

MEMORANDUM

TO: Authority Board of Directors

FROM: William A. Rabbia, Executive Director

DATE: May 5, 2017

RE: Meeting Notice & Tentative Agenda - Monday, May 15, 2017

1. Pledge of Allegiance
2. Approval of March 20, 2017 Authority Minutes
3. Public Comment Period
4. First Quarter Financial Report
5. 2017 Budget Transfers - Resolution
6. Issuance of Draft RFP for SSO Processing Facility Project - Resolution
7. Issuance of Draft RFP for Use of Excess Heat from LFG to Energy Facility - Resolution
8. Authorization for Evergreen Management on Authority Property - Resolution
9. Updates:
 - USEPA 2017 Environmental Champion Award
 - Solar Project
 - Little Falls E-Waste Event
 - Earth Day - Composter Sale
10. Motion to go into Executive Session to discuss pending litigation.

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AUTHORITY MEETING MINUTES
March 20, 2017

Board Members Present: Chairman Ken Long, Vice Chairman Vincent Bono, Treasurer Harry Hertline, Neil Angell, 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 and Kevin Martin, Esq.

Chairman Long called the March 20, 2017 Authority Board meeting to order at 4:30 PM, and opened with the Pledge of Allegiance.

A motion was made by Mr. Williams, seconded by Ms. Novak and passed to approve the December 19, 2016 Authority Minutes.

There were no speakers for public comment period.

Paul Goetz, Partner at BST, presented the audited financial statements of the Authority for the year ending 2016. 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 through a power point presentation, stating that the Authority received an unqualified opinion, which is the highest level of assurance one can receive from an auditing firm. This is also consistent with prior years’ opinions. Mr. Goetz noted that Authority Management is responsible for preparation and presentation of the financial statements and that there were no disagreements with Management in preparing the audit. Under the Management’s Discussion and Analysis section, Mr. Goetz relayed that BST 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 Statement of Net Position (Balance Sheet) with the Board. Total assets have increased by about \$4.0 million, in comparison to 2015. The Authority had an increase in its current assets of about \$4.0 million. The Authority’s net position increased as a result of the Authority’s 2016 operations. The Authority’s Statement of Revenues, Expenses & Changes in Net Position was reviewed. Total revenues increased slightly for 2016. Total expenses increased by a little over \$1 million dollars with host community benefits increasing by over \$700,000. Total operating income was about \$4 million for 2016. The overall change in net position for 2016 was \$3,884,315. Mr. Goetz reviewed the Notes to the Financial Statements and highlighted several notes including Note 1 New Accounting Pronouncement; Note 2 Restricted Assets; and Note 4 Capital Assets. Mr. Goetz also reviewed GASB 68 and 71 regarding Pension Accounting. Mr. Goetz reviewed two additional audit requirements that had no exceptions: 1. Management Report – Compliance with covenants in Bond Issue Documents outlining rate compliance, debt service and sinking funds, Debt Service Reserve Funds and Bond Redemption and Improvement Funds; and 2. Review of the Authority’s investment activities investment guidelines, and compliance with the NYS Public Authorities Law.

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AUTHORITY MEETING MINUTES

March 20, 2017

Page 2

Comptroller Pat Donovan said that Resolution No. 1 is an annual resolution that reconciles the 2016 budget and 2016 budget amendments to reflect 2016 actual activity and is required for the Authority's bond indenture.

Resolution No. 1 was introduced by Mr. Bono, seconded by Mr. Angell and passed reconciling the 2016 budget and 2016 budget amendments to reflect 2016 actual activity.

Executive Director Bill Rabbia reported that sealed bids for Cell 7 liner system construction at the Regional Landfill were solicited in compliance with General Municipal Law Section 103, received, and publicly opened on March 10, 2017. A total of five bids were received. Barton & Loguidice (B&L) evaluated the bids for compliance with the specifications for the project and references were checked. The lowest bid was from Adhan Piping Co., Inc., Cortland, NY. The lump sum bid totaled \$3,948,669. Mr. Rabbia stated that B&L is recommending that Adhan Piping Co. be awarded the contract for Cell 7 construction. He noted that Adhan has prior experience with landfill liner work.

Resolution No. 2 was introduced by Mr. Hertline, seconded by Ms. Freeman and passed, awarding the contract for Cell 7 liner system construction at the Regional Landfill to Adhan Piping Co., Inc. for \$3,948,669.

Mr. 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. 3 was introduced by Mr. Bono, seconded by Mr. Franco and passed to approve the current Mission Statement, without modifications, and the Performance Measure Report for 2016; 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. 4 was introduced by Mr. Williams, seconded by Ms. Freeman 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.

Resolution No. 5 was introduced by Mr. Angell, seconded by Ms. Freeman 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.

Resolution No. 6 was introduced by Mr. Franco, seconded by Mr. Bono and passed approving the Authority's current Code of Ethics Policy and Fraud Policy, without modifications.

Resolution No. 7 was introduced by Mr. Roberts, seconded by Mr. Franco and passed approving the Authority's Procurement Policy, with modifications, and designating sole source vendors/purchases. The recommended modifications will allow the Authority to make purchases from any New York State municipal entity, including school districts.

Resolution No. 8 was introduced by Mr. Bono, seconded by Mr. Angell and passed authorizing and directing the Executive Director to submit/certify all reports required under the Public Authorities Accountability Act.

A Memorial Resolution (Resolution No. 9) recognizing the life and contributions of former Board Member, A. Frank Dolan, was read by Authority Secretary Jodi Tuttle. Resolution No. 9 was introduced by Mr. Hertline, seconded by Ms. Freeman and unanimously adopted. A moment of silence was held in Mr. Dolan's memory.

AUTHORITY MEETING MINUTES

March 20, 2017

Page 3

Director of Recycling Emily Albright provided an update on Styrofoam recycling. Ms. Albright said that Styrofoam is a trademarked form of polystyrene foam insulation, also known as Expanded Polystyrene (EPS) foam. Only 2% of EPS foam is polystyrene, the rest is air. Due to its light weight, low cost and durability, it is difficult to recycle. EPS takes up less than 1% of the total municipal waste stream by both weight and volume and of that 1%, only 12% of it is recycled. Some of the concerns with Styrofoam recycling include: finding long-term stable markets; fewer businesses are utilizing Styrofoam; difficulty obtaining the volume of clean material with no contamination; separation, sorting and storing the material; transportation/cost of hauling; and markets are low. Ms. Albright said that it is also getting more difficult to identify Styrofoam as there are now starch-based alternatives that look and feel very similar. Ms. Albright reached out to Madison County who started recycling Styrofoam in December of 2015. Madison County accepts clean, white packaging Styrofoam (packaging peanuts, food trays, containers, cups and colored foam are not accepted) at its drop-off facility (it is not accepted curbside). Madison County built an addition to store the Styrofoam material and purchased a \$42,000 cold densifier unit. Over a 10-month period, Madison County collected approximately 7,000 pounds of undensified Styrofoam. Ms. Albright noted that approximately 40,000 pounds of Styrofoam is needed to make up a full-load. Madison County has since added clean Styrofoam food containers and cups to be included. Ms. Albright said that in addition to their densifying unit being very sensitive, contaminants are a big issue with Madison County.

Mr. Rabbia reported that the Source-Separated Organics Feasibility Study conducted by B&L is now complete and the project is determined to be feasible. The Study outlines a conceptual process, plan and impacts/effects on the Authority's current operations. B&L identified and evaluated the types of equipment and processing equipment required for the Authority to accept commercial and institutional food scraps/organics; developed a conceptual site plan and building floor plan; developed preliminary capital and O&M cost estimates; and conducted an organics feasibility tip fee analysis. The analysis factored in costs associated with running equipment, contamination, capital amortization, heating expenses and potential fees from Oneida County.

Board discussion ensued. Mr. Franco stressed the importance of developing accurate O&M costs in moving forward. Board members concurred that there are many logistics involved to determine the feasibility to incorporate organics, including the effect on tip fees. Mr. D'Onofrio stated that the fact that the Authority's Utica facility is adjacent to Oneida County's Wastewater Treatment plant is a plus, as transportation costs would be avoided. Ms. Novak inquired as to the timeframe for implementation and required upgrades.

Mr. Rabbia said that Oneida County's digester is scheduled to become operational in late 2018. The mandate that the Governor is proposing is that the law would be implemented in 2021. Mr. Rabbia said that the Authority already has a force main from its Utica facility to the Wastewater Treatment Plant, but it would have to be upgraded to handle the slurry. Based upon 50% of the project being funded by the Climate Smart Community Grant, Mr. Rabbia recommend moving forward with an RFP for design, procurement and construction of the system to better determine true costs. Authority staff will prepare the 120-w RFP for Board consideration at the May Board meeting. Final Board approval of the project would not be required until after analyzing the proposals and making the final determination that going forward with the project makes sense. Meantime, Mr. Rabbia will be providing additional grant documents required for submittal.

Mr. Rabbia reported that MVCC (Rome campus) will be taking advantage of the Authority's regional demolition program this year. Through the program, the Authority aids municipalities with clean-up of abandoned, dilapidated structures.

The Authority provides a demolition crew, including equipment, at no cost, to demolish abandoned structures owned by a municipality. The municipality then pays for the transportation and disposal of the demolition debris which must be landfilled.

AUTHORITY MEETING MINUTES

March 20, 2017

Page 4

Mr. Rabbia announced that the Authority, Herkimer County and the City of Little Falls are sponsoring a one-day electronics recycling event for all residents of Herkimer County. The one-day event will allow residents to drop-off unwanted or outdated electronics for recycling at no charge. The event will be held on Saturday, March 25, 2017 from 10:00 AM to 2:00 PM at the City of Little Falls DPW Garage, Loomis Street Ext., Little Falls, NY.

Mr. Rabbia said that Authority staff will be putting together an RFP to solicit proposals related to utilization of the waste heat generated at the WMRE landfill gas to electricity plant at the Regional Facility, to see if there is any outside interest in utilizing the waste heat generated.

Mr. Rabbia said that in its Host Community Agreement with the Village of Boonville there is a clause which states the Authority will consider the possibility of sending some of its leachate from the Landfill to Boonville's Village Waste Water Treatment Plant. Currently, 50% of the Authority's leachate goes to the City of Rome Waste Water Treatment Plant and 50% to the Oneida County Waste Water Treatment Plant. The last time the Village of Boonville analyzed its headworks was 9 to 10 years ago. Based on some of the parameters, the Plant's current design is not able to accept the Authority's leachate. Mr. Rabbia has talked with the Village Mayor and the Operator of the Treatment Plant about reanalyzing their headworks and has asked B&L to provide a proposal on how much the sampling would cost. As soon as the cost estimate is available, Mr. Rabbia will report back to the Board.

Mr. Rabbia highlighted the Authority's upcoming Earth Day Events scheduled for Saturday, April 22, 2017 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 confidential paper shredding, in cooperation with Confidata; collection of pharmaceuticals; Utica Zoomobile demonstrations; appearances by radio stations and the Utica Comets mascot; and tours of the Recycling Center. In accordance with the Authority's Local Solid Waste Management Plan, and in concert with Oneida County Sewer District's Operation Ripple Effect, the Authority will also be holding a composter and rain barrel sale. As advertised on the Authority's website and media advertisement, this year composters and rain barrels must be pre-ordered and paid in advance.

Mr. Rabbia reported that the new scales at the Western Transfer Station (Rome) have been installed and that the new modular scale house is nearing completion. The Authority has also upgraded all unattended kiosks with RFID (radio-frequency identification) technology. Commercial customers will now utilize a key fob, in lieu of a swipe card, for truck identification. With exception of the modular scale house, all other capital improvements from 2016 have been completed and the Authority is moving forward with its 2017 capital improvements, including bidding out repair of the tip floor at its Eastern Transfer Station (Utica).

Mr. Rabbia said that Solar City's most recent notification indicates a late May commercial operation date for the solar array project in Rome.

At 5:57 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

Introductory No.

Resolution No. 10

Introduced by:

Seconded by:

RE: 2017 BUDGET TRANSFERS

WHEREAS, the Authority Board, by Resolution No. 20 of 2016 adopted the 2017 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 2017 Budget Transfers are approved:

From: 601-8165 MRF – Salaries \$50,000.00
To: 608-8165 MRF – Temporary Labor \$50,000.00
Explanation: Sorter positions funded in salaries account, but utilizing temporary agency staff.

From: 900-8180 ETS – Contingency \$3,500.00
To: 693-8180 ETS – Maintenance & Service Contracts \$3,500.00
Explanation: To cover additional costs of maintenance contracts for the ETS.

From: 900-8185 GWC – Contingency \$2,200.00
To: 652-8185 GWC – Automotive Repairs \$2,200.00
Explanation: To cover additional costs of automotive repairs for GWC equipment.

Adopted by the following vote:

AYES__ NAYS __

Dated:

Preserving the environment through integrated recovery and disposal.

Introductory No.

Resolution No. 11

Introduced by:

Seconded by:

RE: AUTHORIZING AND DIRECTING THE ISSUANCE OF A DRAFT REQUEST FOR PROPOSALS FOR DESIGN, PROCUREMENT AND INSTALLATION OF A SOURCE-SEPARATED ORGANICS PROCESSING FACILITY

WHEREAS, the Authority's New York State approved Local Solid Waste Management Plan specifically identifies organics, such as food waste, as a diversion target for investigation during the current ten-year planning period; and

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) and Governor Cuomo support potential organics diversion legislation; and

WHEREAS, the Authority tasked its engineering consultant, Barton & Loguidice, to develop a feasibility study related to source-separated organics; and

WHEREAS, in March 2017, the Authority accepted the Source-Separated Organics Feasibility Study; and

WHEREAS, the Source-Separated Organics Feasibility Study recommended consideration of a commercial organics processing facility to be located in a building addition adjacent to the Authority's Eastern Transfer Station which would utilize proven technologies to maximize organics recovery through the use of automatic depackaging and sorting equipment; and

WHEREAS, the Authority partnered with Oneida County to accept the processed organics at its new anaerobic digesters and to secure a NYSDEC Climate Smart Communities Grant to offset a portion of the projects cost; and

WHEREAS, the County and the Authority were successful in securing the grant funding in an amount not to exceed \$1,327,500; and

WHEREAS, the Board wishes to consider proposals by firms to provide the design, procurement, construction and implementation of a new Source-Separated Organics Processing Facility; and

WHEREAS, Section 120-w of the General Municipal Law establishes a fair, open and competitive procedure for entering into an agreement for the Source-Separated Organics Processing Facility; now, therefore, be it

RESOLVED, that the Board hereby directs the Executive Director to issue a Draft Request for Proposals (RFP) and make the necessary notices of issuance in accordance with Section 120-w of General Municipal Law for design, procurement and installation of a Source-Separated Organics Processing Facility.

Adopted by the following vote:

AYES__ NAYS__

Dated:

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Jodi M. Tuttle

Authority Board Secretary

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Introductory No.

Resolution No. 12

Introduced by:

Seconded by:

RE: AUTHORIZING AND DIRECTING THE ISSUANCE OF A DRAFT REQUEST FOR PROPOSALS FOR USE OF EXCESS HEAT FROM LANDFILL GAS TO ENERGY FACILITY

WHEREAS, the Authority owns and operates the Oneida-Herkimer Regional Landfill which receives the municipal solid waste generated in Oneida and Herkimer Counties and as a byproduct of landfill operations, produces landfill gas; and

WHEREAS, the Authority, in order to manage the landfill gas and beneficially utilize it as energy, entered into an agreement with Waste Management Renewable Energy on September 16, 2010 to operate a Landfill Gas to Energy Facility; and

WHEREAS, the Landfill Gas to Energy Facility, as part of its operations, produces waste heat off its engines; and

WHEREAS, the waste heat has value but is not currently beneficially used; and

WHEREAS, companies may be able to utilize the waste heat for their operations and thereby help create local jobs; and

WHEREAS, the Authority is willing to lease a parcel of landfill site land to such companies that may use the excess heat for their operations; and

WHEREAS, the Board wishes to consider proposals by firms to use the excess heat; and

WHEREAS, Section 120-w of the General Municipal Law establishes a fair, open and competitive procedure for entering into an agreement to utilize the excess heat; now, therefore, be it

RESOLVED, that the Board hereby directs the Executive Director to issue a Draft Request for Proposals (RFP) and make the necessary notices of issuance in accordance with Section 120-w of General Municipal Law for use of excess heat from the Landfill Gas to Energy Facility.

Adopted by the following vote:

AYES___ NAYS___

Dated:

Preserving the environment through integrated recovery and disposal.

Introductory No.

Resolution No. 13

Introduced by:

Seconded by:

RE: AUTHORIZATION FOR TEMPORARY, LIMITED USE OF DESIGNATED AUTHORITY PROPERTY ON THE NORTH SIDE OF NYS ROUTE 294 IN THE TOWN OF AVA FOR THE PURPOSE OF HARVESTING AND MANAGING EVERGREEN TREES ON THE PROPERTY IDENTIFIED AS PARCELS 1 THROUGH 8

WHEREAS, in 2006 the Authority acquired a 198-acre property on the North side of NYS Route 294 for the purpose of providing a residence for the Landfill Facility Manager and to provide additional buffer area; and

WHEREAS, the property contains numerous evergreen trees planted and maintained by the prior owner for the purpose of harvesting Christmas trees; and

WHEREAS, the Authority initiated a program to work with local community groups to manage these evergreen trees, including harvesting Christmas trees, transplanting trees for nursery stock, and in some cases replanting new seedlings; and

WHEREAS, the Authority developed a plan for management of the property in question and the Plan was approved by the Authority Board on April 21, 2008 by Resolution No. 8; and

WHEREAS, pursuant to the approved Plan the Authority published public notices seeking proposals from community groups to participate, and four such proposals were received and agreements authorized with the following organizations:

	<u>Parcels</u>
Ava Ecology Center	7,4
Boonville Knights of Columbus	6,3
West Leyden Youth Baseball	8,5
Tug Hill Eco Institute	1,2

;and

WHEREAS, in 2009 the Ava Ecology Center was no longer interested in utilizing Parcels 7 and 4, therefore, the Authority Board of Directors through Resolution No. 23 of 2009 authorized the Knights of Columbus temporary use of Parcel 7, and the West Leyden Youth Baseball temporary use of Parcel 4, for the purpose of managing the evergreen trees on these plots pursuant to the approved Land Management Plan; and

WHEREAS, in 2011, the Tug Hill Eco Institute was no longer interested in utilizing Parcels 1 and 2 and, therefore, through Resolution No. 19 of 2011 the Board of Directors authorized the Knights of Columbus temporary use of Parcel 1, and the West Leyden Youth Baseball temporary use of Parcel 2, for the purpose of managing the evergreen trees on these plots pursuant to the approved Land Management Plan and the Authority Board of Directors authorized temporary use of Parcels 1, 3, 6 and 7 to the Boonville Knights of Columbus and Parcels 2, 4, 5 and 8 to West Leyden Youth Baseball; and

WHEREAS, West Leyden Youth Baseball has disbanded and the Knights of Columbus has expressed interest in also managing Parcels 2, 4, 5 and 8; and

WHEREAS, the Knights of Columbus has done an excellent job managing their parcels, including replanting approximately 200 trees annually; now, therefore, be it

RESOLVED, the Authority Board of Directors authorizes temporary use of Parcels 1-8 to the Boonville Knights of Columbus through April 2023.

Adopted by the following vote:

AYES__ NAYS__

Dated: