

Preserving the environment through integrated recovery and disposal.

MEMORANDUM

TO: Authority Board of Directors
FROM: William A. Rabbia, Executive Director
DATE: March 6, 2014
RE: Meeting Notice & Tentative Agenda - Monday, March 24, 2014 - 4:30 PM

1. Pledge of Allegiance
2. Approval of December 16, 2013 Authority Minutes
3. Public Comment Period
4. Independent Audit – Paul Goetz, Partner, SaxBST
5. Reconciliation of 2013 Budget and 2013 Budget Amendments – Resolution
6. 2014 Budget Transfer – Resolution
7. Approval of Collective Bargaining Agreement – Resolution
8. Solid Waste Management Agreements – Resolution
9. Mission Statement/Performance Measure Report – Resolution
10. Annual Board of Directors Evaluation – Resolution
11. Reappointment of Contracting Officer and Annual Approval of Property Disposition Policy – Resolution
12. Code of Ethics Policy and Fraud Policy – Resolution
13. Procurement Policy and Designation of Sole Source Vendors – Resolution
14. Public Authorities Reporting Information System (PARIS) Authorization – Resolution
15. Motion to go into Executive Session to discuss pending litigation

BOARD OF DIRECTORS

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ONEIDA-HERKIMER SOLID WASTE AUTHORITY

BOARD MEMBERS

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William A. Rabbia, Executive Director
Peter M. Rayhill, Authority Counsel
Jodi M. Tuttle, Authority Secretary

AUTHORITY MEETING MINUTES DECEMBER 16, 2013

DRAFT

Board Members Present: Chairman Neil Angell, Vice Chairman Ken Long, Treasurer Harry Hertline, Alicia Dicks (via teleconference), James D'Onofrio, James Franco, Barbara Freeman, Robert Roberts and James Williams

Absent: Vincent Bono

Authority Staff Present: Bill Rabbia, Jodi Tuttle, Joe Artessa, Jim Biamonte, Patrick Donovan, David Lupinski, Andy Opperman, Peter Rayhill, Esq., Bill Schrader and Jamie Tuttle

Chairman Angell called the December 16, 2013 Authority Board meeting to order at 4:33 PM, and opened with the Pledge of Allegiance.

A motion was made by Ms. Freeman, seconded by Mr. Franco and passed to approve the November 18, 2013 Authority minutes.

Chairman Angell called the public hearing on the proposed 2014 Authority budget to order at 4:34 PM.

Executive Director Bill Rabbia and Comptroller Pat Donovan presented an overview of the proposed 2014 Authority budget.

Mr. Rabbia stated that for the second consecutive year reductions in tipping fees are being proposed for 2014. Tip fee reductions include municipal solid waste decreasing \$2 per ton from \$70 to \$68; local solid waste that comes from areas in close proximity to the Landfill, such as the Town of Ava and Town and Village of Boonville, decreasing \$2 per ton from \$60 to \$58; direct haul asbestos decreasing \$10 per ton from \$100 to \$90; and direct haul asbestos (more than 4,000 tons) decreasing \$10 per ton from \$90 to \$80. All other rates for 2014 will remain the same as 2013. Municipal solid waste tonnage is projected at 155,000 tons for 2014. Overall waste volumes projected for 2014 total 256,900 tons. Mr. Rabbia noted that Oneida-Herkimer recyclables will continue to be accepted at no charge for the 23rd consecutive year. Revenue generated from the sale of recyclables is projected at \$2,800,000 for 2014. The Authority will operate two engines at its power facility and continue its revenue sharing with WM Renewable Energy in 2014. The Authority will see a decrease in interest earnings as a result of the 1998 Debt Service Reserve Fund investment maturing.

Comptroller Pat Donovan said that total system expenditures proposed for 2014 total \$23,180,000 as compared to \$20,996,000 for 2013. The 2014 proposed expenditure assumptions include a 10% increase in health insurance expenses over 2013 projected expenses, fuel costs budgeted at \$3.60 per gallon, a NYS Retirement System contribution rate of 19% and \$455,000 of contracted host community payments.

**AUTHORITY MEETING MINUTES
DECEMBER 16, 2013**

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The 2014 proposed landfill reserves will be \$2,900,000 (\$400,000 for equipment replacement and \$2,500,000 for the Regional Landfill liner extension). The 2014 proposed capital plan funded through tipping fees will be \$826,000. This is an increase of \$341,000 over the 2013 budget. The overall budget for City of Utica and the five Herkimer County villages in which the Authority administers their solid waste and recycling programs is projected at \$4,719,000 for 2014.

Duane Ulrich was the only speaker at the public hearing. Mr. Ulrich asked where Turning Stone waste goes. He stated that Ava is the only host community in town and he doesn't understand why others in Oneida and Herkimer Counties get a break on the tipping fee. He said that the Authority should take care of the host community a little more instead of worrying about Boonville and building a bypass. He said that the Authority would save money by changing its transportation route.

Ms. Freeman stated that as a taxpayer to both Boonville and Remsen, she considers \$455,000 a year to be a good host community benefit and having it go up \$5,000 in 2014 is extraordinary, in her opinion. She said that if she were able to control garbage on the other side of the stream, meaning what gets to become garbage instead of just taking care of what everyone throws away, she would agree with Mr. Ulrich and change some things but, she stated, that is not in our power.

Ken Long stated that the host community benefit to the Town of Ava alone is going to be \$360,000.

At 5:01 PM Chairman Angell declared the public hearing closed. The regular meeting continued.

Resolution No. 23 was introduced by Mr. Hertline and seconded by Mr. Williams to approve the proposed 2014 Authority budget, 2014 rate schedule and the 2014-2015 solid waste collection and disposal permit rules and regulations. Discussion ensued.

Treasurer Harry Hertline said that he is pleased that the rate structure and tipping fees remain stable, which is a credit to the Authority staff.

Ms. Freeman stated that she is so excited that the Authority is again able to reduce the tipping fee and is pleased that recyclables have pretty well maintained approximately \$3,000,000 a year in revenue. Ms. Freeman commented that the extra electricity revenue with the second generator at the Landfill is good management.

Chairman Angell commented that Mr. Rabbia and his staff have done a marvelous job and that the Authority is now way ahead of schedule by having two generators running at the landfill. Mr. Angell said that he is pleased that the Authority will be accepting recyclables from Oswego County.

Following discussion, Resolution No. 23 was unanimously adopted.

Duane Ulrich offered additional comments during regular public comment period. He said that the Authority should be paying town taxes on the landfill. He stated that his utility company and the utility company of approximately 50% of the residents in Ava is National Grid, not Boonville Power, so he will not gain any utility benefit.

AUTHORITY MEETING MINUTES

DECEMBER 16, 2013

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Mr. Donovan explained that Resolution No. 24 before the Board is related to budget transfers needed to cover unanticipated expenses in 2013 related to additional overtime, professional services and temporary labor at the Recycling Center; Administrative financial advisory services related to review of CNG options and additional costs of purchasing composters and trash/recycling containers; Regional Landfill overtime and additional costs of stone purchased for road construction; the purchase of new tires for the loader at the Eastern Transfer Station; additional auto supplies needed for the Western Transfer Station; costs of household hazardous waste disposal; and supplemental appropriations related to the October 2012 fire at the Recycling Center.

Resolution No. 24 was introduced by Mr. Long, seconded by Ms. Freeman and passed approving 2013 budget transfers.

Resolution No. 25 was introduced by Mr. D'Onofrio, seconded by Mr. Franco and passed designating the following meeting dates for 2014: March 24, May 12, June 16, September 15, November 17 and December 15; 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. 26 was introduced by Mr. D'Onofrio, seconded by Mr. Franco and passed electing the following slate of officers and committee members for 2014: 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 Alicia Dicks.

Resolution No. 27 was introduced by Ms. Freeman, seconded by Mr. Williams and passed reappointing William Rabbia to the position of Executive Director, effective March 1, 2014.

At 5:13 PM, with no further business, a motion was made by Mr. D'Onofrio, seconded by Mr. Hertline 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. 1

Introduced by:
Seconded by:

RE: RECONCILIATION OF 2013 BUDGET AND 2013 BUDGET AMENDMENTS TO REFLECT 2013 ACTUAL

WHEREAS, the Authority Board, by Resolution No. 17 of 2012 adopted the 2013 Budget; and

WHEREAS, the Authority Board approved budget transfers to the 2013 Budget by Resolution No. 15 dated June 17, 2013, Resolution No. 18 dated September 16, 2013, and Resolution No. 24 dated December 16, 2013; and

WHEREAS, the changes to total revenues and expenses for 2013 were included in the completed independent audited financial statements issued in March of 2014 and it is necessary to reconcile the 2013 Budget to the 2013 audited financial statements; now, therefore, be it

RESOLVED, that for purposes of the rate covenant compliance report for the Series 2007 bonds, Series 2006 bonds, Series 1998 bonds and Series 2011 bonds, the 2013 Budget shall reflect actual 2013 expenses as audited.

Adopted by the following vote:

AYES__ NAYS__

Dated:

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Introductory No.

Resolution No. 2

Introduced by:

Seconded by:

RE: 2014 BUDGET TRANSFERS

WHEREAS, the Authority Board, by Resolution No. 23 of 2013 adopted the 2014 Operating and Capital Budget; and

WHEREAS, it has been determined that a budget transfer is needed for legal expenses as indicated below; now, therefore, be it hereby

RESOLVED, the following 2014 Budget Transfer is approved:

From: 601-8170 ADMIN - Salaries \$50,000.00
To: 605-8170 ADMIN - Other Fees & Services \$50,000.00
Explanation: To cover projected expenses of legal services.

AYES__ NAYS__

Absent:

Dated:

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Introductory No.

Resolution No. 3

Introduced by:
Seconded by

RE: APPROVAL OF LABOR AGREEMENT

WHEREAS, the current collective bargaining agreement between the Authority and the United Public Service Employees Union (UPSEU) expired December 31, 2013; and

WHEREAS, the Authority and UPSEU members and representatives have negotiated a new agreement; and

WHEREAS, a proposed new agreement was the subject of a vote on March 3, 2014 and the proposal was approved by the Union; now, therefore, be it

RESOLVED, the Authority Board approves the attached agreement for 2014, 2015, 2016, 2017 and 2018 and the Board directs the Executive Director to take all action necessary to implement the terms of the contract.

Adopted by the following vote:

AYES___ NAYS___

Dated:

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Introductory No.

Resolution No. 4

Introduced by:
Seconded by:

RE: AUTHORIZING THE ADOPTION OF AMENDMENTS TO EXISTING SOLID WASTE MANAGEMENT AGREEMENTS AND CERTAIN RELATED AGREEMENTS OF THE AUTHORITY FOR PURPOSES OF EXTENDING TERMS FOR ADDITIONAL TWENTY-FIVE YEAR PERIODS

WHEREAS, in accordance with Title 13-FF of the Public Authorities Law of the State of New York, enacted as Chapter 627 of the Laws of 1988 of the State of New York (collectively, the “Act”), the Oneida-Herkimer Solid Waste Management Authority (the “Authority”) has the power to enter into contracts with Oneida County, New York (“Oneida County”) and Herkimer County, New York (“Herkimer County” and, together with Oneida County, the “Counties”) relating to the collection, receipt, transport, storage, processing or disposal of recyclables and solid waste; and

WHEREAS, the Authority previously entered into a Solid Waste Management Agreement dated as of May 10, 1989 (the “May 1989 Solid Waste Management Agreement”) with the Counties pursuant to which, among other obligations, the Authority agreed to purchase and/or operate the existing waste disposal facilities of the Counties and to plan for, develop, finance and construct such additional facilities as might be deemed necessary to properly manage the solid waste generated in the Counties, and the Counties agreed to cause the solid waste and recyclables generated, originated or brought within their boundaries to be delivered to the Authority’s facilities; and

WHEREAS, the Authority previously entered a Solid Waste Management Agreement dated as of December 28, 1989 (the “December 1989 Solid Waste Management Agreement” and, together with the May 1989 Solid Waste Management Agreement, the “Solid Waste Management Agreements”) with the Counties pursuant to which, among other obligations, the Counties agreed to pay to the Authority a Service Fee equal to the total of the Operating Costs and the Debt Service of the Authority for each Fiscal Year (each as defined in the December 1989 Solid Waste Management Agreement); and

WHEREAS, the Authority previously entered into a Confirmation Agreement dated as of March 1, 1990 (the “Confirmation Agreement”) with the Counties pursuant to which the Counties pledged not to limit or impair the rights vested in the Authority by the Act to (i) purchase, construct, own, operate, maintain, repair, improve, increase, enlarge, extend, reconstruct, renovate, rehabilitate or dispose of any Project (within the meaning of the Act), or any part or parts thereof, for which bonds of the

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Authority have been issued, (ii) establish and collect rates, rents, fees and other charges or (iii) fulfill the terms of any agreements made with the bondholders or with any public corporation or person with reference to such project or part thereof or in any way impair the rights and remedies of the bondholders, until the bonds together with interest thereon, and all costs and expenses in connection with any action or proceeding by or on behalf of the bondholders, are fully met and discharged; and

WHEREAS, the Authority previously entered into an Agreement dated as of March 1, 1990 (the "Agreement") with the Counties pursuant to which, among other obligations, the Authority and the Counties agreed that their intent and understanding in executing the Solid Waste Management Agreements was for solid waste generated, originated or brought within the Counties to be delivered to and processed at any Solid Waste Management – Resource Recovery Facility (as defined in the December 1989 Solid Waste Management Agreement) designated by the Authority, whether or not operated by the Authority; and

WHEREAS, any contract entered into among the Authority and the Counties pursuant to Section 2049-*tt* of the Act may not exceed twenty-five (25) years in duration; and

WHEREAS, pursuant to Section 2049-*tt* of the Act, (a) the May 1989 Solid Waste Management Agreement will expire on May 9, 2014, (b) the December 1989 Solid Waste Management Agreement will expire on December 27, 2014 and (c) the Confirmation Agreement and the Agreement will each expire on February 28, 2015;

WHEREAS, the Authority wishes to extend the terms of the Solid Waste Management Agreements, the Confirmation Agreement and the Agreement for additional twenty-five (25) year periods pursuant to (a) a First Amendment to the May 1989 Solid Waste Management Agreement, (b) a First Amendment to the December 1989 Solid Waste Management Agreement, (c) a First Amendment to Confirmation Agreement and (d) a First Amendment to Agreement (collectively, the "Amendments"); now, therefore, be it

RESOLVED, by the Oneida-Herkimer Solid Waste Management Authority as follows:

Section 1. The Authority hereby finds and determines that:

- (a) by virtue of the Act, the Authority has been vested with all the powers necessary and convenient to carry out and effectuate the purposes and provisions of the Act, to exercise all powers granted to it under the Act and to enter into and perform the Solid Waste Management Agreements, the Confirmation Agreement, the Agreement and the Amendments; and
- (b) it is desirable and in the public interest for the Authority to execute the Amendments.

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Resolution No. 4
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Section 2. The Authority is hereby authorized to extend the terms of the Solid Waste Management Agreements, the Confirmation Agreement and the Agreement pursuant to *the Amendments*.

Section 3. The Executive Director, Chairman, Vice Chairman or the Treasurer of the Authority are each authorized, in the name and on behalf of the Authority, to negotiate, execute, deliver and/or approve the Amendments.

Section 4. Notwithstanding any other provision of this resolution, the person executing the Amendments on behalf of the Authority is hereby authorized to agree to such changes, insertions, omissions and modifications of the Amendments as he or she may approve. The execution of the Amendments by any such person shall be deemed to be complete and with the full approval of any such changes, insertions, omissions and modifications by the members of the Authority.

Section 5. This resolution shall take effect immediately. A copy of this resolution, together with its attachments, shall be placed on file in the office of the Authority where the same shall be available for public inspection during business hours.

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: APPROVAL OF ONEIDA-HERKIMER SOLID WASTE MANAGEMENT AUTHORITY
MISSION STATEMENT AND PERFORMANCE MEASURE REPORT FOR 2013**

- 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 2013 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 2013; 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 2013 in accordance with the New York State Public Authorities Law.

Adopted by the following vote:
AYES__ NAYS__

Dated:

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Authority Board Secretary

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Introductory No.

Resolution No. 6

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 it 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

BOARD OF DIRECTORS

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Kenneth A. Long <i>Vice Chairman</i>	Vincent J. Bono	James A. Franco	James M. Williams	Jodi M. Tuttle <i>Authority Board Secretary</i>

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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

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 31st of each year.

Adopted by the following vote:

AYES__ NAYS__

Dated:

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Introductory No.

Resolution No. 7

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 for 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

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**Introductory No.
Resolution No. 7
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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 and Resolution No. 5 dated March 25, 2013; and

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

RESOLVED, the Authority Board re-appoints James V. Biamonte to be the Contracting Officer for the period 2014-2015 and directs the Contracting Officer to take all actions required by Public Authorities Accountability Act and the Procedure for the Disposition of Property; and be it further

RESOLVED, the Authority Board of Directors hereby approves the attached Procedure for the Disposition of Authority Property without modification.

AYES__ NAYS__

Dated:

Preserving the environment through integrated recovery and disposal.

Introductory No.

Resolution No. 8

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 Fraud Policy is recommending no modifications be made to the Code of Ethics Policy or the Fraud Policy at this time; now, therefore, be it

RESOLVED, that the Board of Directors hereby approves the attached Code of Ethics Policy and 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. 9

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 and Resolution No. 6 on March 30, 2009; and

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

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

RESOLVED, the Board of Directors hereby approves the attached Procurement Policy without modification; 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)

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Authority Board Secretary

Sole Source - continued

NYS & Local Employee Retirement System (retirement plan)
City of Utica Comptroller (annual solid waste service charge printing and billing)
US Postal Service (mail)
Landfill Services Corp (methane flares)
Creative Information Systems (scale computer software)
SWK Technologies (accounting system software)
Siemens (SCADA software/hardware)
Geologic Computer Systems (GPS software – RLF compaction)
ADP (Payroll/HR software)
Al-Jon Manufacturing (Field Tech Services – waste compactor)
SAGE (third party credit card processor)
VanDyk Baler Corp (Bollegraaf Balers/Titech Opticals – MRF)
LC Whitford (Morbark Tub Grinder Parts)
Landtec (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)

;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. 10

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:

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