

Preserving the environment through integrated recovery and disposal.

## MEMORANDUM

**TO:** Authority Board of Directors

**FROM:** William A. Rabbia, Executive Director

**DATE:** March 9, 2018

**RE:** Meeting Notice & Tentative Agenda - Monday, March 19, 2018 - 4:30 PM

1. Pledge of Allegiance
2. Approval of December 18, 2017 Authority Minutes
3. Public Comment Period
4. Independent Audit - Paul Goetz, Partner, BST & Co.
5. Reconciliation of 2017 Budget and 2017 Budget Amendments – Resolution
6. Updating an Account with RBC Wealth Management - Resolution
7. Designating Authority as SEQRA Lead Agency for Source Separated Organics Processing Facility Project - Resolution
8. Mission Statement/Performance Measure Report – Resolution
9. Annual Board of Directors Evaluation – Resolution
10. Reappointment of Contracting Officer and Approval of Property Disposition Policy - Resolution
11. Approval of Modified Code of Ethics Policy and Fraud Policy – Resolution
11. Approval of Procurement Policy and Designation of Sole Source Vendors – Resolution
12. Public Authorities Reporting Information System (PARIS) Authorization – Resolution
13. Updates:
  - Source Separated Organics Project Update
  - 2018 Demolition Program
  - New York State Plastic Bag Task Force
  - 2017 Recycling Update
    - Recycling Market Update - National Sword - China
  - Herkimer County Electronics Collection Day - April 14<sup>th</sup>
  - Earth Day Events - April 21<sup>st</sup>

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**DRAFT**

**AUTHORITY MEETING MINUTES**  
**December 18, 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: Bill Rabbia, Jodi Tuttle, Emily Albright, Joe Artessa, Jim Biamonte, Pat Lisandrelli, Andy Opperman and Bill Schrader

Others Present: Kevin Martin, Esq.; MetLife Director of Operations Dave Liddy and representatives from Cushman & Wakefield, Ron Porter, Stef Ferris and Terry Westcott

Chairman Long called the December 18, 2017 Authority meeting to order at 4:34 PM and opened with the Pledge of Allegiance.

A motion was made by Mr. Williams, seconded by Mr. Roberts and passed to approve the November 20, 2017 Authority Minutes.

There were no speakers for public comment period.

Executive Director Bill Rabbia said that Resolution No. 20 would approve the Authority’s proposed 2018 budget that was reviewed at the Public Hearing and briefing on November 20<sup>th</sup>; authorize the Executive Director to enter into a Professional Services Agreement with Patrick Donovan for consulting services related to the finances of the Authority; appoint Joseph Artessa to the position of Authority Comptroller and authorize the Executive Director to negotiate and Chairman to sign such agreements; and approve the Solid Waste Collection and Disposal Permit Rules and Regulations and proposed 2018 rate schedule.

Resolution No. 20 was introduced by Mr. Hertline, seconded by Mr. Bono and unanimously adopted approving the Authority’s proposed 2018 budget; authorizing the Executive Director to enter into a Professional Services Agreement with Patrick Donovan for consulting services related to the finances of the Authority; appointing Joseph Artessa to the position of Authority Comptroller and authorizing the Executive Director to negotiate and Chairman to sign such agreements; and approving the Solid Waste Collection and Disposal Permit Rules and Regulations and proposed 2018 rate schedule.

Director of Recycling Emily Albright stated that the Authority annually recognizes individuals, institutions or industries that have taken the initiative to reduce their solid waste stream through reduction, recycling and proper disposal. This year, the Authority is honoring MetLife as 2017 Recycling Champion. Ms. Albright said that MetLife continues to be an advocate the environment through its solid waste reduction, recycling and energy conservation program. She said that MetLife has focused on reducing the company’s environmental footprint and ensuring a healthy planet for generations to come and that they continuously strive to divert waste from landfills through a combination of waste reduction, recycling and reuse initiatives. Ms. Albright said that MetLife is very deserving of this award. She said that the Oriskany location has does an excellent job to ensure that all staff are aware of and familiar with all company waste reduction programs, policies, and objectives.

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## **AUTHORITY MEETING MINUTES**

**December 18, 2017**

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Ms. Albright introduced MetLife Director of Operations Dave Liddy and representatives from Cushman & Wakefield, Ron Porter, Stef Ferris and Terry Westcott who were present for the recognition.

Resolution No. 19 was introduced by Mr. Angell, seconded by Mr. Hertline and passed commending MetLife as 2017 Recycling Champion. Mr. Liddy thanked the Authority and was presented with the Authority's 2017 Recycling Champion Award.

Comptroller Joe Artessa said that Resolution No. 21 would authorize budget transfers needed for unanticipated expenses to cover temporary labor and/or overtime costs at the Recycling Center, Eastern Transfer Station and Green Waste Compost facility; automotive supplies for the Recycling Center and Eastern Transfer Station; Regional Landfill operating expenses and final costs for the Route 294 improvement project; and additional costs at the Household Hazardous Waste Facility for disposal of televisions.

Resolution No. 21 was introduced by Mr. Franco, seconded by Mr. Williams and passed approving 2017 budget transfers.

Mr. Rabbia said that Resolution No. 22 would extend the Solid Waste Management Agreement and addendum for an additional 10-year period, under the current conditions. The current Agreement is set to expire on December 31, 2017. Mr. Rabbia said that the Authority and the City of Rome originally entered into a Solid Waste Management Agreement in December 2000, wherein the Authority would provide solid waste management and disposal services to the City and the City would deliver all solid waste generated and collected within the City to the Authority. The Agreement also allowed the Authority to deliver leachate generated at the Authority's Ash Landfill to the City's wastewater treatment facility at a discounted rate. In return, the Authority agreed to haul Rome's sludge and pay a host community benefit of \$1 per ton for all non-recyclable waste delivered to the Authority's Western Transfer Station. Mr. Rabbia said that the Authority and Rome entered into an Extension of the Agreement in December 2008 and executed an addendum to the Agreement in December 2009 to include a discounted leachate treatment rate for leachate from the Regional Landfill. The Authority currently sends approximately 50% of Regional Landfill leachate to Rome. Mr. Rabbia noted that the Agreement would allow both the Authority and the City to reconsider fees charged, with proper notice.

Resolution No. 22 was introduced by Mr. Hertline, seconded by Ms. Freeman and passed to extend the Solid Waste Management Agreement with the City of Rome, effective January 1, 2018 through December 31, 2027.

Mr. Rabbia said that Resolutions No. 23, No. 24 and No. 25 would update signatories to include Comptroller Artessa on the accounts that the Authority currently has with the Bank of New York Mellon, Bank of Utica and Keybank Capital Markets, respectively.

Resolutions No. 23, No. 24 and No. 25 were introduced by Mr. Bono, seconded by Mr. D'Onofrio and passed updating signatories in connection with corporate transactions and accounts with the Bank of New York Mellon; Bank of Utica; and Keybank Capital Markets, respectively.

Mr. Rabbia said that Resolution No. 26 would authorize another one-year agreement for bird and nuisance wildlife management at Authority facilities with the U.S. Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) Wildlife Services (WS).

Resolution No. 26 was introduced by Mr. D'Onofrio, seconded by Ms. Novak and passed awarding a one-year intergovernmental agreement to USDA-APHIS-WS for nuisance wildlife management.

## **AUTHORITY MEETING MINUTES**

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Chairman Long asked Mr. Rabbia to explain the three resolutions for Professional Services Agreements before the Board.

Mr. Rabbia said that Resolution No. 27 would approve a Professional Services Agreement with the public relations firm, Trainor Associates. Mr. Rabbia said that the Authority has worked with Trainor Associates since 2010 to improve public information including social media marketing, educational endeavors and upgrading the Authority's website. He stated that this is a two-year agreement, with two one-year extensions. Trainor would be required to request and receive written authorization from the Authority before proceeding with any additional work and that the charges for any work would be within parameters set forth in the Authority's annual budget.

Mr. Rabbia said that Resolution No. 28 would approve a Professional Services Agreement with Total Solutions, Inc. Mr. Rabbia said that Total Solutions is basically the Authority's IT department. Total Solutions has provided comprehensive IT management, including third-party vendor interface, hosted exchange email service, managing antivirus and cloud back-up, and web filtering services since 2010. Total Solutions would be required to request and receive written authorization from the Authority before proceeding with any additional work and that the work would be within the parameters set forth in the Authority's annual budget.

Mr. Rabbia said that Resolution No. 29 would approve a Professional Services Agreement with Barton & Loguidice, P.C. (B&L), consulting engineers. Mr. Rabbia said that the Authority has utilized B&L over the years, including providing engineering services for the planning, design and construction of the Regional Landfill. He said that there are continuing requirements for environmental monitoring, reporting and permit compliance which require engineering services.

Chairman Long asked for a motion to introduce Resolutions No. 27, 28 and 29, respectively.

Mr. Roberts said that he would like to go on record for abstaining from the vote.

A motion was made by Mr. Bono, seconded by Mr. Franco and passed to approve a Professional Services Agreement with Trainor Associates; a Professional Services Agreement with Total Solutions, Inc.; and a Professional Services Agreement with Barton & Loguidice, P.C., Consulting Engineers.

Mr. Rabbia said that Resolution No. 30 would authorize and direct the Authority to enter into a contract with RRT Design and Construction (RRT) for the design, procurement and installation of a source separated organics processing facility. In May 2017, the Board issued a draft Request For Proposals under 120-w for entering into an agreement for the SSOP facility to be built adjacent to the Authority's Eastern Transfer Station (Utica). A final RFP was released in August 2017, with one joint proposal received from RRT and the Authority's consulting engineer, B&L. An extensive evaluation of RRT's proposal, including meeting with the respondent and contacting references was conducted. Mr. Rabbia is recommending award to RRT and noted that RRT constructed the Authority's single stream processing facility and has experience with design and construction of a source separated organics processing facility. Approximately 50% of the amount budgeted for this project (\$3.4 million) would be covered under a Climate Smart Grant and other grants.

Resolution No. 30 was introduced by Mr. D'Onofrio, seconded by Mr. Roberts and passed authorizing and directing the Executive Director and Authority Counsel to enter into a contract with RRT Design and Construction for the design, procurement, and installation of a source separated organics processing facility.

## **AUTHORITY MEETING MINUTES**

**December 18, 2017**

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Resolution No. 31 was introduced by Mr. Bono, seconded by Mr. Williams and passed designating the following meeting dates for 2018: March 19, May 14, June 18, September 17, November 19 and December 17; and designating the Utica Observer-Dispatch, the Rome Daily Sentinel, and the Times 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. 32 was introduced by Mr. Angell, seconded by Ms. Freeman and passed electing the following slate of officers and committee members for 2018: Slate of Officers: Ken Long, Chairman; Vincent Bono, Vice Chairman; and Harry Hertline, Treasurer; Audit Committee: Harry Hertline, Chair; Vincent Bono, Vice Chair; and Robert Roberts; Finance Committee: Harry Hertline, Chair; Robert Roberts, Vice Chair; and Vincent Bono; Governance Committee: Barbara Freeman, Chair; James Williams and Nancy Novak; and FOIL Appeals Committee: James D'Onofrio, Chair; Barbara Freeman and James Franco.

Mr. Rabbia introduced the Authority's new Principal Accounting Supervisor, Pat Lisandrelli to the Board.

Although it was noted that former Comptroller Pat Donovan did not want a resolution acknowledging his years of service to the Authority, Ms. Freeman said that she wanted to express her appreciation. Ms. Freeman stated that she appreciated Pat's level of competence and attention to detail. She said that he was always ready to answer questions and explain things to the Board which enabled her, as a Board member, as well as the rest of the Board, to have confidence in the Authority's financial system and audits. She said that she commends him most highly and that he will be missed. Mr. Hertline added that he has known Pat since 1988 when he began with the Authority, left for a few years, and then returned. Mr. Hertline said that Pat always did a great job. The Board concurred.

At 5:02 PM, with no further business, a motion was made by Ms. Freeman, seconded by Ms. Novak and passed to adjourn the meeting.

Respectfully submitted,

Jodi M. Tuttle  
Authority Secretary

Preserving the environment through integrated recovery and disposal.

## Introductory No. 1

### Resolution No. 1

Introduced by:

Seconded by:

#### RE: RECONCILIATION OF 2017 BUDGET AND 2017 BUDGET AMENDMENTS TO REFLECT 2017 ACTUAL

**WHEREAS**, the Authority Board, by Resolution No. 20 dated December 19, 2016 adopted the 2017 Budget; and

**WHEREAS**, the Authority Board approved budget transfers to the 2017 Budget by Resolution No. 10 dated May 15, 2017, Resolution No. 15 dated September 18, 2017 and Resolution No. 21 dated December 18, 2017; and

**WHEREAS**, the changes to total revenues and expenses for 2017 were included in the completed independent audited financial statements issued in March of 2018 and it is necessary to reconcile the 2017 Budget to the 2017 audited financial statements; now, therefore, be it

**RESOLVED**, that for purposes of the rate covenant compliance report for the Series 2006 bonds and Series 2011 bonds, the 2017 Budget shall reflect actual 2017 expenses as audited.

Adopted by the following vote:

AYES\_\_      NAYS\_\_

Dated:

Preserving the environment through integrated recovery and disposal.

**Introductory No.**

**Resolution No. 2**

Introduced by:

Seconded by:

**RE: UPDATING AN ACCOUNT WITH RBC WEALTH MANAGEMENT**

**WHEREAS,** the Oneida-Herkimer Solid Waste Management Authority (the “Authority”) is required to invest all available and unrestricted cash in accordance with its Investment Policy; and

**WHEREAS,** the Authority wishes to invest in U.S. Treasury Notes and Certificates of Deposit through an account with RBC Wealth Management; and

**WHEREAS,** RBC Wealth Management requires the Oneida-Herkimer Solid Waste Authority Board of Directors adopt a resolution to update and maintain an account with RBC Wealth Management; now, therefore, be it

**RESOLVED,** that the Chairman, Executive Director, Treasurer, Comptroller, or any one of such officers/employees are hereby fully authorized and empowered to purchase U.S. Treasury Notes and Certificates of Deposit and to execute, sign or endorse in the same agreements on behalf of the corporation; and be it further

**RESOLVED,** that the Authority Board Secretary, is hereby authorized to certify the foregoing resolution and to affix the corporate seal when required; and further be it

**RESOLVED,** that the authority thereby conferred is not inconsistent with the Authority’s Bylaws, and that the following is a true and correct list of officers/employees of this corporation as of the present date:

<u>Name of Officers</u>	<u>Title</u>
William A. Rabbia	Executive Director
Joseph M. Artessa	Comptroller
Kenneth A. Long	Chairman of the Board
Harry A. Hertline	Treasurer

Adopted by the following vote:

AYES\_\_ NAYS\_\_

Dated:

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Preserving the environment through integrated recovery and disposal.

**Introductory No.**

**Resolution No. 3**

Introduced by:

Seconded by:

**RE: ESTABLISHING THE ONEIDA-HERKIMER SOLID WASTE AUTHORITY AS THE SEQRA LEAD AGENCY, DETERMINING THAT THE SOURCE SEPARATED ORGANICS PROJECT IS AN UNLISTED ACTION, AND, DETERMINING THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT**

**WHEREAS,** the Oneida-Herkimer Solid Waste Authority (Authority) is proposing to construct and operate a new source separated organics processing facility to be incorporated with the existing Eastern Transfer Station, located at 80 Leland Ave. Ext., Utica, Oneida County, New York; and

**WHEREAS,** the new facility will include equipment to receive and process source separated organics and the resulting organic slurry will be transported to the adjacent Oneida County Water Pollution Control Plant for anaerobic digestion to recover gas for energy production; and

**WHEREAS,** the Project has been classified as an “Unlisted Action” as determined in accordance with the State Environmental Quality Review Act (SEQRA) in 6 NYCRR Parts 617.6; a Short Environmental Assessment Form (SEAF) has been completed for this project; and

**WHEREAS,** pursuant to the SEQRA Regulations, the Oneida-Herkimer Solid Waste Authority Board has considered the significance of the potential environmental impacts of the Project by (a) using the criteria specified in Section 617.7 of the SEQRA Regulations, and (b) examining the SEAF for the Project, including the facts and conclusions of the SEAF, together with other available supporting information, to identify the relevant areas of environmental concern; now, therefore, be it

**RESOLVED,** that the Authority Board hereby establishes itself as lead agency for the Project; and be it further

**RESOLVED,** that based upon an examination of the SEAF and other available supporting information, and considering both the magnitude and importance of each relevant area of environmental concern, and based further upon the Authority Board’s knowledge of the area surrounding the Project, the Board makes the following findings and determinations: the Project constitutes an “Unlisted Action” and no significant adverse environmental impacts are noted in the SEAF for the Project and none are known to the Authority Board. Therefore, the Authority Board hereby determines that the Project will not have a significant adverse environmental impact and will not require the preparation of a Draft Environmental Impact Statement with respect to the Project; and be it further

**RESOLVED,** that as a consequence of such findings and declaration, and in compliance with the requirements of SEQRA, the Authority Board, as lead agency, hereby directs the Executive Director to complete and sign the SEAF indicating that a Negative Declaration has been made; and be it further



**Introductory No.**

**Resolution No. 3**

Page 2

**RESOLVED,** that the Authority Board directs the Executive Director to file a copy of the Negative Declaration for the Project in the Authority's files; this Resolution shall take effect immediately.

Adopted by the following vote:

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

Dated:

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**Introductory No.**

**Resolution No. 4**

Introduced by:

Seconded by:

**RE: APPROVAL OF ONEIDA-HERKIMER SOLID WASTE MANAGEMENT AUTHORITY MISSION STATEMENT AND PERFORMANCE MEASURE REPORT FOR 2017**

**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 2017 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 2017; 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 2017 in accordance with the New York State Public Authorities Law.

Adopted by the following vote:

AYES\_\_ NAYS\_\_

Dated:

Preserving the environment through integrated recovery and disposal.

**Introductory No.**

**Resolution No. 5**

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 its 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

**Introductory No.**

**Resolution No. 5**

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\_\_

Dated:

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**Introductory No.**

**Resolution No. 6**

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; Resolution No. 5 dated March 25, 2013; and Resolution No. 5 dated March 20, 2017; and

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**Introductory No.**

**Resolution No. 6**

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**WHEREAS,** the Governance Committee reviewed the Procedure and is recommending no modifications at this time; now, therefore be it

**RESOLVED,** the Authority Board re-appoints James V. Biamonte to be the Contracting Officer for the period 2018-2019 and directs the Contracting Officer to take all actions required by Public AuthoritiesAccountability Act and the Procedure for the Disposition of Property; and be it further

**RESOLVED,** the Authority Board of Directors hereby approves the attached modified Procedure for the Disposition of Authority Property.

Adopted by the following vote:

AYES\_\_ NAYS\_\_

Dated:

Preserving the environment through integrated recovery and disposal.

**Introductory No.**

**Resolution No. 7**

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 determined that a revision should be made to the Code of Ethics Policy; and

**WHEREAS,** the Governance Committee reviewed the Fraud Policy and is recommending no further modifications be made to the Fraud Policy at this time; now, therefore, be it

**RESOLVED,** that the Board of Directors hereby approves the attached revised Code of Ethics Policy; and further be it

**RESOLVED,** that the Board of Directors hereby approves the attached 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\_\_

Dated:

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**Introductory No.**

**Resolution No. 8**

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, Resolution No. 6 on March 30, 2009 and Resolution No. 7 on March 23, 2015 ; and Resolution No. 7 on March 20, 2017; and

**WHEREAS,** the Board is required to review the Policy annually; and

**WHEREAS,** the Governance Committee reviewed the policy and is recommending no modifications at this time; now, therefore be it

**RESOLVED,** the Board of Directors hereby approves the attached 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)



Sole Source - Continued

Creative Information Systems (scale computer software)  
SWK Technologies (accounting system software support)  
Siemens (SCADA software/hardware)  
Geologic Computer Systems (GPS software – RLF compaction)  
ADP (Payroll/HR software)  
Paya Exchange (third party credit card processor)  
VanDyk Baler Corp (Bollegraaf Balers/Titech Opticals – MRF)  
LC Whitford (Morbark Tub Grinder Parts)  
Elkin Earthworks (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)  
Ingersoll Rand Co. (Regional Landfill compressor – parts/service)  
Milton CAT – (late model equipment filters – no after-market available/warranty requirement, oil sample kits for warranty validation)  
Vantage Equipment (Volvo late model equipment filters – no after-market available/warranty requirement)  
Integrated Facility Systems, Inc. (HVAC computer control system – RLF and MRF)  
S&W Services (fuel management system parts and service – MRF, WTS, RLF)  
Specialty Tire Inc. (solid skid steer tires)  
Website Pipeline (payment portal software)  
Wayne Dalton (commercial overhead doors – all facilities)  
Ryan Equipment (Landfill gas flare parts - John Zink distributor)  
Tri County Equipment (Compactor - Al-Jon parts distributor)

; 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\_\_

Dated:

Preserving the environment through integrated recovery and disposal.

**Introductory No.**

**Resolution No. 9**

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: