

Preserving the environment through integrated recovery and disposal.

MEMORANDUM

TO: Authority Board of Directors

FROM: William A. Rabbia, Executive Director

DATE: April 21, 2016

RE: Meeting Notice & Tentative Agenda - Monday, May 9, 2016 at 4:30 PM

1. Pledge of Allegiance
2. Approval of March 28, 2016 Authority Minutes
3. Public Comment Period
4. First Quarter Financial Report
5. Award of NYS Route 294/46 Intersection Improvements and Erwin Library Site Improvements - Resolution
6. Feasibility Study – Source Separated Organics and Oneida County Sewer District Project
7. Updates:
 - Solid Waste Regulation Changes
 - Solar Project
 - Lewis County Recyclables
8. Motion to go into Executive Session to discuss pending litigation.

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AUTHORITY MEETING MINUTES
March 28, 2016

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

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

Others Present: Paul Goetz, Partner - SAXBST

Chairman Angell called the March 28, 2016 Authority Board meeting to order at 4:32 PM, and opened with the Pledge of Allegiance.

A motion was made by Mr. Williams, seconded by Ms. Freeman and passed to approve the December 21, 2015 Authority Minutes.

There were no speakers for public comment period.

Paul Goetz, Partner at SAXBST, presented the audited financial statements of the Authority for the year ending 2015. Mr. Goetz met with the Authority’s Audit and Finance Committees prior to this meeting to review the independent Auditor’s Report and statements of net position. Mr. Goetz reviewed the independent auditor’s report stating that the Authority received an unqualified opinion, which is the highest level of assurance you can receive from an auditing firm. This is also consistent with prior years’ opinions.

Under the Management’s Discussion and Analysis section, Mr. Goetz relayed that SAXBST does not express an opinion in this area of the audit, however, it does check the accuracy of the financial tables within the document.

Mr. Goetz reviewed the Financial Statements which included Statement of Net Position; Revenues, Expenses and Changes in Net Position; Statement of Cash Flows; and Notes to the Financial Statements. Total assets have increased slightly in comparison to 2014. The Authority had an increase in its current assets of about \$3.6 million and its restricted assets decreased by approximately \$1.4 million. The Authority’s net position increased as a result of the Authority’s 2015 operations. Total revenues decreased slightly for 2015; the majority of this was related to the tipping fee decrease and lower receipts for the sale of recyclables. Total expenses decreased by a little over \$1.2 million dollars with depreciation decreasing by over \$800,000. Total operating income was about \$4.9 million for 2015. The overall change in net position for 2015 was \$4,485,299.

Mr. Goetz reviewed the Notes to the Financial Statements and said that Note 6 has been expanded to reflect the GASB 68 requirement that the Authority recognize its share of the unfunded New York State Retirement System liability.

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Mr. Goetz also reviewed two additional audit requirements that had no exceptions; the Management Report regarding 2015 rate covenant compliance, debt service and sinking fund deposits, maintenance of debt service reserve fund, and funding of bond redemption and improvement funds; and the review of the Authority's investment activities and investment guidelines, which are in compliance with the NYS Public Authorities Law.

Comptroller Pat Donovan said that Resolution No. 1 is an annual resolution that reconciles the 2015 budget and 2015 budget amendments to reflect 2015 actual activity and is required for the Authority's bond indenture.

Resolution No. 1 was introduced by Mr. Hertline, seconded by Mr. Roberts and passed reconciling the 2015 budget and 2015 budget amendments to reflect 2015 actual activity.

Mr. Donovan said that Resolution No. 2 would approve the addition of a ROTH Deferred Compensation Plan and loan provisions to be part of the Authority's Deferred Compensation Plan offered to its employees.

Resolution No. 2 was introduced by Mr. Roberts, seconded by Mr. Bono and passed approving amendments to the Authority's Deferred Compensation Plan.

Environmental Coordinator Jim Biamonte said that Resolution No. 3 would authorize the issuance of a draft Request For Proposals for the transportation of non-recyclable solid waste from the Western Transfer Station in Rome and the Eastern Transfer Station in Utica to the Authority's Regional Landfill. Mr. Biamonte stated that the current five-year contract with Fred Burrows Trucking will expire in October 2016 and this resolution would allow for the necessary preparations prior to the existing contract expiration. Mr. Biamonte outlined the current provisions under the contract. He said that he does not anticipate having to make many changes to the last transportation RFP that was released. Once approved, the draft RFP would be released in April with a 60-day public comment period. A final RFP would be developed and released at the end of June with final proposals due in July. Mr. Biamonte anticipates having a recommendation for award at the Board's September meeting. He noted that Section 120w of the General Municipal Law establishes a fair, open and competitive process for entering into an agreement with a private company.

Resolution No. 3 was introduced by Ms. Freeman, seconded by Mr. Franco and passed authorizing and directing the issuance of a Draft Request For Proposals for the transportation of non-recyclable solid waste.

Executive Director William Rabbia explained the remaining resolutions before the Board and noted that they are annual governance resolutions that have been reviewed by the Governance Committee.

Resolution No. 4 was introduced by Mr. Williams, seconded by Mr. Roberts and passed to approve the current Mission Statement, without modifications, and the Performance Measure Report for 2015; and directing the Secretary of the Board to file and post the Performance Measure Report in accordance with the New York State Public Authorities Law.

Resolution No. 5 was introduced by Mr. Roberts, seconded by Mr. Bono and passed approving the Confidential Evaluation of Board Performance form, without modifications. Board members were asked to submit their evaluations in a timely manner in order that the Secretary of the Board could submit a summary of the results to the Authority Budget Office before the March 31st deadline.

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Resolution No. 6 was introduced by Mr. D’Onofrio, seconded by Mr. Roberts and passed re-appointing James Biamonte as the Authority’s Contracting Officer responsible for the disposition of Authority property and approving the Procedure for the Disposition of Authority Property, without modification.

Mr. Rabbia noted that Resolution No. 7 before the Board would approve modifications to the Authority’s current Code of Ethics Policy. He stated that the Governance Committee determined that modifications should be made to the Code of Ethics Policy to better define “conflict of interest”, based on guidelines established by the Authority Budget Office. He stated that the Governance Committee is not recommending any modifications to the Fraud Policy.

Resolution No. 7 was introduced by Mr. Long, seconded by Mr. Williams and passed approving the Authority’s revised Code of Ethics Policy and Fraud Policy, without modification.

Resolution No. 8 was introduced by Mr. Franco, seconded by Mr. Hertline and passed approving the Authority’s Procurement Policy, without modification, and designating sole source vendors/purchases.

Resolution No. 9 was introduced by Mr. Roberts, seconded by Mr. Bono and passed authorizing and directing the Executive Director to submit/certify all reports required under the Public Authorities Accountability Act.

Mr. Rabbia reported that the former Dollar General building in the Village of Boonville was demolished by the Authority during the February school break. As per the agreement with the Village of Boonville and Erwin Library, the Authority was responsible for surveying asbestos and abatement, demolishing the building, putting together a design plan for the NYS Department of Transportation (DOT) for improvements to the State Route 294/46 intersection, and construction of improvements. Draft plans and an application will be submitted to the DOT the first week in April. Once the DOT preliminarily approves the plans, the Authority will advertise for construction. Mr. Rabbia anticipates a bid advertisement by April 8th with bids being due by May 4th. He expects to have a recommendation to the Board at the May 9th Authority meeting. Only after the Authority Board authorizes award of the contract, would the DOT grant final approval. Mr. Rabbia said that the goal is to have the majority of the work completed before the Oneida County Fair, which is the last week in July. Any work outside the DOT right of way would be completed before the end of August with final payments made to the Village and Library by September 2016.

School Recycling Coordinator Jamie Tuttle provided an update on the Authority’s AmIRecyclable? campaign. The campaign started last Fall and focused on contamination in the recycling stream, the top 10 items that are improperly recycled or disposed of, and provided a quick way for residents and businesses to find the answers to their disposal and recycling questions. The campaign included an AmIRecyclable? overlay on the Authority’s website, digital billboards and a mobile web app. Authority digital ads, similar to those that have appeared on Google sites, now appear on Facebook. Ms. Tuttle noted positive stats from website traffic, social media and the digital display ads/videos.

Ms. Tuttle highlighted the Authority’s upcoming Earth Day Events scheduled for Saturday, April 23, 2016 at the Oneida-Herkimer Recycling Center (80 Leland Ave. Ext., Utica) from 10 AM – 2 PM). In addition to the Authority’s regular Saturday services, the event will include tours of the Recycling Center; confidential paper shredding in cooperation with Confidata; collection of pharmaceuticals; Utica Zoomobile demonstrations; information about the Oneida County Sewer District’s Operation Ripple Effect; and a composting workshop from a master gardener from Cornell Cooperative Extension. These events are free. Ms. Tuttle noted that the Authority’s Household Hazardous Waste Facility will open on April 1st through September 30th.

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The Authority is also assisting the local chapter of Keep America Beautiful [Keep Mohawk Valley Beautiful] with the Great American Clean-Up and is hosting a litter hotline.

Mr. Rabbia provided an update on the NYS E-Waste [electronics] Law. Mr. Rabbia said that in January 2015, a landfill ban was put into place barring TVs and computers from being landfilled. As a result of this ban there has been an influx in the receipt of electronics. Mr. Rabbia said that the Authority anticipated the influx and budgeted additional contingency money for E-Waste. The Authority currently has an arrangement with Mavin Technologies, a reputable e-waste recycler that accepts e-waste from the Authority at no charge (unless the CRTs are cannibalized). Mr. Rabbia said that the E-Waste law is a product stewardship law where manufacturers are supposed to be paying for free and convenient collection across the state. However, many counties are paying substantially to get rid of their e-waste. Mr. Rabbia recently testified at the State Legislature at an Assembly E-Waste hearing and has been working with the New York State Association for Solid Waste Management, the New York State Association of Counties, and environmental conservation committees related to E-Waste recycling and potential funding avenues. Mr. Rabbia noted that beginning April 1, 2016, the NYSDEC will begin funding 50% of the cost of municipal electronics recycling. Discussion ensued. Mr. Rabbia will continue to keep the Board informed.

Mr. Rabbia relayed that the NYSDEC is revising its solid waste management Part 360 regulations. Authority facilities are permitted under Part 360. Mr. Rabbia said that the State has not revised its Part 360 regulations in nearly 20 years but has been working on draft language provisions over the past 10 years. The NYSDEC released draft revisions on February 26, 2016 and is in the process of setting up public hearings with public comments due by July 8, 2016. Mr. Rabbia and Mr. Biamonte have been working with the NYSASWM in analyzing the proposed revisions. NYSASWM hired Barton & Loguidice and environmental attorney Michael Cahill to analyze the financial impacts to municipalities and provide a side by side comparison of the proposed regulations to the current regulations. Mr. Rabbia highlighted some of the proposed regulations related to landfill construction, liner electrosensitivity testing and radiation detection; expansions to the special waste Part 364 transporter permits required for hauling industrial waste, contaminated soil, hazardous waste and special wastes to include construction and demolition debris; and new planning language. Mr. Rabbia will continue to keep the Board apprised of changes to the regulations.

Ms. Novak inquired about the letter Mr. Rabbia sent to the New York State Energy Research and Development Authority (NYSERDA) related to source separated organics. Mr. Rabbia said that Oneida County is currently undergoing a large capital improvement project at its wastewater treatment plant for an anaerobic digester for energy generation. As the Authority Utica facility is co-located with the wastewater treatment plant, the Authority submitted a grant inquiry to NYSERDA requesting funding to complete a technical feasibility analysis of the potential for energy recovery from source separated organics from municipal solid waste received by the Authority to be co-processed with wastewater treatment solids in anaerobic digesters now under construction at the wastewater treatment facility. Mr. Rabbia said that he estimates the study to be in the \$30,000 to \$40,000 range. Mr. Rabbia will continue to keep the Board updated.

At 5:55 PM, with no further business, a motion was made by Mr. Bono, seconded by Mr. Franco and passed to adjourn the meeting.

Respectfully submitted,

Jodi M. Tuttle
Authority Secretary

Preserving the environment through integrated recovery and disposal.

Introductory No.

Resolution No. 10

Introduced by:
 Seconded by:

RE: AWARD OF CONTRACT TO CENTRAL PAVING, INC. FOR \$254,361.70 FOR IMPROVEMENTS TO THE INTERSECTION NYS ROUTE 294/46 AND ERWIN LIBRARY SITE

WHEREAS, the Oneida-Herkimer Solid Waste Management Authority approved a modification to the Community Compensation Agreement with the Village of Boonville, and approved an Agreement with the Erwin Library and Institute of Boonville, NY by Resolution No. 19 of 2015;

WHEREAS, the Agreements required the Authority 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 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 Route 294 and 46 intersection, which will allow the public and the Authority to more safely utilize the intersection and will benefit the Village and the Library; and

WHEREAS, sealed bids for construction were solicited in compliance with General Municipal Law Section 103; and

WHEREAS, in compliance with the solicitation and General Municipal Law, a pre-bid meeting was held on April 22, 2016 with prospective bidders to explain the project and answer questions related to the project; and

WHEREAS, on May 4, 2016, sealed bids were received and opened from the following companies for construction, with the results as follows:

Bidder & Address	Total
Central Paving, Inc., Frankfort, NY	\$254,361.70

; and

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WHEREAS, the bid has been evaluated for compliance with the specifications for the project promulgated by Barton & LoGuidice; the contractor's qualifications have been confirmed; and reference projects have been checked; and

WHEREAS, the bid price received by Central Paving, Inc. has been determined to be an acceptable low bid; now, therefore, be it

RESOLVED, that the Authority Board accepts and approves the lump sum total bid submitted by Central Paving, Inc. and hereby awards a contract for the completion of the work specified in the bid; and further be it

RESOLVED, the Board directs the Executive Director and Authority Counsel to take all action necessary to implement this award and complete this work.

Adopted by the following vote:

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Dated: