

MEMORANDUM

TO: Authority Board of Directors

FROM: William A. Rabbia, Executive Director

DATE: November 9, 2017

RE: Meeting Notice & Tentative Agenda - Monday, November 20, 2017 at 4:30 PM

1. Pledge of Allegiance
2. Approval of September 18, 2017 Authority Minutes
3. Public Hearing on Proposed 2018 Budget/Budget Presentation
4. Regular Public Comment Period
5. Investment Policy & Guidelines – Resolution
6. City of Utica Collection Bid – Resolution
7. Project Updates:
 - City of Rome Agreement
 - Village of Ilion Collection Bid
 - Organics Processing Facility Overview
 - DDSO Award
 - 2017 NYS Environmental Excellence Award
 - Google Sustainability Report
8. Request a Motion to go into Executive Session to Discuss Personnel Matters

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DRAFT

AUTHORITY MEETING MINUTES
September 18, 2017

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

Board Members Absent: Robert Roberts

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

Chairman Long called the September 18, 2017 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 June 19, 2017 Authority Minutes.

There were no speakers for public comment period.

Executive Director Bill Rabbia said that Resolution No. 14 would approve a budget amendment for 2017 capital expenses that were either included in the five-year capital plan or newly identified during the current year’s operations. Capital expenses included two new loaders, two forklifts, an interior wall replacement at the Recycling Center, fencing material and 17 roll-offs for a total cost of \$725,000. The expenses would be funded by 2017 unanticipated revenues from the sale of carbon credits (\$275,000) and the sale of recyclables (\$450,000).

Resolution No. 14 was introduced by Mr. Angell, seconded by Mr. Hertline and passed to approve a budget amendment in the amount of \$725,000 for 2017 capital expenses.

Comptroller Pat Donovan said that Resolution No. 15 would approve budget transfers needed for unanticipated expenses to cover temporary labor at the Recycling Center; to account for additional overtime related to an increase in material received at the Recycling Center; to cover costs of office cleaning at the Administrative Office; and to cover costs of additional maintenance expenses at the Regional Landfill. The transfers would be funded by available monies within each departmental budget.

Resolution No. 15 was introduced by Mr. Angell, seconded by Mr. Williams and passed to approve 2017 budget transfers.

Mr. Donovan said that Resolution No. 16 would award a five-year contract to Nationwide Retirement Solutions to serve as the provider of the Authority’s Deferred Compensation Plan and would appoint Authority staff to serve on the Deferred Compensation Plan Committee. Approximately 20 employees have participated in the voluntary program for the past 19 years. The Authority issued an RFP on June 14, 2017 and published such notice in the New York State Register. The Authority received three responses. Committee Members reviewed the proposals and are recommending that the Authority award a five-year contract to Nationwide Retirement Solutions. Nationwide has continued to serve as plan sponsor since the inception of the Deferred Compensation program.

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AUTHORITY MEETING MINUTES

September 18, 2017

Page 2

Resolution No. 16 was introduced by Mr. Bono, seconded by Mr. Franco and passed selecting Nationwide Retirement Solutions as the Authority's provider of its Deferred Compensation Plan, authorizing the Executive Director and Authority Counsel to execute all necessary documents to enter into a five-year contract, and appointing Messrs. Rabbia, Donovan, Biamonte and Artessa to serve on the Deferred Compensation Plan Committee.

Environmental Compliance Coordinator Jim Biamonte provided an update on the NYSDEC proposed Part 360 revisions. Mr. Biamonte stated that NYSDEC has issued its final response to comments and filed an Environmental Impact Statement. Authority staff submitted comments and worked with both the New York State Association for Solid Waste Management (NYSASWM) and New York State Association of Counties (NYSAC) to develop comments for consideration by the Department. Mr. Biamonte highlighted some of the operational and planning issues in the proposed regulations that could affect the Authority. Final regulations are expected to be released on September 20th.

Mr. Rabbia updated the Board on the solicitation of proposals for a source separated processing facility. The draft RFP for design, construction and installation of an organics processing facility adjacent to the Authority's Utica Complex was released on May 17th and a mandatory pre-bid meeting was held on May 18th. Twenty-four RFPs were distributed. Five companies attended the pre-bid meeting. Based upon comments received and per the Board-approved schedule, the Authority issued a final RFP on August 2nd with responses due on August 18th. One joint proposal was received from RRT Design and Construction and Barton & Loguidice (B&L). Mr. Rabbia noted that RRT Design and Construction is the company that designed and constructed the Authority's single stream processing facility. RRT also has experience building and designing a source separated organics facility. The initial budget for what RRT is proposing is slightly above B&L's \$2.7 million estimate outlined in the feasibility study. Mr. Rabbia said that \$2.7 million is the amount the Authority used when it applied for the Climate Smart grant with Oneida County. RRT proposed several options related to building layout, design and equipment options. Authority staff met with RRT and fine-tuned what the Authority is looking for operationally. RRT will be submitting a modified proposal, consistent with the 120-w bidding process which allows for negotiation. Mr. Rabbia said that RRT is proposing that initially the Authority not use a force main and instead transport the slurry to the wastewater treatment plant with a tanker truck. Mr. Rabbia said that the Authority will need to decide on the use of gray water and fine tune the inter-municipal agreement between the County and the Authority. Mr. Rabbia is also communicating with the grant administrators to see if the award amount could be amended, or if there are other grant options available. Oneida County has authorized going forward with the grant, contingent upon the Authority moving forward. Mr. Rabbia said that NYSDEC has recently announced that it will continue a major legislative push in 2018 to mandate organics diversion. Mr. Rabbia and staff will continue to work with RRT to determine where tips fees should be to cover capital expenditures and O&M costs. Mr. Rabbia will update the Finance Committee, once these figures are fine-tuned.

Board discussion ensued.

Mr. Rabbia said that the Authority manages collection for the City of Utica through an intermunicipal agreement with the City under a separate solid waste fund. The current contract for collection and haul of garbage and recyclables expires March 31, 2018. The contract for the actual collection is between the contractor and the Authority. Authority staff met with the City and put together a bid spec. The bid was released on August 7th and a mandatory pre-bid was held on August 17th. Six hauling companies attended the pre-bid. Final bids were open on August 30th. Three bids were received. Based upon major omissions in two of the three bids submitted and exorbitant costs (25% higher than the current collection expense) in the third bid, all bids were rejected. A new bid package, with bids due early November, is being developed. Mr. Rabbia will continue meeting with City officials to determine where costs need to be. He noted that the Utica Common Council is ultimately responsible for any changes in rates.

AUTHORITY MEETING MINUTES

September 18, 2017

Page 3

Mr. Rabbia stated that in 1996 the Authority entered into a 25-year inter-municipal agreement with the City of Utica that expires March 31, 2021. Mr. Rabbia will be working with Authority Counsel and City officials to either extend or renew this agreement. Mr. Rabbia said that both the collection contract and inter-municipal agreement with the City would be presented to the Board for its consideration.

Mr. Rabbia said that the Authority is continuing its regional demolition program offered to municipalities. Under the program, the Authority makes available a demolition crew and equipment to demolish abandoned structures owned by a municipality, during the months of December through March. The Authority does not charge for the demolition crew and equipment. However, the municipality would have to abate for asbestos and is required to pay for disposal of the demolition debris to be landfilled. Last year the Authority assisted the County in demolishing a building on the MVCC campus. This year the Village of Middleville expressed interest in having a home demolished and the City of Rome inquired about assistance in taking down foundation walls on 138 houses located in the former Griffiss Air Force Base housing unit.

Mr. Rabbia said that the Authority also manages the Village of Ilion's curbside collection through an inter-municipal agreement and separate accounting fund. The current collection contract expires March 31, 2018. Mr. Rabbia and Director of Recycling Emily Albright are working with the Village to develop new bid specs. Bids will be due early November. The Authority will provide guidance to the Village on whether rates would need to be adjusted. Collection for the Village is currently subcontracted to a private hauler.

Solid Waste Engineer Andrew Opperman updated the Board on the solar array system. The Authority currently has a power purchase agreement with Solar City. The solar array was sized to meet the energy needs of the Recycling Center; Utica Transfer Station, the Western Transfer Station and Ash Landfill in Rome and the Administrative Office. Based on the energy produced, the Authority will receive an energy credit. The system began operating on July 29, 2017. Solar City set up an on-line portal that provides the ups and downs of energy created. Mr. Opperman said that for the first year the Authority is rated for 1.3 million kw hours of production which is equivalent to 112,000 kw hours monthly and approximately 3,700 kw hour daily. Approximately 119 homes would be powered annually. In comparison, Mr. Rabbia commented that the two engines at the Regional Landfill take care of the annual needs of 3,300 homes. Mr. Rabbia noted that the 2018 proposed budget does not include any potential savings from the installation of the solar system.

Mr. Rabbia said that the Board authorized releasing a 120-w RFP for utilization of waste heat at the Regional Landfill. Mr. Rabbia said that over the past year a few companies expressed potential interest in utilizing the waste heat. A draft RFP was released with a comment period provided. The final RFP was released with proposals due on September 11, 2017. No proposals were received. Mr. Rabbia said that if there is interest in the future, another RFP would be released.

Mr. Rabbia reported that a draft proposed 2018 budget, including key budget assumptions, was presented to the Finance Committee. The Finance Committee will review the proposed budget and meet again in October. The initial draft budget did not include any tip fee increases, nor decreases, but includes approximately \$1.9 million in capital expenditures. The proposed 2018 budget will be released to the public prior to November 1, 2017.

A motion was made by Mr. Bono, seconded by Mr. Franco and passed to schedule a public hearing on the proposed 2018 budget for November 20, 2017 at 4:30 PM.

At 5:42 PM a motion was made by Mr. Angell, seconded by Ms. Freeman and passed to go into executive session to discuss pending litigation, contract negotiations and real property acquisition.

AUTHORITY MEETING MINUTES

September 18, 2017

Page 4

At 6:05 PM a motion was made by Mr. D'Onofrio, seconded by Ms. Novak and passed to come out of executive session.

With no further business, a motion was made by Mr. Hertline, seconded by Ms. Freeman 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. 17

Introduced by:

Seconded by:

RE: APPROVAL OF INVESTMENT POLICY AND INVESTMENT GUIDELINES

WHEREAS, the Authority Board of Directors adopted an Investment Policy with a comprehensive set of investment guidelines by Resolution No. 42 on August 20, 1990 in compliance with the requirements of the Public Authorities Law and the Authority's Bylaws; and

WHEREAS, these investment guidelines detail the Authority's operative policy and instructions to officers and staff regarding the investing, monitoring and reporting of funds of the Authority; and

WHEREAS, pursuant to the Public Authorities Accountability Act, this Investment Policy will be reviewed annually and from time to time the Authority may amend such Investment Guidelines; and

WHEREAS, the Board approved amendments to the Investment Policy by Resolution No. 13 on May 18, 2009, Resolution No. 12 on May 17, 2010 and Resolution No. 24 on November 21, 2011; and

WHEREAS, the Authority's Finance Committee has reviewed the existing Investment Policy and Investment Guidelines and is recommending no modifications be made to the Investment Policy and Investment Guidelines at this time; now, therefore, be it

RESOLVED, that the Authority approves the attached Investment Policy and Investment Guidelines without modification.

Adopted by the following vote:

AYES ___ NAYS ___

Dated:

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Preserving the environment through integrated recovery and disposal.

**Introductory No.
Resolution No. 18**

Introduced by:
Seconded by:

RE: AUTHORIZATION TO EXECUTE A CONTRACT FOR THE COLLECTION OF SOLID WASTE AND RECYCLABLES IN THE CITY OF UTICA TO THE LOWEST RESPONSIBLE BIDDER

- WHEREAS,** the Authority assumed responsibility for the collection of all solid waste and recyclables generated in the City of Utica pursuant to the Solid Waste Collection and Disposal Agreement made as of April 1, 1996 between the City of Utica and the Authority; and
- WHEREAS,** the Authority has provided this collection service on a continuous basis from April 1, 1996 to date through private subcontractors and Authority staff; and
- WHEREAS,** the current subcontracts expire March 31, 2018; and
- WHEREAS,** the Authority commenced a process to solicit bids for the collection of solid waste and recyclables in the City of Utica and the Authority Board initiated a bid solicitation under General Municipal Law Section 103 on August 7, 2017; and
- WHEREAS,** the Official Notice issued by the Authority seeking bids was published in the Observer-Dispatch (Utica); the Rome Daily Sentinel; and the Times Telegram (Herkimer); and
- WHEREAS,** a mandatory pre-bid meeting was held at 1:00 PM on August 17, 2017; final sealed bids were received, as specified in the bid solicitation, prior to 3:00 PM on August 30, 2017; and the bid opening was conducted at 3:00 PM on August 30, 2017 at the Authority Offices at 1600 Genesee St., Utica, New York; and
- WHEREAS,** based on technical omissions and pricing considerations, all bids were rejected; and
- WHEREAS,** the Authority resolicited for new bids for the collection of solid waste and recyclables in the City of Utica under General Municipal Law Section 103 on October 6, 2017; and
- WHEREAS,** the Official Notice issued by the Authority seeking bids was published in the Observer-Dispatch (Utica); the Rome Daily Sentinel; and the Times Telegram (Herkimer); and
- WHEREAS,** a mandatory pre-bid meeting was held at 1:00 PM on October 16, 2017; final sealed bids were received, as specified in the bid solicitation, prior to 3:00 PM on November 3, 2017; and the bid opening was conducted at 3:00 PM on November 3, 2017 at the Authority Offices at 1600 Genesee St., Utica, New York and a summary of the bids submitted is attached; and

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WHEREAS, a canvassing of all bids submitted to verify compliance with all requirements of the bid solicitation, is currently underway; now, therefore, be it

RESOLVED, that the Authority Board authorizes the Authority Executive Director to execute a contract for the collection of solid waste and recyclables in the City of Utica for the five-year period commencing April 1, 2018 and continuing thru March 31, 2023 to the lowest responsible bidder, based upon final canvassing and the City's authorization and extension of the Solid Waste Agreement; and further be it resolved

RESOLVED, that the Authority Board authorizes and directs the Authority Attorney to prepare and the Executive Director to sign all necessary contracts, agreements and other instruments necessary to implement the bid awards, and to take all other action necessary to continue service on April 1, 2018.

Adopted by the following vote:

AYES__ NAYS__

Dated: