

**AUTHORITY MEETING & PUBLIC HEARING  
MINUTES  
DECEMBER 15, 2014**

Board Members Present: Chairman Neil Angell, Vice Chairman Ken Long, Vincent Bono, Alicia Dicks (via telecom), James Franco, Barbara Freeman, Robert Roberts and Jim Williams

Absent: James D’Onofrio and Treasurer Harry Hertline

Authority Staff Present: Bill Rabbia, Jodi Tuttle, Joe Artessa, Jim Biamonte, Patrick Donovan, David Lupinski, Andrew Opperman, Bill Schrader and Jamie Tuttle

Others Present: Kevin Martin, Esq. and one member of the general public [Duane Ulrich]

Chairman Angell called the December 15, 2014 Authority Board meeting to order at 4:30 PM, and opened with the Pledge of Allegiance.

A motion was made by Ms. Freeman, seconded by Mr. Williams and passed to approve the November 17, 2014 Authority Minutes.

Chairman Angell called the public hearing on the proposed 2015 budget to order. There was no one from the public interested in commenting.

In follow-up to last month’s budget presentation, Executive Director Bill Rabbia provided a detailed explanation of the proposed 2015 capital budget.

Resolution No. 21 was introduced by Mr. Long, seconded by Mr. Bono and passed approving the 2015 Authority budget, 2015 rate schedule, and the solid waste collection and disposal permit rules and regulations.

With no further discussion related to the budget, regular public comment period followed.

Mr. Duane Ulrich said that instead of the Authority lowering its tipping fees it should do more for Ava. Mr. Ulrich said that he can’t see sending trucks up Route 12 from Utica when they’re half-way to Rome before they can get on Route 12. He said that the trucks should go through the Base, over Chestnut Street and up Route 26 as it’s a shorter route and almost flat, compared to Route 12. Mr. Ulrich asked why garbage is coming from Lewis County through Boonville and then going to the dump if the Authority is supposed to have a closed system.

Mr. Rabbia replied that the Authority is prohibited from taking any garbage outside of Oneida and Herkimer Counties. He noted that there are some haulers that work across-county lines. Mr. Rabbia said that any hauler that delivers waste to the regional landfill is a permitted commercial hauler and all haulers within the Authority system must comply with the Authority’s disposal permit rules and regulations. If the Authority is apprised of potential out-of-county waste being delivered, the Authority investigates the matter and works with the neighboring county. Mr. Rabbia said that non-permitted pick-up trucks and residents near the landfill utilize the Boonville transfer facility or deliver waste to the Authority’s Utica and/or Rome transfer stations.

---

**BOARD OF DIRECTORS**

Neil C. Angell  
*Chairman*

Harry A. Hertline  
*Treasurer*

Alicia Dicks  
James M. D’Onofrio

Barbara Freeman  
Robert J. Roberts, III

William A. Rabbia  
*Executive Director*

Kenneth A. Long  
*Vice Chairman*

Vincent J. Bono

James A. Franco

James M. Williams

Jodi M. Tuttle  
*Authority Board Secretary*

## **AUTHORITY MEETING & PUBLIC HEARING MINUTES**

**DECEMBER 15, 2014**

Page 2

Mr. Rabbia noted that local permitted contractors are allowed to utilize the regional landfill and that the local community is provided a discounted tipping fee rate.

Ms. Freeman said that it would be foolish to make a hauler within a small geographical area near the landfill drive all the way to the Authority's Utica or Rome transfer stations.

Mr. Donovan said that Resolution No. 22 would approve budget transfers to close-out transfers needed for 2014. He said that budget transfers are needed to cover additional operating expenses including professional service fees, maintenance and service contracts, and temporary labors costs at the Recycling Center; costs for additional insurance, telephone, public education and other expenses in Administration; costs associated with overtime; auto supplies, and materials and supplies at the Regional Landfill; overtime costs, auto supplies and other expenses at the Green Waste Compost facility; and additional costs related to the disposal of household hazardous waste.

Resolution No. 22 was introduced by Mr. Roberts, seconded by Mr. Long and passed approving 2014 budget transfers.

Mr. Rabbia said that Resolution No. 23 would authorize the Authority to enter into a Power Purchase Agreement (PPA) with Solar City Corporation, and grant a related license of Authority property at 575 Perimeter Road in Rome (adjacent to the Authority's Western Transfer Station).

Mr. Rabbia said that a ground-mounted solar array system would be placed on 8.8 acres of Authority property and would be sized to generate enough electricity to off-set electricity consumed at all of the Authority's Utica facilities, its Western Transfer Station, and the pumps at the closed Ash Landfill. Current delivery and supply charges are \$0.115 cents per kilowatt hour. The Authority's current monthly utility charges average just under \$15,000. Mr. Rabbia said that when the Authority moves forward with the solar deal the Authority will continue to purchase electricity and continue to procure the best deal for electricity in the marketplace. The Authority would then be credited a virtual net meter credit for all of the solar electricity generated, based upon an annual average cost in the service area. Through the PPA, the Authority would pay a fixed \$0.06 a kilowatt hour for everything the solar array generates for the term of the contract. The array proposed could generate a potential annual savings of roughly \$80,412. Mr. Rabbia noted that there are no upfront capital costs with this project. He said that Solar City would do the building but that the Authority would give them use of the land and guarantee payment for anything that's generated. Solar City estimates a savings of approximately \$2.1 million over 20 years.

Attorney Kevin Martin said that he and Mr. Rabbia have had long negotiations with Solar City to accommodate to the Authority's set-up. In terms of risk to the Authority, Mr. Martin said that this is a pretty good arrangement. He said that the only way you can default is if you fail to pay Solar City on a monthly basis. The penalty for default would be to purchase the system from Solar City. In the event the law changes, there is an escape hatch, which goes in both directions. If the project turns out to be uneconomical for Solar City they have a contractual obligation to remove the equipment and restore the land to what it was before at no expense to the Authority.

Mr. Rabbia said that the largest risk would be regulation changes related to the virtual net meter credit, but considering there are so many municipalities across state that are tying into these solar PPAs if the regulators even thought about changing the regulations there would be a huge outcry. Mr. Rabbia stated that the SEQRA Negative Declaration has already been completed.

## **AUTHORITY MEETING & PUBLIC HEARING MINUTES**

**DECEMBER 15, 2014**

Page 3

Ms. Freeman asked about the life of the equipment and if there was any discussion regarding upgrades.

Mr. Rabbia said that photovoltaic cell technology is designed/engineered beyond the term of the contract.

Resolution No. 23 was introduced by Ms. Freeman, seconded by Mr. Roberts and passed approving a Solar Power Purchase Agreement between the Authority and Solar City Corporation, and granting a related license of Authority property at 575 Perimeter Road, Rome, NY.

Mr. Rabbia said that the Authority has utilized the U.S. Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) Wildlife Services for approximately eight years to primarily control birds at the Regional Landfill, and beavers, muskrats and other nuisance wildlife at its Utica and Rome facilities. He said that Resolution No. 24 would authorize an additional one-year agreement with the USDA-APHIS-WS to manage nuisance wildlife at Authority facilities.

Resolution No. 24 was introduced by Mr. Franco, seconded by Mr. Long and passed to enter into a one-year intergovernmental agreement with USDA-APHIS-WS for nuisance wildlife management at Authority facilities.

Mr. Rabbia said that Resolution No. 25 would allow the Authority to enter into a new three-year professional service agreement with Total Solutions. Total Solutions has provided comprehensive IT management, including third-party vendor interface, hosted exchange email service, managing antivirus and back-up, and web filtering services to the Authority since 2010.

Resolution No. 25 was introduced by Mr. Roberts, seconded by Mr. Williams and passed approving a Professional Services Agreement (PSA) with Total Solutions, Inc. for the period January 1, 2015 through December 31, 2017.

Mr. Rabbia said that the Authority's current PSA with consulting engineers Barton & Loguidice, P.C. (B & L) expires at the end of 2014. The Authority has utilized B & L for all of its regulatory and engineering needs at its Utica and Rome facilities and throughout landfill siting and construction. Resolution No. 26 would extend a PSA with B & L for the next four years.

Resolution No. 26 was introduced by Mr. Bono, seconded by Mr. Roberts and passed approving a PSA with Barton & Loguidice for the period 2015 through 2018.

Resolution No. 27 was introduced by Mr. Williams, seconded by Mr. Bono and passed designating the following meeting dates for 2015: March 23, May 18, June 15, September 21, November 16 and December 21; designating the Utica Observer-Dispatch, the Rome Daily Sentinel, and the Herkimer Evening 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. 28 was introduced by Ms. Freeman, seconded by Mr. Williams and passed electing the following slate of officers and committee members for 2015: Slate of Officers: Neil Angell, Chair; Ken Long, Vice Chair; and Harry Hertline, Treasurer; Audit Committee: Harry Hertline (Chair), Ken Long (Vice Chair) and Robert Roberts; Finance Committee: Harry Hertline (Chair); Neil Angell (Vice Chair), Ken Long and Robert Roberts; Governance Committee: Ken Long (Chair); Barbara Freeman and James Williams; and FOIL Appeals Committee: Barbara Freeman (Chair), James D'Onofrio and James Franco.

**AUTHORITY MEETING & PUBLIC HEARING MINUTES**

**DECEMBER 15, 2014**

Page 4

Mr. Rabbia updated the Board on the NYS Electronic Equipment Recycling and Reuse Act which will prohibit all households and generators of electronic waste from disposing of electronic waste (i.e. computers, computer components, televisions and other electronic devices) as garbage, effective January 1, 2015. Mr. Rabbia said that the Authority has been communicating with local municipalities in this regard and will be issuing a press release on how to recycle electronics in the coming days. Electronic waste will continue to be accepted at the Authority's Utica and Rome Convenience Stations, year-round, at no charge, for proper recycling. Additional information on electronics recycling can be found on the NYSDEC's website.

At 5:21 PM a motion was made by Mr. Roberts, seconded by Mr. Williams and passed to go into executive session to discuss real property acquisition and pending litigation. At 5:39 PM a motion was made by Mr. Bono, seconded by Mr. Roberts and passed to come out of executive session.

With no further business, a motion was made by Mr. Williams, seconded by Ms. Freeman and passed to adjourn the meeting.

Respectfully submitted,

A handwritten signature in black ink that reads "Jodi M. Tuttle". The signature is written in a cursive style with a large, sweeping initial "J".

Jodi M. Tuttle  
Authority Secretary