

Preserving the environment through integrated recovery and disposal.

## MEMORANDUM

**TO:** Authority Board of Directors  
**FROM:** William A. Rabbia, Executive Director  
**DATE:** November 4, 2014  
**RE:** Meeting Notice & Tentative Agenda – Monday, November 17, 2014

1. Pledge of Allegiance
2. Approval of September 15, 2014 Authority Minutes
3. Public Comment Period
4. Recycling Champion – MVCC
5. Proposed 2015 Budget – Briefing
6. Request a Motion to Set Public Hearing for Proposed 2015 Budget for December 15, 2014 at 4:30 PM
7. Investment Policy & Guidelines – Resolution
8. Approval of Agreement for Sale of Paper Recyclables – Resolution
9. Solar Array Project Update
10. Request a Motion to go into Executive Session to Discuss Potential Litigation

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**AUTHORITY MEETING MINUTES**  
**September 15, 2014**

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

Absent: Robert Roberts

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

Others Present: Kevin Martin, Esq.

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

A Memorial Resolution (Resolution No. 14) recognizing the life and contributions of former Board Member R. W. (Bill) Burrows, Jr. was read by Authority Secretary Jodi Tuttle and unanimously adopted. A moment of silence was held in Mr. Burrows’ memory.

A motion was made by Mr. D’Onofrio, seconded by Ms. Dicks and passed to approve the June 16, 2014 Authority Minutes.

There was no one present for public comment period.

Mr. Donovan said that Resolution No. 15 before the Board would approve budget transfers needed for unanticipated expenses to cover additional overtime costs, replacement fire detection system work, overhead door work and additional temporary labor costs at the Recycling Center; costs for the purchase of computer hardware and miscellaneous office equipment at the Administrative Office; costs associated with rental of a long-reach excavator at the Regional Landfill; and additional overtime costs at the Eastern Transfer Station.

Resolution No. 15 was introduced by Mr. Bono, seconded by Ms. Dicks and passed approving 2014 budget transfers.

Mr. D’Onofrio inquired about the additional overtime required at the Recycling Center. Mr. Rabbia stated that the overtime is primarily related to coverage for personnel currently out on workers’ compensation, disability and a recent retirement.

Mr. Donovan said that Resolution No. 16 before the Board was prepared by Authority bond counsel, Bond, Schoeneck & King, and is related to the Municipalities Continuing Disclosure Cooperation (MCDC) Initiative through the U.S. Securities and Exchange Commission. The MCDC Initiative is designed to afford favorable treatment terms to municipal issuers, including the Authority, as well as underwriters, who self-report inaccurate statements made in offering documents regarding prior continuing disclosure compliance.

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## **AUTHORITY MEETING MINUTES**

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The Authority may determine that it is in the best interests of the Authority to self-report certain statements made in one or more Official Statements with respect to the Authority's compliance with the Prior Undertakings under the MCDC Initiative, either because it is concerned the SEC may view them as material misstatements, because the underwriter has elected to self-report such statements, or because of other valid business considerations. Mr. Donovan said that the Deadline for the Authority to report under the Initiative is December 1, 2014.

Resolution No. 16 was introduced by Mr. Hertline, seconded by Mr. Franco and passed authorizing the Executive Director, Chairman, Vice Chairman or Treasurer to self-report under the MCDC Initiative and to accept the settlement terms under the Initiative, if such self-reporting is determined to be in the best interests of the Authority; and to execute and deliver any and all documents and instruments necessary for the Authority's participation.

Director of Recycling David Lupinski said that Resolution No. 17 is a resolution in support of a state-wide campaign to recover more textiles from the waste stream. Mr. Lupinski said that the EPA currently estimates that only about 15% of unwanted textiles are donated for reuse or recycling. The remaining 85% is disposed of as solid waste. The New York State Association for Reduction, Reuse and Recycling is teaming up with the Council for Textile Recycling and the Association of Wiping Materials, Used Clothing and Fiber Industries to launch a state-wide recovery campaign aimed at recovering 1.4 billion pounds of textiles disposed of annually in New York State.

Resolution No. 17 was introduced by Ms. Freeman, seconded by Mr. Williams and passed to support a state-wide campaign to recover more textiles from the waste stream.

Mr. Rabbia provided an update on landfill construction of cell #6. He stated that Kubricky Construction has been on-site since June and has completed work on both the secondary liner and secondary collection system. The primary liner is currently being worked on; soil mines have been back-graded and top-soiled and are in the process of being hydro-seeded. Mr. Rabbia said that the project is within budget and on-schedule. Electro-resistivity testing will be performed. The 30-day monitoring period to test the primary liner will begin the last week in September. The substantial completion date for this project is November 15<sup>th</sup>. The engineer estimates that the Authority will begin utilizing cell #6 in 2017. Mr. Rabbia said that 15 vertical gas wells were installed over the summer and that crews are now in the process of putting in a new header and hooking up those wells. Mr. Rabbia said that landfill gas collection continues to increase and that he anticipates by the end of 2014 to be being able to show WM Renewables that there is additional gas for a third engine. Once on notice, WM Renewables would have one year to obtain the necessary permits to put in a new engine.

Mr. Rabbia provided an update on the 2015 budget timeline and financial plan. He said that the Finance Committee met earlier and was provided a copy of the first draft of the 2015 budget. Staff began working on the budget in early August by looking at tonnage and trends to make sure tonnage is in line with historicals. Tonnage estimates were given to the Finance Committee at the end of August. Mr. Rabbia said that the Authority's goal is to continue to maintain stable rates. He noted that the Authority has been able to reduce rates slightly over the past few years and that the draft budget includes another small tip fee reduction for 2015. Mr. Rabbia said that the Finance Committee has also tasked staff with updating the Authority's five-year financial plan. Meetings with the Finance Committee will continue throughout October to finalize the draft 2015 budget and five-year financial plan. The proposed 2015 budget will be released by November 1<sup>st</sup>. There will be a public briefing on the proposed 2015 budget at the November Board meeting. A public hearing on the proposed 2015 budget will be scheduled for December.

Mr. Rabbia relayed that he sent information to the Counties and municipalities reminding them of the Authority's regional demolition program. In 2007 the Authority started a program to assist local governments with their efforts to clean-up abandoned, dilapidated structures.

## **AUTHORITY MEETING MINUTES**

**September 15, 2014 - Page 3**

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 pays transportation and disposal of the demolition debris to be landfilled. Applications must be submitted to the Authority no later than October 31<sup>st</sup>.

Mr. Rabbia said that there has been ongoing discussion in the Town and Village of Boonville related to bypass routes. He noted that the DOT has been working on a safety improvement project in the Village, unrelated to the Authority. The Village and Town requested assistance from Herkimer-Oneida Counties Transportation Study (HOCTS) to identify bypass routes. The Authority remains committed to using all of the routes, even with the safety improvement project. Mr. Rabbia recently sent correspondence to the Town of Boonville Councilmembers in response to questions presented at a recent meeting held at the Regional Landfill. The Board was provided a copy. Mr. Rabbia noted that the Town of Boonville recently passed a resolution that it would not use eminent domain in any way related to a bypass. Mr. Rabbia said that HOCTS has another presentation planned for rating the alternative routes.

Mr. Rabbia reported that Recycling Coordinator Jamie Tuttle and Director of Recycling David Lupinski have been working with the City of Rome on instituting a toter program. Rome purchased roughly \$900,000 in toters to give each property owner one toter for garbage and one for recyclables. In the past, Rome has charged its residents a one-time annual fee for sanitation services but did not post or enforce limits. The City is currently bidding-out a new collection contract.

Mr. Rabbia announced that the Greater Utica Chamber of Commerce is holding a Community Business Expo on September 17<sup>th</sup> at the Utica Auditorium from 11 AM to 7 PM. The Authority has developed a banner and will have a display booth as part of the technology circle at the Expo. The Authority will promote electronics recycling and its Business Recycle One program.

Mr. D'Onofrio asked about the future of electronics.

Mr. Rabbia responded that in 2014 the Authority budgeted \$80,000 for revenue from electronics recycling. However, due to the influx of CRTs (TVs and monitors) end processors have had to increase their rates. Recently, the Authority entered into an agreement with a local company, CCNY Tech-Computer Connection, that will pay the Authority for its electronics, with the exception of CRTs. However, they will provide the labor to bundle the CRTs and accept them at no charge. Mr. Rabbia said that the future of electronics recycling is uncertain, until the CRTs are out of the system. He noted that the Authority lowered its revenue expectations in the 2015 budget. Beginning January 1, 2015 there is a landfill ban that kicks in for residential CRTs. This ban is already in force for businesses.

At 5:20 PM a motion was made by Ms. Dicks, seconded by Mr. Bono and passed to go into executive session to discuss pending litigation. At 5:26 PM a motion was made by Mr. Hertline, seconded by Ms. Freeman and passed to come out of executive session.

With no further business, a motion was made by Mr. Williams, seconded by Mr. Franco 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. 18**

Introduced by:  
Seconded by:

**RE: COMMENDING MOHAWK VALLEY COMMUNITY COLLEGE AS 2014 RECYCLING CHAMPION**

**WHEREAS,** Mohawk Valley Community College (MVCC) is committed to developing and implementing a comprehensive, reliable program to reduce solid waste, increase recycling and save energy throughout its Utica campus; and

**WHEREAS,** MVCC has been an advocate for the environment through its dedication to increase recycling and waste reduction, reducing dependency on landfilling and other natural resources; and

**WHEREAS,** MVCC partnered with the Authority to conduct an on-site solid waste and recycling audit to profile types and volumes of waste and recyclables and identify its origins and handling of waste and recyclables; and

**WHEREAS,** MVCC has incorporated sustainability initiatives into every aspect of its daily operations, curriculum, student life, and community outreach, including:

- Forming a Sustainability Council consisting of faculty and staff and a Sustainability Club made-up of students.
- Creating and implementing a sustainability educational campaign for students and staff.
- Investing in recycling containers for every classroom, dormitory, office and hallway campus-wide in an effort to reduce waste.
- Recycling over 8,818 feet of fluorescent mercury bulbs, 4.8 tons of wood pallets, and over 104 tons of paper, plastics, metal and glass recyclables for the period October 2013 – October 2014.
- Collecting and delivering over 4.4 tons of green waste for composting.
- Implementing waste reduction and energy efficient policies and practices campus-wide.

**WHEREAS,** MVCC is a leading example of how a higher education institution can implement a comprehensive and consistent recycling and waste reduction program while increasing awareness and motivating students to participate in sustainability efforts; now, therefore be it

**RESOLVED,** that the Oneida-Herkimer Solid Waste Management Authority recognizes the outstanding work done by Mohawk Valley Community College in Utica, New York, by presenting them with the Authority's 2014 Recycling Champion Award to commend their fine example.

Adopted by the following vote:

AYES\_\_ NAYS\_\_

Dated:

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**Introductory No.**

**Resolution No. 19**

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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**Introductory No.**

**Resolution No. 20**

Introduced by:

Seconded by:

**RE: APPROVAL OF AN AGREEMENT FOR THE SALE OF PAPER RECYCLABLES**

**WHEREAS,** the Authority issued a Final Request For Proposals (RFP) dated September 2014 requesting proposals from vendors to market and/or purchase five categories of recyclable paper products generated at the Recycling Center for a five (5) year term; and

**WHEREAS,** potential respondents were advised in the RFP that items of importance in the evaluation of proposals were: ability to move recyclables to market on schedule, price offered for recyclables, minimum guaranteed prices, ability to deal with alternative market specifications, relationship to end-users, and reliability; and

**WHEREAS,** the Authority received four proposals in response to its RFP which were evaluated by Authority staff and evaluated on the basis of price and other factors listed in the RFP; and

**WHEREAS,** the Authority staff has recommended the Authority accept the proposal of Waste Management Recycle America for marketing of newsprint, corrugated cardboard, sorted office mix, milk cartons and aseptic packaging, and hard cover books; now, therefore, be it hereby

**RESOLVED,** that the Authority accepts the Proposal of Waste Management Recycle America for the paper recyclables noted, and for a period of five (5) years and that the Executive Director and Counsel are hereby authorized and directed on behalf of the Authority to finalize a contract between the Authority and Waste Management Recycle America; and be it further

**RESOLVED,** that the Executive Director of the Authority is hereby authorized and directed to sign and execute the subject agreement and to do or cause to be done all such acts or things as may be necessary or advisable or convenient and proper in connection with the execution and delivery of the aforesaid agreement authorized at this meeting and in connection with or incidental to the consummation and carrying into effect during the term of said agreement so made including but without limitation on the scope of the foregoing, the execution and delivery of all instruments and documents that reasonably may be required of the Authority under said agreement or may be considered supplemental thereto.

Adopted by the following vote:

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

Dated:

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