

Preserving the environment through integrated recovery and disposal.

MEMORANDUM

TO: Authority Board of Directors

FROM: William A. Rabbia, Executive Director

DATE: September 9, 2016

RE: Meeting Notice & Tentative Agenda - Monday, September 19, 2016

1. Pledge of Allegiance
2. Approval of June 20, 2016 Authority Minutes
3. Public Comment Period
4. 2016 Budget Transfers – Resolution
5. Contract Award for Transportation of Solid Waste – Resolution
6. Capital Projects – WTS/Boonville/MRF
7. Other Updates:
 - Proposed Part 360 Revisions
 - 2017 Budget Timeline/Financial Plan/Public Hearing Date – Motion
 - Organics – Feasibility Study
 - Regional Demolition Program
 - Village of Mohawk
 - Solar City
8. Motion to go into Executive Session to discuss pending litigation, contract negotiations and real property acquisition.

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DRAFT

AUTHORITY MEETING MINUTES
June 20, 2016

Board Members Present: Chairman Neil Angell, Treasurer Harry Hertline, Vincent Bono, James D’Onofrio, James Franco, Barbara Freeman, Nancy Novak and Jim Williams

Board Members Absent: Vice Chairman Ken Long and Robert Roberts

Authority Staff Present: William Rabbia, Jodi Tuttle, Emily Albright, Joe Artessa, Jim Biamonte, Patrick Donovan, Andrew Opperman, William Schrader and Jamie Tuttle

Others Present: Authority Counsel Kevin Martin

Chairman Angell called the June 20, 2016 Authority Board meeting to order at 4:28 PM, and opened with the Pledge of Allegiance.

A motion was made by Mr. D’Onofrio, seconded by Mr. Williams and passed to approve the May 9, 2016 Authority Minutes.

There were no speakers for public comment period.

Comptroller Pat Donovan provided an overview of the City of Utica Solid Waste Agreed Upon Procedures Report which highlights the amount of revenue collected through user fees and the sale of City blue bags and expenses associated with the Utica Fund for the period April 1, 2015 through March 31, 2016, performed by SAXBST. Total revenues for the 12-month period were \$3,611,027 in comparison to \$3,554,396 for the prior year. Mr. Donovan stated that solid waste service charge revenues increased by about \$27,000 resulting from better collections and the sale of bags increased by about \$25,000. Expenses were \$3,652,780, in comparison to \$3,616,903 during the same period. Salaries and benefits went down from approximately \$412,000 in 2014-2015 to \$301,000 through March 31, 2016, the majority related to GASB 45 [post-retirement health insurance costs]. Expenses for tipping fees grew by about \$55,000 from additional tonnage and the collection contract increased by about \$80,000. The overall deficit for the period April 1, 2015 through March 31, 2016 was \$41,753, compared to \$62,507 for the prior year. Mr. Donovan said that there is sufficient money in the solid waste fund to withstand the \$41,000 deficit. The Authority does an annual projection for the City of Utica that the Executive Director presents to the Mayor and believes that the current rates the City is charging for both blue bags and user fees should be adequate through March 31, 2018.

Mr. Donovan said that Resolution No. 11 would authorize a \$750,000 budget amendment for expenses related to the Community Compensation Agreements with the Village of Boonville/Erwin Library for work that is being done by the Authority, in lieu of the bypass road.

Introductory No. 11 was introduced by Ms. Freeman, seconded by Mr. Williams and passed approving a budget amendment in the amount of \$750,000 for expenses related to the Village of Boonville/Erwin Library Community Compensation Agreement.

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Executive Director William Rabbia reported that all contracts with Central Paving related to the improvements to the intersection of NYS Routes 294/46 and Erwin Library site in the Village of Boonville have been completed. Once the school year ends, right-of-way work will begin. Mr. Rabbia said that the majority of the utility work has been completed. Curbing, drainage and paving work should be completed toward the end of July. Interior work and paving of the parking lot are slated for mid-July with an overall completion date of August 26th.

Mr. Donovan said that Resolution No. 12 would authorize budget transfers for temporary labor required at the Recycling Center.

Resolution No. 12 was introduced by Mr. Bono, seconded by Mr. Williams and passed approving budget transfers to cover temporary labor at the Recycling Center.

Mr. Rabbia said that Resolution No. 13 would authorize the Executive Director to file a negative declaration on the Route 294/46 improvement project. Mr. Rabbia stated that Environmental Coordinator Jim Biamonte has reviewed the project from the SEQRA standpoint and the Authority has determined there is no environmental impact related to this project.

Resolution No. 13 was introduced by Mr. Bono, seconded by Mr. Franco and passed establishing the Authority Board as the SEQRA lead agency; determining that the proposed improvement project is a Type 1 Action and that the project will not have a significant adverse impact on the environment; and authorizing the Executive Director to publish notice and file a copy of the Negative Declaration for the project.

Mr. Rabbia reported that the Authority continues working with the New York State Association for Solid Waste Management (NYSASWM) and NYS Association of Counties (NYSAC) on draft comments on the newly proposed NYSDEC Part 360 regulations. Mr. Rabbia attended a meeting on June 17th with the DEC, NYSASWM and NYSAC, and the DEC relayed that it plans on extending the comment period by 60 days from July 15th to September 15th. The meeting also included discussion related to active landfill gas collection and carbon credit markets. Mr. Rabbia said that the Authority has been anticipating changes in regulations over the years (i.e. design changes related to electro-resistivity testing on the primary landfill liner, radiation detection at landfills) and has tried to plan and budget accordingly. Mr. Rabbia and Mr. Biamonte are working on draft comments to submit on behalf of the Authority and will continue to keep the Board apprised.

Chairman Angell commented on the letter from the NYS Association of Counties to Mr. Rabbia, thanking him for his dedication in managing a comprehensive and impressive solid waste management system.

In response to questions raised by Mr. Duane Ulrich at the last meeting of the Authority related to community compensation to the Town of Ava, Chairman Angell requested that Mr. Rabbia correspond with Mr. Ulrich and Town of Ava Councilman Tom Tkachuk, who was also present at the meeting, by providing them with additional information.

Mr. Rabbia noted that June 21st marks the last day for comments on the draft RFP for transportation of solid waste to the Authority Regional Landfill. Nine companies had requested copies of the draft RFP but no comments were received. A final RFP will be issued on July 6th with comments due July 20th.

At 4:55 PM a motion was made by Mr. Hertline, seconded by Mr. Bono and passed to go into executive session to discuss pending litigation.

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At 4:58 PM a motion was made by Mr. D'Onofrio, seconded by Mr. Williams and passed to come out of executive session.

With no further business, a motion was made by Mr. Bono, seconded by Mr. Franco and assed to adjourn the meeting.

Respectfully submitted,

Jodi M. Tuttle
Authority Secretary

Preserving the environment through integrated recovery and disposal.

Introductory No.

Resolution No. 14

Introduced by:

Seconded by:

RE: 2016 BUDGET TRANSFERS

WHEREAS, the Authority Board, by Resolution No. 16 of 2015 adopted the 2016 Operating and Capital Budget; and

WHEREAS, it has been determined that budget transfers are needed for unanticipated expenses as indicated below; now, therefore, be it hereby

RESOLVED, that the following 2016 Budget Transfers are approved:

From: 601-8165 MRF – Salaries \$40,000.00
To: 608-8165 MRF – Temporary Help \$40,000.00
Explanation: To cover costs of temporary labor needed at the Recycling Center.

From: 900-8180 ETS – Contingency \$4,700.00
To: 651-8180 ETS – Automotive Supplies \$4,700.00
Explanation: To cover additional costs of Automotive Supplies for ETS Equipment.

Adopted by the following vote:

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Dated:

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Introductory No.

Resolution No. 15

Introduced by:

Seconded by:

RE: CONTRACT FOR TRANSPORTATION OF SOLID WASTE TO THE ONEIDA-HERKIMER LANDFILL

WHEREAS, the Oneida-Herkimer Solid Waste Management Authority is required to provide for environmentally sound and cost effective disposal of all solid waste generated within Oneida and Herkimer Counties; and

WHEREAS, the Authority constructed and operates a regional landfill facility in the Town of Ava for all non-recyclable waste, as part of the regional solid waste management system; and

WHEREAS, the Authority continues operation of its Eastern and Western Transfer Stations in Utica and Rome where haulers will deliver waste for discharge, inspection, and loading for transport to the landfill facility; and

WHEREAS, in 2011, the Authority, pursuant to Section 120-w of the New York General Municipal Law, by a Request for Proposals (RFP) entered into a five-year service agreement with Fred Burrows Trucking and Excavating, LLC for transportation of solid waste to the Oneida-Herkimer Regional Landfill; and

WHEREAS, the current Agreement with Fred Burrows Trucking and Excavating, LLC for transportation of solid waste to the Oneida-Herkimer Regional Landfill will expire on October 24, 2016; and

WHEREAS, the Authority, pursuant to Section 120-w of the New York General Municipal Law, issued a draft Request for Proposals (RFP) dated April 20, 2016, inviting interested respondents to submit proposals for the transportation of solid waste during said period; and

WHEREAS, draft RFP copies were forwarded to transportation service providers in Central New York; and

WHEREAS, there was a 60-day comment period following the distribution of the draft RFP but no comments were received during this period and no substantive adjustments were made to the RFP; and

WHEREAS, the final RFP was released on July 6, 2016 and made available to each company that received or downloaded copies of the draft RFP; and

WHEREAS, in accordance with the provisions of 120-w, the draft and final RFPs were advertised state-wide and locally, as follows: New York State Register, New York Environmental Notice Bulletin, Utica Public Library, Oneida and Herkimer Legislative Clerks, Observer Dispatch, Rome Sentinel, The Times Telegram and on the Authority's website; and

WHEREAS, the draft and final RFP were reviewed and approved by the Authority Board prior to issuance, including the draft contract; and

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- WHEREAS,** the Authority received proposals from four respondents, current contractor Fred Burrows Trucking and Excavating, LLC of Whitesboro, MBI of Syracuse, T.J. Allen Bulk Services, LLC of Newport, and Shue Brothers Excavating and Logging Inc. of West Leyden, NY, in response to the final RFP; and
- WHEREAS,** after a review and evaluation of the technical and financial/business sections of the proposals, the Authority finds the proposal by Fred Burrows Trucking and Excavating, LLC, was the lowest cost and is complete and contains all necessary submittals in accordance with criteria stated in the RFP; and
- WHEREAS,** Authority staff fully considered all proposals and has concluded its negotiations and evaluations with the respondents and now recommends that the Authority enter into a new service agreement with Fred Burrows Trucking and Excavating, LLC for transportation of solid waste to the Oneida-Herkimer Regional Landfill; and
- WHEREAS,** the Authority has determined that the transportation work and Agreement represents an unlisted action pursuant to 6 NYCRR Part 617, and it is noted that a complete draft and final environmental impact statement were completed for the landfill facility inclusive of all transportation matters; and
- WHEREAS,** as required, the Authority has prepared an environmental assessment form and has given due consideration to the environmental impacts, if any, that the activities to be undertaken pursuant to the proposed agreement will have and has determined there will be no significant negative environmental impacts; and
- RESOLVED,** that the Authority finds that the approval of the proposed Agreement will not have a significant negative impact on the environment and the Authority hereby directs the Executive Director to make all requisite filings for a negative declaration of environmental significance pursuant to 6 NYCRR Part 617; and be it further
- RESOLVED,** that the form of the agreement for transportation services between the Authority and Fred Burrows Trucking and Excavating, LLC for the five-year period from October 24, 2016 at the rates stated in the agreement is hereby approved; and that the Executive Director of the Authority is hereby authorized and directed on behalf of the Authority to execute the agreement, with such additions thereto, omissions therefrom, or other changes therein as may be within the general purposes and intent expressed in the form of the agreement; and be it further
- RESOLVED,** that the Executive Director of the Authority is hereby authorized and directed to do or cause to be done all such acts or things as may be necessary or advisable or convenient and proper in connection with the execution and delivery of the aforesaid agreement authorized at this meeting and in connection with or incidental to the consummation and carrying into effect during the term of said agreement so made including but without limitation on the scope of the foregoing, the execution and delivery of all instruments and documents that reasonably may be required of the Authority under said agreement or may be considered supplemental thereto.

Adopted by the following vote:

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Dated: