Environmental Coordinator, to be the Contracting Officer as set forth in the Public Authorities Accountability Act; and
- **WHEREAS** James V. Biamonte has been reappointed by the Authority Board as Contracting Officer each year since 2006; and
- WHEREAS, the Board approved modifications to the Procedure for the Disposition of Authority Property by Resolution No. 1 dated March 17, 2008, Resolution No. 2 dated March 30, 2009, Resolution No. 4 dated March 29, 2010 and Resolution No. 5 dated March 25, 2013; and

BOARD OF

Neil C. Angell

Kenneth A. Long

Vice Chairman

Chairman

Vincent J. Bono

Alicia Dicks James M. D'Onofrio James A. Franco Barbara Freeman Robert J. Roberts, III James M. Williams

Introductory No. Resolution No. 5 Page 2

- WHEREAS, the Governance Committee reviewed the Procedure and is recommending no modifications be made at this time; now, therefore be it
- **RESOLVED,** the Authority Board re-appoints James V. Biamonte to be the Contracting Officer for the period 2015-2016 and directs the Contracting Officer to take all actions required by Public Authorities Accountability Act and the Procedure for the Disposition of Property; and be it further
- **RESOLVED,** the Authority Board of Directors hereby approves the attached Procedure for the Disposition of Authority Property without modification.

AYES\_\_\_NAYS\_\_\_



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#### Introductory No.

#### **Resolution No. 6**

Introduced by: Seconded by:

#### **RE: APPROVAL OF CODE OF ETHICS POLICY AND FRAUD POLICY**

- **WHEREAS,** the Authority recognizes that there are certain standards of ethical conduct for employees that must be observed to maintain a high level of public confidence; and
- WHEREAS, the Authority has from its inception placed a high priority on conducting all matters in the most ethical fashion and numerous steps have been taken to guard against fraudulent activities; and
- WHEREAS, the Authority has in place policies and practices to address potentially fraudulent unethical activities as set forth in, but not limited to, the Authority Code of Ethics and other policies set forth in the Employee Handbook as well as the Authority Annual Ethics Disclosure & Statement of Board Responsibility; and
- WHEREAS, the Governance Committee reviewed the Authority's current Code of Ethics Policy and Fraud Policy is recommending no modifications be made to the Code of Ethics Policy or the Fraud Policy at this time; now, therefore, be it
- **RESOLVED,** that the Board of Directors hereby approves the attached Code of Ethics Policy and Fraud Policy without modification; and further be it
- **RESOLVED,** the Board directs the Executive Director to post both policies at all Authority facilities and to provide annual written notices to employees, such as an enclosure with employee paychecks, which notifies employees of their responsibilities in regard to ethical conduct and fraudulent activities; and further be it
- **RESOLVED,** that the Authority Board of Directors will continue to monitor activities and implement improvements in the future to protect against potential fraud and unethical practices.

Adopted by the following vote:

AYES\_\_\_ NAYS\_\_\_

Neil C. Angell

Kenneth A. Long

Vice Chairman

Chairman

Dated:

BOARD OF DIRECTORS

Vincent J. Bono

Alicia Dicks James M. D'Onofrio James A. Franco Barbara Freeman Robert J. Roberts, III James M. Williams



#### Introductory No.

**Resolution No. 7** 

Introduced by: Seconded by:

## **RE: APPROVAL OF PROCUREMENT POLICY & DESIGNATION OF SOLE SOURCE VENDORS**

- WHEREAS, the Authority Board of Directors adopted a Procurement Policy by Resolution No. 3 on March 17, 2008 in compliance with the requirements of the New York State Public Authorities Accountability Act; and
- **WHEREAS,** the Board approved amendments to the Procurement Policy by Resolution No. 6 on April 21, 2008 and Resolution No. 6 on March 30, 2009; and
- WHEREAS, the Board is required to review the Policy annually; and
- **WHEREAS,** the Governance Committee reviewed the policy and is recommending further modifications; now, therefore be it
- **RESOLVED,** the Board of Directors hereby approves the attached modified Procurement Policy; and further be it
- **RESOLVED,** that the Authority Board hereby designates and authorizes the following agencies, organizations and companies for sole source purchases, and directs the Executive Director to take all action necessary to implement such actions within the budget allocations approved by the Board and in conformance to the Authority Procurement Policy:

#### Sole Source

Rome Daily Sentinel (legal notices) Utica Observer Dispatch (legal notices) Herkimer Evening Telegram (legal notices) Applicable Federal, State, County, local governments, including school districts (payments in lieu of taxes, fees, health insurance, workers' compensation, regulatory payments/fees and host community payments) National Grid (electricity and natural gas transmission) Boonville Municipal Commission (electricity) Upper Mohawk Valley Regional Water Authority (water) NYS & Local Employee Retirement System (retirement plan) City of Utica Comptroller (annual solid waste service charge printing and billing) US Postal Service (mail) Landfill Services Corp (methane flares)

BOARD OF

Neil C. Angell Chairman Kenneth A. Long

Treasurer Drg Vincent J. Bono

Harry A. Hertline

Kenneth A. Long Vir Vice Chairman James M. D'Onofrio James A. Franco

Alicia Dicks

Barbara Freeman Robert J. Roberts, III James M. Williams

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Sole Source - Continued

Creative Information Systems (scale computer software) SWK Technologies (accounting system software) Siemens (SCADA software/hardware) Geologic Computer Systems (GPS software – RLF compaction) ADP (Payroll/HR software) Al-Jon Manufacturing (waste compactor) SAGE (third party credit card processor) VanDyk Baler Corp (Bollegraaf Balers/Titech Opticals – MRF) LC Whitford (Morbark Tub Grinder Parts) Landtec (Landfill Monitoring – calibration /service/data service) Hustler Conveyor Co. (Sorting Discs, Screens – MRF) Harris Baler Co. (Double Ram Baler – MRF) Accent Wire (Baler wire tie parts/service - MRF) Kinequip (Kaeser Compressor – parts/service – MRF) Joest (vibrator, screen parts – MRF) QED (Landfill gas well leachate pumps) SETCO (vulcanized rubber cutting edges – MRF, WTS, ETS) Vermeer Rock and Recycling (trommel screen parts – GWC) Ingersoll Rand Co. (Regional Landfill compressor – parts/service)

;and be it further

**RESOLVED,** that additional sole source vendors/purchases will be identified to the Board as outlined in the Procurement Policy.

Adopted by the following vote:

AYES\_\_NAYS\_\_



Introductory No.

**Resolution No. 8** 

Introduced by: Seconded by:

# RE: AUTHORIZING AND DIRECTING THE EXECUTIVE DIRECTOR TO SUBMIT/CERTIFY ALL REPORTS REQUIRED BY THE PUBLIC AUTHORITIES ACCOUNTABILITY ACT

- WHEREAS, the Public Authorities Accountability Act requires submitting information to the Authority Budget Office through the Public Authority Reporting Information System (PARIS) including a Budget Report, Annual Report, Procurement Report, Investment Report and Certified Financial Audit; and
- WHEREAS, the Authority's transparency is evident from its annual budget process that requires a public hearing, its reporting of financial and operating information to the Counties, and various reporting required by New York State; and
- **WHEREAS,** the Authority's financial information and governance policies have been distributed to appointing bodies and distributed to the general public; and
- **WHEREAS,** all such PARIS reporting shall be compiled from the records of the Authority, including the independent audit, annual budget, annual report and any other documents necessary; and
- WHEREAS, all such information has been made available to the Authority Board of Directors; now, therefore, be it
- **RESOLVED,** that the Authority Board of Directors hereby authorizes the Executive Director to ensure preparation and submit/certify all reports required by the Public Authorities Accountability Act.

Adopted by the following vote:

AYES\_\_\_NAYS\_\_\_

Dated:

BOARD OF

Kenneth A, Long

Vice Chairman

Treasurer Vincent J. Bono

Alicia Dicks James M. D'Onofrio James A. Franco Barbara Freeman Robert J. Roberts, III James M. Williams