

Preserving the environment through integrated recovery and disposal.

## MEMORANDUM

**TO:** Authority Board of Directors

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

**DATE:** November 6, 2020

**RE:** Public Hearing/Meeting Notice & Tentative Agenda - Monday, November 16, 2020 at 4:30 PM

This public hearing and meeting will be conducted via video conference and will be livestreamed through the Authority's YouTube channel at <https://www.youtube.com/user/OHSWA>. **Board Members will be emailed a private Zoom link to participate, prior to the meeting.**

1. Pledge of Allegiance
2. Approval of September 21, 2020 Authority Minutes
3. Public Hearing on Proposed 2021 Budget/Budget Presentation
4. Regular Public Comment Period
5. Reduced Tip Fee Programs/Policy – Discussion
6. Updates:
  - NYSAR<sup>3</sup> Award – 2020 Recycling Leadership *Food2Energy*
  - Biosolids Draft RFP
  - Transportation to RLF RFP

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## **AUTHORITY MEETING MINUTES** **September 21, 2020**

Board Members Present (Zoom/Video Conference): Chairman Ken Long [in-person], Treasurer Harry Hertline, Vice Chairman Vincent Bono, Neil Angell, James D’Onofrio, James Franco [in-person], Barbara Freeman, Nancy Novak, Richard Redmond and Jim Williams [in-person]

Authority Staff Present: William Rabbia, Jodi Tuttle, Andrew Opperman; and [via video conference] Joseph Artessa

Others Present: Authority Counsel Kevin Martin [via video conference]

Due to the pandemic, this meeting was conducted via video conference.

Chairman Long called the September 21, 2020 Authority Board meeting to order at 4:32 PM and opened with the Pledge of Allegiance.

A motion was made by Mr. Williams, seconded by Ms. Freeman, and passed to approve the June 15, 2020 Authority Minutes.

There were no comments submitted for public comment period.

Executive Director William Rabbia reported that on May 27, 2020 the Authority sent out an RFP to eight accounting firms to serve as the independent auditor for the Authority’s financial statements. Three responses were received and reviewed with the Authority’s Audit Committee and Finance Committee. Based on overall experience and qualifications, it was determined that BST & Co. is most suited to meet the needs of the Authority. Mr. Rabbia said that Resolution No. 14 would approve a new agreement with BST & Co. for a five-year term.

Resolution No. 14 was introduced by Mr. Bono, seconded by Mr. Franco and passed [9 Ayes; 0 Nays - Mr. D’Onofrio was absent during vote] approving an agreement with BST & Co. CPs, LLP to audit the financial activity of the Authority, including both the Authority audit and the City of Utica review, for fiscal years 2020 - 2024.

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Mr. Rabbia explained that Resolution No. 15 would approve a 2020 supplemental appropriation/budget amendment in the amount of \$910,000 from unbudgeted tip fees and revenue from carbon credits for the purchase of a new 3,000 scfm candlestick flare and blower skid at the Regional Landfill (\$300,000); a force main for the Source Separated Organics Processing Facility (\$360,000); and three additional exterior fire hydrants at the Utica Facility (\$250,000).

Resolution No. 15 was introduced by Mr. Hertline, seconded by Mr. Williams, and passed approving a supplemental appropriation/budget amendment in the total amount of \$910,000. [9 Ayes; 0 Nays - Mr. D'Onofrio was absent during vote]

Comptroller Joe Artessa said that budget transfers are needed for temporary labor expenses at the Recycling Center (\$295,000) and for automotive repairs at the Recycling Center (\$11,000) and Regional Landfill (\$5,647).

Resolution No. 16 was introduced by Mr. Angell, seconded by Mr. Bono, and passed approving 2020 budget transfers. [9 Ayes; 0 Nays - Mr. D'Onofrio was absent during the vote]

Mr. Rabbia said that Resolution No. 17 would authorize the issuance of a draft Request for Proposals (RFP) for beneficial use of biosolids/sludge. Mr. Rabbia noted that the Authority is seeing more sludge from the Oneida County Wastewater Treatment Plant since Oneida County retrofitted its plant and installed anaerobic digesters to process the sludge. The biosolids/sludge is currently being disposed of at the Authority's Regional Landfill. In 2019, the Authority extended its state-approved Local Solid Waste Management Plan to initiate a biosolids recovery study in 2020. The issuance of an RFP to explore beneficial use options is a primary component of the study. Mr. Rabbia stated that there may be companies with existing facilities that could utilize the biosolids which would also benefit the Authority. He said that the Authority would evaluate any proposals received and consider the technical and economic feasibility and assess any possible environmental liability.

Resolution No. 17 was introduced by Mr. Franco, seconded by Mr. Williams, and passed authorizing and directing the issuance of a draft RFP, in accordance with Section 120-w of General Municipal Law, for beneficial use of biosolids. [9 Ayes; 0 Nays - Mr. D'Onofrio was absent during vote]

Mr. Rabbia explained that the Authority had previously requested an opinion from the NYS Comptroller's Office and the State Attorney General regarding the Authority's desire to assist local municipalities and counties when disasters occur, with reduced tipping fees. The Comptroller's Office replied that it was not in a position to give an opinion letter on the issue, nor did it favor a rebate system to the counties, haulers, municipalities or individuals affected by flood or other disaster. Alternatively, it was suggested that the Authority have an application process and create a special rate for disaster tip fees through its normal rate setting/budget procedure.

Mr. Rabbia said that he provided the Finance Committee with a draft application and criteria that lays out an application procedure, eligibility requirements, and conditions the Board might want to consider before approving a discounted rate for disaster debris clean-up. He noted that the Authority's cost, including O&M, landfill disposal and transfer station operations and transportation is in the \$38.00 per ton range.

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A rate of \$42.00 per ton, with no cap on tonnage, is being considered. Per recommendations of the Finance Committee, modifications were made to the draft application which was then conveyed to the full Board.

At 4:51 PM, Mr. D'Onofrio joined the meeting.

Mr. Rabbia relayed that he was also contacted by the Herkimer County Industrial Development Agency (IDA), and Mohawk Valley Edge. Both development agencies are looking for discounted or waived tipping fees related to Brownfields and other development projects. Mr. Rabbia asked IDA representatives for a list of priority projects to get a better gauge on overall tonnage. Mr. Rabbia provided the Finance Committee and full Board with a similar reduced tipping fee program application for these types of projects. A \$42 per ton tipping fee and overall maximum annual tonnage to be considered for the discount would be 5,000 tons per calendar year.

Mr. Rabbia noted that applications/projects would not be guaranteed a discounted rate. Applications would be evaluated and awarded on a first come/first serve basis.

Discussion ensued.

Mr. Rabbia will continue discussions with the Board. Once rate and application procedures are agreed upon, a new rate will be incorporated into the proposed 2021 budget and fee schedule, presented at a public hearing on the proposed 2021 budget, and voted on at the December 2020 meeting.

Mr. Rabbia provided an update on the Regional Landfill Cell 4 construction project and noted that this project was not impacted by the pandemic. Like Cell 7, he stated that this is a two-year construction project. The first year involves getting down to sub-grade, preparing the clay for the liner system, and getting geocomposites on-site. Kubricky is the contractor for this project and has completed all necessary excavation, cut and fill required for the liner area. Harvey is the sub-contractor hired to process the clay. Construction is on-schedule and crews will shut down for the winter season on or about October 16<sup>th</sup>.

Mr. Rabbia reported that construction work at the Western Transfer Station is nearing completion. The project involved replacing the roof and outer shell; re-doing the office area, lunchroom, and bathrooms; repairing sections of the tip floor; and installing new overhead doors. He noted that although the Authority is an essential business and transfer station operations continued, due to the uncertainty related to the pandemic, the Authority erred on the side of safety and shut down this project for approximately one and one-half months. Therefore, substantial completion, initially set for September 15, 2020, was moved to October 15, 2020. The contractors are currently working on punch list items and finishing the overhead doors. Mr. Rabbia noted that only minor change orders were necessary (i.e. some of the structural steel was replaced). Beebe, HJ Brandeles, and Oneida Electric are the contractors for this project

For the 14<sup>th</sup> year, Mr. Rabbia 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.

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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. Thus far this year, there has been no expression of interest.

Mr. Rabbia reported that the Finance Committee met prior to this meeting and that the 2021 draft budget, and key 2021 budget assumptions were presented to the Committee. The Authority is proposing no tip fee increases or decreases for 2021. Mr. Rabbia noted that in 2021, the Authority will defease its 2011 bonds that were used to retrofit the MRF when it converted to single stream recycling. Mr. Rabbia said that debt and principal and interest will go away after 2021, which will result in approximately \$1 million in savings to the Authority going forward. After 2026, landfill debt will be paid off. From a debt perspective, Mr. Rabbia said that the Authority should be able to continue to maintain long-term stables rates. The 2021 draft budget will be released to the public by November 1<sup>st</sup>. Mr. Rabbia stated that the Finance Committee was also provided an updated five-year financial plan for the period 2021-2025.

A motion was made by Mr. Bono, seconded by Mr. Franco, and passed to set a public hearing on the proposed 2021 Authority budget on November 16<sup>th</sup> at 4:30 PM.

Mr. Long will advise as to whether the November Authority meeting will be in-person or via zoom.

With no further business, at 5:25 PM a motion was made by Mr. Williams, seconded by Mr. Hertline, and passed to adjourn the meeting.

Respectfully submitted,

Jodi M. Tuttle  
Authority Secretary