

Preserving the environment through integrated recovery and disposal.

MEMORANDUM

TO: Authority Board of Directors

FROM: William A. Rabbia, Executive Director

DATE: November 10, 2023

RE: Public Hearing/Meeting Notice & Tentative Agenda - Monday, November 20, 2023 at 4:30 PM

The public hearing and meeting will be held in the Authority public meeting room, 1600 Genesee Street, Utica, NY 13502. Board Members will continue to have the option of participating in-person or via Zoom and will be emailed a private Zoom link to participate, prior to the meeting.

1. Pledge of Allegiance
2. Approval of September 18, 2023 Authority Minutes
3. Public Hearing on Proposed 2024 Budget/Budget Presentation
4. Regular Public Comment Period
5. Collective Bargaining Agreement – Resolution
6. Executive Director – Resolution
7. Cell 8 Construction Award – Resolution
8. Updates:
 - Halloween Costume Contest/Trash Can Film Festival/School Updates
 - Regional Landfill – Stage 2 Capping Update
 - NYSDEC – Leachate Solidification Stakeholder Meeting

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AUTHORITY MEETING MINUTES **September 18, 2023**

Board Members Present: Chairman Ken Long, Vice Chairman Vincent Bono, Neil Angell, Steven Boucher, James D’Onofrio, James Franco, Nancy Novak [video conference], and James Williams

Absent: Treasurer Richard Redmond and Barbara Freeman

Authority Staff Present: William Rabbia, Jodi Tuttle, Joshua Olbrys, Joseph Artessa, Emily Albright, Eileen Brinck, Pat Lisandrelli and Andrew Opperman

Others Present: Authority Counsel Kevin Martin

Chairman Long called the September 18, 2023, Authority Board meeting to order at 4:31 PM and opened with the Pledge of Allegiance.

A motion was made by Mr. Bono, seconded by Mr. Williams, and passed to approve the June 12, 2023, Authority Minutes.

Chairman Long stated that there were no comments received for public comment period.

Executive Director William Rabbia said that Resolution No. 18 would designate additional unrestricted Authority funds toward established Authority capital reserves based on recent regulatory changes increasing the cost of landfill equipment and cell construction, and prospective regulations related to changes in leachate management. Mr. Rabbia recommended that the Board designate an additional \$1,000,000 to the Regional Landfill Liner Extension Reserve Fund and \$10,000,000 to the System-Wide Capital Reserve Fund. Discussion ensued.

Resolution No. 18 was introduced by Mr. Angell, seconded by Mr. Franco, and passed designating unrestricted funds [as noted above] toward established Authority Capital Reserve Funds. [8 Ayes; 0 Nays; Absent: Mr. Redmond and Ms. Freeman]

Mr. Rabbia said that the Authority entered into an intergovernmental agreement with Oswego County on December 19, 2013 through December 31, 2018 and an Extension of the original agreement that will expire on December 31, 2023 for the processing and marketing of recyclables. Oswego County is interested in entering into a new five-year agreement with the Authority for the processing and marketing of recyclable material collected and delivered by Oswego County to the Authority.

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AUTHORITY MEETING MINUTES

September 18, 2023

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Mr. Rabbia said that Resolution No. 19 would authorize the Authority to enter into another intergovernmental agreement with Oswego County. Mr. Rabbia noted that Oswego County has already authorized the agreement.

Resolution No. 19 was introduced by Mr. Williams, seconded by Mr. Boucher, and passed approving a new five-year intergovernmental agreement with Oswego County for the processing and marketing of recyclables and directing the Executive Director and Authority Counsel to take all necessary actions to finalize the agreement. [8 Ayes; 0 Nays; Absent: Mr. Redmond and Ms. Freeman]

Deputy Executive Director Josh Olbrys updated the Board on the Regional Landfill Phase 2 Closure project through a PowerPoint presentation. Mr. Olbrys said that Powis Excavating & Contracting was awarded the project. He reported that the project is moving a bit slower than anticipated related to manpower issues and the weather. Thus far, 3 acres have been graded and are ready for liner installation and 15,000 cubic yards of barrier protection and 3,000 cubic yards of topsoil have been screened. Moving forward, membrane installation, 18" of barrier protection and 6" of topsoil will be added. Mr. Olbrys said that as much work as possible will be completed before winter.

For the 17th year, Mr. Olbrys said that the Authority is continuing its regional demolition program offered to all municipalities in the two-County region. Annually, the Authority sends correspondence to all legislators and city, village and town mayors and supervisors inviting them to participate in the program. Under the program, the Authority makes available a demolition crew and equipment, during the slower winter season, to demolish fully abated structures owned by a municipality. The Authority provides for transportation and demolition at no charge. The municipality(ies) is required to pay for the disposal of the demolition debris to be landfilled. This year, the Village of Dolgeville applied for assistance that includes 20 homes on North Main Street that were affected by the 2019 Halloween Storm. FEMA has been working with some of the owners and the Village is still working on ownership matters and surveying for asbestos. As some of the structures contain asbestos, the Authority will only be able to assist with those structures that are asbestos-free.

Mr. Rabbia reported that the Authority began preliminary budget discussions with management staff in July and provided 2024 tonnage estimates to the Finance Committee in August. The Finance Committee was given the first draft of the 2024 budget and updated five-year financial plan at the Committee meeting preceding this meeting. Mr. Rabbia said that the Authority is proposing no tipping fee increases for 2024. The proposed 2024 budget will be released before the required date of November 1st and a public briefing and public hearing will be scheduled preceding the November Board meeting, followed by Board approval at the December 18th Board meeting.

A motion was made by Mr. Bono, seconded by Mr. Angell, and passed to schedule a public hearing on the proposed 2024 Authority budget for November 20th at 4:30 PM.

Mr. Rabbia reported that there was a small fire at the Eastern Transfer Station on September 16th at 1:30 AM. He stated that the sensors detected it and that the sprinkler system put it out. Fortunately, there was no damage and operations were not affected.

AUTHORITY MEETING MINUTES

September 18, 2023

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Mr. Rabbia reported that on September 16th, Senator Griffo and the Authority sponsored a recycling event in which electronics, paper shredding and unused medication/pharmaceuticals were accepted for proper recycling and disposal. Approximately 700 vehicles delivered 12.5 tons of E-Waste, 10.8 tons of paper and .75 tons of pharmaceuticals to the Authority's EcoDrop Facility in Utica.

At 4:56 PM a motion was made by Mr. D'Onofrio, seconded by Mr. Bono, and passed to go into executive session to discuss contract negotiations.

At 5:43 PM, a motion was made by Mr. Bono, seconded by Mr. Franco, and passed to come out of executive session.

With no further business, at 5:43 PM a motion was made by Mr. Angell, seconded by Mr. Boucher, and passed to adjourn the meeting.

Respectfully submitted,

Jodi M. Tuttle
Authority Secretary

Introductory No.

Resolution No. 20

Introduced by:

Seconded by:

RE: APPROVAL OF COLLECTIVE BARGAINING AGREEMENT BETWEEN AUTHORITY AND UNITED PUBLIC SERVICE EMPLOYEES UNION

WHEREAS, the current collective bargaining agreement between the Authority and the United Public Service Employees Union (UPSEU) expires December 31, 2023; 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 October 10, 2023 and the proposal was approved by the Union; now, therefore, be it

RESOLVED, that the Authority Board of Directors approves the attached Agreement for 2024, 2025, 2026, 2027 and 2028 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. 21

Introduced by:

Seconded by:

RE: APPOINTMENT OF JOSHUA OLBRY'S TO THE POSITION OF EXECUTIVE DIRECTOR, EFFECTIVE JANUARY 1, 2024

WHEREAS, Executive Director William Rabbia has submitted his notice of resignation/retirement, effective December 31, 2023; and

WHEREAS, Joshua Olbrys has served in the position of Deputy Executive Director since January 1, 2022 and has taken over the responsibilities of Executive Director when William Rabbia was absent; and

WHEREAS, Joshua Olbrys is well qualified to serve as Executive Director and has been assigned responsibilities in preparation for this promotion, and the Authority entered an employment contract with Joshua Olbrys which specifies that if the Executive Director position becomes vacant, the Board will appoint Joshua Olbrys to the position of Executive Director; now, therefore, be it

RESOLVED, that the Board hereby appoints Joshua Olbrys to the position of Executive Director, effective January 1, 2024, and the Board further authorizes the Chairman to sign an employment agreement with Joshua Olbrys and to take all other action necessary to complete this appointment.

Adopted by the following vote:

AYES__ NAYS__

Dated:

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Introductory No.

Resolution No. 22

Introduced by:

Seconded by:

RE: AWARD OF CONTRACT TO MOHAWK VALLEY MATERIALS FOR \$7,075,171.91 FOR CELL 8 LINER SYSTEM CONSTRUCTION AT THE ONEIDA-HERKIMER REGIONAL LANDFILL

WHEREAS, the Oneida-Herkimer Solid Waste Management Authority owns and, pursuant to New York State Department of Environmental Conservation Permit Number 6-3024-00009/00007 (the "Permit"), operates the Oneida-Herkimer Regional Landfill in Ava, NY (the "Landfill"); and

WHEREAS, New York State Regulations and the Permit require that the Landfill have at least one additional landfill cell available for use at all times; and

WHEREAS, projections for the fill progression at the Landfill provided to the Authority by the Authority's consulting engineers, Barton & LoGuidice, predict the need for the availability of an additional cell, necessitating the construction of that cell in 2024; and

WHEREAS, Authority staff, as well as Barton & LoGuidice considered and reviewed the location and configuration of the next cell construction and concluded that the most cost-effective expansion of the Landfill was the construction of "Cell 8" (as the cells were numbered on the original plans of the landfill submitted in the permit application); and

WHEREAS, the size, location and construction of Cell 8 were elements of the plans prepared and submitted to the New York State Department of Environmental Conservation ("NYSDEC") during the Authority's comprehensive landfill siting process, which included review of compliance with all the requirements of the New York State Environmental Quality Review Act (SEQRA); and

WHEREAS, Barton & Loguidice has completed design for the Cell 8 liner system; and

WHEREAS, NYSDEC will approve and authorize construction of Cell 8 and certify the design as fully compliant with the New York State Part 360 Solid Waste Regulations, prior to construction; and

WHEREAS, sealed bids for Cell 8 construction were solicited in compliance with General Municipal Law Section 103; and

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**Introductory No.
Resolution No. 22**

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WHEREAS, in compliance with the solicitation and General Municipal Law, a pre-bid meeting was held with prospective bidders to explain the project and answer questions related to the project; and

WHEREAS, on November 10, 2023, bids were received and opened from the following companies for Cell 8 construction, with the results as follows:

| Bidder & Address | Total |
|---|-----------------|
| Adhan Piping Co. Inc., Cortland, NY | \$10,921,049.00 |
| Zoladz Construction Co., Inc., Alden, NY | \$10,449,902.19 |
| Kubricky Construction, Wilton, NY | \$9,310,377.00 |
| Powis Contracting Inc., Copenhagen, NY | \$8,442,000.00 |
| Marcy Excavation Services, LLC, Herkimer, NY | \$7,322,192.00 |
| Wm. J Keller & Sons Construction, Castleton, NY | \$7,239,000.00 |
| Mohawk Valley Materials, Rome, NY | \$7,075,171.91 |

; and

WHEREAS, each bid has been evaluated for compliance with the specifications for the project promulgated by Barton & LoGuidice; each contractor's qualifications have been confirmed; and reference projects have been checked; and

WHEREAS, the bid price received by Mohawk Valley Materials has been determined to be an acceptable low bid; now, therefore, be it

RESOLVED, that the Authority Board accepts and approves the lump sum total bid submitted by Mohawk Valley Materials and hereby awards a contract for the completion of the work specified in the bid; and further be it

RESOLVED, that the Board directs the Executive Director and Authority Counsel to take all action necessary to implement this award and complete this work.

Adopted by the following vote:

AYES__ NAYS__

Dated: