

MEMORANDUM

TO: Authority Board of Directors

FROM: William A. Rabbia, Executive Director

DATE: December 6, 2019

RE: Meeting Notice & Tentative Agenda – Monday, December 16, 2019 – 4:30 PM

1. Pledge of Allegiance
2. Approval of November 18, 2019 Authority Minutes
3. Public Comment Period
4. Recycling Champion – Compassion Coalition – Resolution
5. Proposed 2020 Budget – Resolution
6. 2019 Budget Transfers – Resolution
7. USDA-APHIS-WS Intergovernmental Agreement – Resolution
8. Approval of Agreement for Purchase and/or Marketing of Paper Recyclables – Resolution
9. Award of Contracts for Western Transfer Station Renovations – Resolution
10. Award of Contract for Transportation of Biosolids/Sludge – Resolution
11. Designation of 2020 Meeting Dates and Official Publications – Resolution
12. Election of Officers and Committee Appointments for 2020 – Resolution

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AUTHORITY MEETING MINUTES
November 18, 2019

DRAFT

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

Authority Staff Present: Bill Rabbia, Jodi Tuttle, Joe Artessa, Jim Biamonte, Samantha Brown, Pat Lisandrelli, Joshua Olbrys, Andrew Opperman and William Schrader

Chairman Long called the November 18, 2019 Authority Board meeting to order at 4:30 PM and opened with the Pledge of Allegiance.

Chairman Long welcomed new Board Member Richard Redmond who was appointed by Oneida County Executive Anthony Picente.

A motion was made by Mr. Hertline, seconded by Mr. Williams and passed [8 Ayes; 1 Abstention (Mr. Redmond); 1 Absent for Vote (Mr. D’Onofrio)] to approve the September 16, 2019 Authority Minutes.

At 4:32 PM Chairman Long called the public hearing on the proposed 2020 Authority budget to order.

Executive Director Bill Rabbia and Comptroller Joe Artessa presented an overview of the proposed 2020 budget through a PowerPoint presentation. Mr. Rabbia said that Authority staff began working on the proposed budget in August of this year and a draft budget was provided to the Finance Committee for its review. The 2020 draft budget was released to the public prior to the November 1, 2019 deadline. Mr. Rabbia stated that 2020 will be the third consecutive year that the Authority will hold the line on tipping fees, with no increases. For the 29th consecutive year, recyclables will continue to be accepted at no charge. Mr. Rabbia said that despite poor recycling market conditions, the Board is committed to maintaining long-term stable rates. Graphs illustrating historical municipal solid waste (msw) tipping fees for the period 1990 - 2020 (proposed) and historical msw tipping fees versus the rate of inflation for the period 1990 - 2019 were reviewed. A chart outlining neighboring County tip fees was also reviewed. An analysis of 2018 actual, 2019 (6-month data) and 2020 projected tonnage by waste class was reviewed. An overview of system revenues outlining 2018 actual, 2019 (6-month data) and 2020 proposed was reviewed. A historical review of recycling revenues and budget projections for 2020 was presented. Mr. Rabbia outlined proposed 2020 revenue assumptions for system tip fees (\$15,885,300); sale of recyclables (\$980,000); landfill gas (\$320,000), recyclables’ processing fees (\$810,000), sale of carbon credits (\$215,000) and miscellaneous revenues which include interest earnings, State grants, compost tip fees and sales, tire fees, etc. (\$1,739,700). Overall proposed 2019 revenues total \$19,950,000. Mr. Rabbia stated that 2020 projected tonnage estimates are based upon 8-month actual tonnage in 2019 and a review of historical data. Sale of recyclables’ revenues are forecasted based upon 8-month data from 2019, historical review and market projections for 2020. The Authority will continue to operate two engines at its power facility as per its agreement with WM Renewable Energy. The Authority will continue to waive the permit fee for haulers/businesses and municipalities for 2020. Out of county recyclables’ processing revenue is based upon annual tonnage from Oswego, Lewis and Fulton Counties.

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Carbon credit revenue is only through July 14, 2020. Carbon credits are typically valued only for the first ten years of a project. The Solar Array and Source Separated Organics Processing revenue are incorporated in the 2020 budget.

Mr. Artessa reviewed system expenditures by cost center outlining 2018 actual, 2019 (6-month data) and 2020 proposed. The 2020 proposed expenditure assumptions include a 6% increase over 2019 employee health insurance premiums (depending upon plan selected). The budget reflects \$460,000 of contracted direct payments made to the Town of Ava and the Town and Villages of Boonville, consistent with the Host Community Agreements; fuel expense budgeted at \$2.50 per gallon as the result of industry forecasts; capital projects funded through tipping fees will be \$281,000 for 2020; and public education expenses projected at \$75,000. The workers' compensation budget is based upon a five-year average of the Authority's actual claims. Annual contributions to the NYS Retirement System will stay consistent with 2019 costs as rates have remained relatively the same. It was noted that Tier 6 is providing some stability to retirement costs. Debt service is reduced based upon defeasance of the Authority's 2007 bonds. Proposed landfill reserves for 2020 total \$2,100,000 (\$550,000 for Regional Landfill equipment replacement and \$1,550,000 for Regional Landfill liner extension). The 2020 proposed capital plan with projections through 2024 will be \$5,491,000. The capital plan also includes projected expenditures for cell liner extension and landfill gas system expansion that will be funded through an established reserve. Several charts that indicated revenues and expenses by category and cost centers projected for 2020 were reviewed. The total proposed 2020 system revenues/expenses total \$19,950,000; and municipal revenues/expenses total \$5,425,000. The total proposed 2020 Authority budget is \$25,375,000. The proposed 2020 budget for the six municipalities in which the Authority administers the respective municipal programs was presented by Mr. Rabbia.

Discussion ensued.

There was no one present from the public at the public hearing on the proposed 2020 budget. At 5:05 PM Chairman Long closed the public hearing and reconvened the regular meeting of the Authority.

There were no speakers for regular public comment period.

Mr. Rabbia reported that the Authority's current contract for the sale of fiber/printer material with WMRA expires December 2019. The Authority issued a draft RFP on September 4, 2019 requesting proposals from vendors to purchase and/or market recyclable paper commodities generated at the Recycling Center for a five-year term. A Final RFP will be issued on November 20, 2019 with responses to the Final RFP due December 2, 2019. Individual meetings and negotiations with the qualified respondent(s) will take place December 5th - December 12th with an anticipated award date of December 16, 2019 by the Authority Board. Mr. Rabbia noted that the procurement process will follow NYS General Municipal Law, Section 120-w.

Mr. Rabbia provided an update on the 2019 Halloween flood clean-up. Mr. Rabbia stated that the entire region received an average of 4" of precipitation in a short period, along with extremely high winds. This caused substantial flooding and both Counties declared a State of Emergency. The Authority had to close its Utica facility at 1:30 PM on November 1st due to rising flood waters at the intersection of Leland and Wurzel Avenues. Mr. Rabbia said that November 2nd was the first time the Authority had to close its operations for an entire day, as a result of this event. Although there was significant damage throughout the two Counties, flood waters never reached the Utica facility, nor was there any damage to the facility. However, trash was diverted to the Authority's Rome facility.

AUTHORITY MEETING MINUTES

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Mr. Rabbia said that the Authority would likely exceed its daily tonnage limit due to the flood-related debris from demolition and clean-ups. Therefore, he sought and received a waiver from NYSDEC to help effectuate efficient and immediate clean-up of both spill-related soils and flood debris.

Discussion related to FEMA and assisting local municipalities with clean-up ensued. Mr. Rabbia said that the flood-related debris would be identified and tracked separately from other tonnages. He will continue to keep the Board informed.

Mr. Rabbia said that Oneida County Water Quality and Water Pollution Control Facility and the Rome Water Pollution Control Facility have utilized the Authority's Regional Landfill for disposal of their wastewater treatment by-products generated and that the Authority has historically bid out the transportation of the byproducts. Pursuant to Section 103 of NYS General Municipal Law, Mr. Rabbia said that an RFP will be issued on November 19, 2019 inviting interested respondents to submit proposals for the transportation of the wastewater treatment by-products from these facilities. The transporter will be required to utilize Authority-owned trailers. Final proposals will be due on December 2, 2019. Mr. Rabbia anticipates bringing a recommended for bid award to the Board for consideration at the December 16, 2019 meeting. The contract term will be for a period of three years with two additional one-year extensions.

At 5:28 PM a motion was made by Mr. Bono, seconded by Mr. Angell and passed to go into executive session to discuss potential litigation.

At 6:09 PM a motion was made by Mr. Bono, seconded by Mr. Franco and passed to go back into open session.

With no further business, a motion was made by Mr. Bono, seconded by Mr. Franco and passed to adjourn the meeting.

Respectfully submitted,

Jodi M. Tuttle
Authority Secretary

Introductory No.

Resolution No. 17

Introduced by:

Seconded by:

RE: COMMENDING THE COMPASSION COALITION AS 2019 RECYCLING CHAMPION

WHEREAS, the Compassion Coalition is committed to developing and implementing a comprehensive, reliable program to reduce solid waste, increase recycling and conserve energy; and

WHEREAS, the Compassion Coalition 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, the Compassion Coalition has a long history of environmental stewardship and has been recycling and reusing for years; and

WHEREAS, the Compassion Coalition has diverted more than 30 tons of food waste from the Regional Landfill through the Authority's Food2Energy program; and

WHEREAS, the Compassion Coalition has donated approximately 5,000 pounds a week of unsold foods to local pig and chicken farmers for animal feed; and

WHEREAS, the Compassion Coalition partnered with the Authority to conduct an on-site review of its grounds to profile types and volumes of waste and recyclables and to identify its origins and handling of such waste and in December 2018 received RecycleOne Business Certification through the Authority; and

WHEREAS, the Compassion Coalition is a leading example of how a local business can implement a comprehensive, consistent and sustainable recycling, energy and solid waste reduction program; now, therefore be it

RESOLVED, that the Oneida-Herkimer Solid Waste Management Authority recognizes the outstanding work done by the Compassion Coalition by presenting them with the Authority's 2019 Recycling Champion Award to commend their fine example.

Adopted by the following vote:

AYES____ NAYS____

Dated:

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Preserving the environment through integrated recovery and disposal.

Introductory No.

Resolution No. 18

Introduced by:

Seconded by:

RE: APPROVAL OF 2020 ONEIDA-HERKIMER SOLID WASTE MANAGEMENT AUTHORITY BUDGET, 2020 RATE SCHEDULE, AND THE SOLID WASTE COLLECTION AND DISPOSAL PERMIT RULES AND REGULATIONS

WHEREAS, the Authority commenced the budget preparation process in August; and

WHEREAS, the Finance Committee of the Board of Directors reviewed financial information, revenue estimates, and expenditure requests and the Committee evaluated alternatives and compiled a proposed budget for 2020; and

WHEREAS, the proposed budget for the Oneida-Herkimer Solid Waste Management Authority for 2020 was distributed on October 28, 2019 in conformance with the Public Authorities Accountability Act, the Authority statute and bylaws; and

WHEREAS, the proposed budget has been available for public comment since October 28, 2019 and it was also the subject of a public briefing at the Authority meeting on November 18, 2019; and

WHEREAS, a public hearing was held on November 18, 2019 to receive and consider public comment on the proposed budget; and

WHEREAS, all other provisions of the Public Authorities Accountability Act, Authority Statute and Bylaws were met with respect to the proposed budget; and

WHEREAS, the proposed budget for the Authority covers the revenues and expenditures for the Administrative function, the Western Transfer Station, the Eastern Transfer Station, the Green Waste Compost Facility, the Recycling Center, the Household Hazardous Waste Facility, Debt Service, the Regional Landfill Facility, the Utica collection function, the Ilion collection function, the Frankfort collection function, the Mohawk collection function, the Dolgeville collection function and the Herkimer collection function; and

WHEREAS, the Authority is continuing a system of fees and charges which meet all its obligations and support its functions and also provide direct economic incentives to maximize recycling; and

RESOLVED, that the Authority hereby adopts the 2020 proposed budget; and be it further

RESOLVED, the attached schedule of charges be adopted for Authority Services for 2020; and be it further

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Introductory No.
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RESOLVED, that the Authority hereby approves the Solid Waste Collection and Disposal Permit Rules and Regulations as attached; and be it further

RESOLVED, that the Authority reserves the right to establish or amend fees, as it may deem necessary, at a later date.

Adopted by the following vote:

AYES__ NAYS__

Dated:

2020 PROPOSED FEE SCHEDULE WASTE CLASS	CONTRACT PERMITTED HAULER RATE PER TON OR RATE PER ITEM	NON-CONTRACT PERMITTED HAULER RATE PER TON OR RATE PER ITEM	RESIDENT RATE PER TON OR RATE PER ITEM
Municipal Solid Waste (MSW) [Non-Recyclable Waste]	\$62.00	\$115.00	\$62.00
Local Solid Waste (LSW) [Non-Recyclable Waste]	\$52.00	N/A	N/A
Sludge	\$62.00	\$115.00	N/A
Source Separated Organics (SSO) *	\$40.00	\$115.00	N/A
Construction & Demolition (C&D)	\$58.00	\$115.00	\$58.00
C&D Trucking & Disposal Roll-Off	\$73.00	N/A	N/A
C&D Trucking & Disposal Trailer	\$58.00	N/A	N/A
C&D - Trailer Direct Haul	\$50.00	N/A	N/A
SSO Mixed with 25% MSW/ 25% Recyclables *	\$124.00	\$230.00	\$124.00
Waste Mixed with 25% Recyclables	\$124.00	\$230.00	\$124.00
Select C&D (Clean Fill Only i.e., asphalt, concrete, brick and stone)	\$25.00	N/A	\$25.00
Clean Wood Pallets	\$15.00	\$15.00	\$15.00
Direct Haul Special Waste	\$55.00	\$87.00	N/A
Direct Haul Asbestos (1 ton minimum up to 4,000 tons)	\$80.00	\$159.00	N/A
Direct Haul Bulk Asbestos (> 4,000 tons per year to 8,000 tons per year)	\$70.00	\$159.00	N/A
Direct Haul Bulk Asbestos (> 8,000 tons per year)	\$60.00	\$159.00	N/A
ADC/Contaminated Soil – Regional Landfill Cover	\$15-\$30	N/A	N/A
Single Stream Recyclables(Oneida & Herkimer County)	\$0.00	\$49.00	\$0.00
Out of Region Single Stream Recyclables (Prior Authorization Needed)	TBD	N/A	N/A
Recyclables Mixed with Unacceptable Material	\$62.00	\$115.00	\$62.00
Green Waste/Wood Chip Disposal	\$15.00	\$18.50	\$5.00 Flat Fee P/U Truck
Green Waste/Wood Chip Disposal - Minimum Charge	\$5.00	\$5.00	\$5.00
Bagged Compost Out	N/A	N/A	\$2.00 Per Bag or 3 Bags for \$5.00
Bulk Compost Out - Large P/U Truck [3 buckets] (we load)	N/A	N/A	\$20.00 Flat Fee
Bulk Compost Out - Small P/U Truck [up to 2 buckets] (we load)	N/A	N/A	\$15.00 Flat Fee
Bulk Compost Out - Less than 100 yd. (we load)	N/A	N/A	\$15.00 Per Yard
Bulk Compost Out - Greater than 100 yd. (we load)	N/A	N/A	\$12.00 Per Yard - By Appointment Only
Bulk Compost Out - Greater than 500 yards per year (we load)	N/A	N/A	\$10.00 Per Yard
Stumps, Root Balls & Oversized Limbs	\$15.00	\$18.50	N/A
Tires up to 20" (Per Tire)	\$2.50	\$3.00	\$2.50
Tires Bulk	\$190.00	\$235.00	\$190.00
Tires on a Rim Add for Each	\$2.00	\$2.00	\$2.00
Household White Goods (i.e. Washers) Per Item	\$0.00	\$0.00	\$0.00
Household Items w/CFCs (i.e. Freezers) Per Item	\$10.00	\$15.00	\$10.00
35-Gallon Bag of MSW/SSO	N/A	N/A	\$2.00
One Bulk Item (i.e. Chair/Sofa/Table)	N/A	N/A	\$5.00
Minimum Load Charge - MSW 0 to 250 lbs.	\$7.75 Flat Fee	\$15.00 Flat Fee	\$7.75 Flat Fee
Minimum Load Charge - MSW 251 to 500 lbs.	\$15.50 Flat Fee	\$28.75 Flat Fee	\$15.50 Flat Fee
Minimum Load Charge - MSW 501 to 750 lbs.	\$23.25 Flat Fee	\$43.25 Flat Fee	\$23.25 Flat Fee
Minimum Load Charge - MSW 751 to 1,000 lbs.	\$31.00 Flat Fee	\$57.50 Flat Fee	\$31.00 Flat Fee
Minimum Load Charge - LSW 0 to 250 lbs.	\$6.50 Flat Fee	N/A	N/A
Minimum Load Charge - LSW 251 to 500 lbs.	\$13.00 Flat Fee	N/A	N/A
Minimum Load Charge - LSW 501 to 750 lbs.	\$19.50 Flat Fee	N/A	N/A
Minimum Load Charge - LSW 751 to 1,000 lbs.	\$26.00 Flat Fee	N/A	N/A
Minimum Load Charge - C & D 0 to 250 lbs.	\$7.25 Flat Fee	\$15.00 Flat Fee	\$7.25 Flat Fee
Minimum Load Charge - C & D 251 to 500 lbs.	\$14.50 Flat Fee	\$28.75 Flat Fee	\$14.50 Flat Fee
Minimum Load Charge - C & D 501 to 750 lbs.	\$21.75 Flat Fee	\$43.25 Flat Fee	\$21.75 Flat Fee
Minimum Load Charge - C & D 751 to 1,000 lbs.	\$29.00 Flat Fee	\$57.50 Flat Fee	\$29.00 Flat Fee
Minimum Load Charge - SSO 0 to 250 lbs. *	\$5.00 Flat Fee	\$15.00 Flat Fee	\$5.00 Flat Fee
Minimum Load Charge - SSO 251 to 500 lbs. *	\$10.00 Flat Fee	\$28.75 Flat Fee	\$10.00 Flat Fee
Minimum Load Charge - SSO 501 to 750 lbs. *	\$15.00 Flat Fee	\$43.25 Flat Fee	\$15.00 Flat Fee
Minimum Load Charge - SSO 751 to 1,000 lbs. *	\$20.00 Flat Fee	\$57.50 Flat Fee	\$20.00 Flat Fee
Penalty for Untarped Loads	\$10.00	\$10.00	\$10.00
Manually Removing Frozen Loads	\$0.00	\$25.00	N/A
Vehicle Weight Fee	\$5.00	\$10.00	\$5.00
MSW = Municipal Solid Waste (Non-Recyclable Waste) LSW = Local Solid Waste (Non-Recyclable Waste) ADC = Alternate Daily Cover C&D = Construction & Demolition Debris SSO= Source Separated Organics T&D = Trucking & Disposal * Rates will be Applicable upon commencement of operation of SSO Processing Facility N/A = Non-Applicable TBD = To Be Determined			



**The
Authority**™
ONEIDA-HERKIMER SOLID WASTE AUTHORITY



SOLID WASTE COLLECTION AND DISPOSAL PERMIT RULES AND REGULATIONS

**1600 Genesee Street
Phone: (315) 733-1224**

**Utica, NY 13502
Fax: (315) 733-2305**

Web Site: www.ohswa.org

**Email Contact:
Emily Albright, Director of Recycling emilya@ohswa.org**

These rules and regulations apply to the collection and disposal of all solid waste and recyclables generated in Oneida County and/or Herkimer County. In addition, the provisions of Local Law #1 of 1990 for Oneida County and Local Law #1 of 1990 for Herkimer County (the “Local Laws”) shall be applicable to all permits issued hereunder and must be fully complied with by the permit holder.

I. Solid Waste Collection and Disposal Permit

All persons, companies, partnerships, municipalities or other entities engaged in the commercial collection, pick-up, transfer, removal, and/or disposal of solid waste and/or recyclables in Oneida County and/or Herkimer County shall obtain a permit issued by the Oneida-Herkimer Solid Waste Management Authority (“Authority”) (“Permit”) authorizing the Permit holder to engage in the commercial collection, pick-up, transfer, removal, and/or disposal of solid waste and/or recyclables in Oneida County and/or Herkimer County.

- A. Any Permit issued by the Authority shall be in the nature of a privilege and shall not be deemed to create a property interest with respect to said Permit by the Permit holder. Any Permit issued by the Authority shall be subject to the terms, conditions, rules and regulations set forth hereunder, in the Authority’s Facility Rules and Regulations, the Local Laws, as well as any other applicable laws, statutes, ordinances, rules, regulations and procedures.
- B. Failure to obtain a Permit shall prohibit any person, company, partnership, municipality, or other entity from engaging in the commercial collection, pick-up, transfer, removal and/or disposal of solid waste and/or recyclables within Oneida County and/or Herkimer County.
- C. The Authority reserves the right to deny a Permit to any person, company, partnership, municipality or other entity that it deems unfit to engage in the commercial collection, pick-up, transfer, removal and/or disposal of solid waste and/or recyclables in Oneida County and/or Herkimer County based upon prior activities, information submitted in the Permit application or obtained from other reliable sources.

- D. The Authority reserves the right to revoke any Permit for failure to comply with the terms, conditions, rules and regulations set forth hereunder, and/or set forth in the Authority Facility Rules and Regulations, the Local Laws, as well as any other applicable laws, statutes, ordinances, rules, regulations and procedures.
- E. The Authority reserves the right to refuse to renew a Permit in the event the Permit holder has failed or is failing to comply with terms, conditions, rules and regulations set forth hereunder, and/or set forth in the Authority Facility Rules and Regulations, the Local Laws, as well as any other applicable laws, statutes, ordinances, rules, regulations and procedures or, if such renewal conflicts with any other applicable provision of law regulating the commercial collection, pick-up, transfer, removal and/or disposal of solid waste and/or recyclables within Oneida County and/or Herkimer County.

II. Terms and Conditions of Permit

- A. This Permit shall be renewed in accordance with the provisions set forth in these procedures.
- B. The Permit holder shall comply with all Federal, State, County, municipal and Authority requirements, statutes, laws, ordinances, rules and regulations.
- C. The Permit holder shall respond to any notice it receives from the Authority which requests a response in the fashion and within the time set forth in any such notice.
- D. The Permit holder agrees that the Authority shall have the right, but shall in no way be obligated to inspect all collection vehicles and equipment as well as solid waste facilities owned or operated by Permit holder and used for the processing of solid waste and/or recyclables collected in Oneida County and/or Herkimer County at any time without prior notice to determine whether the Permit holder is in compliance with all solid waste and/or recyclable transfer and disposal rules and regulations and Permit conditions.
- E. All loads of solid waste, green waste, organics/food waste and recyclables shall be covered and/or tarped at the time of delivery to Authority facilities. Failure to tarp or cover loads arriving at Authority facilities will result in additional fees charged.

- F. Solid waste and recyclables shall not be commingled at any time.
- G. All waste collected in Oneida County and/or Herkimer County shall be delivered to a facility designated by the Authority. All recyclables collected in Oneida County and/or Herkimer County at the curbside or delivered to a transfer station for recycling shall be delivered to a facility designated by the Authority. The facilities currently designated by the Authority include the following:

For Recyclables: **Authority Recycling Center**

80 Leland Avenue
Utica, New York, 13502

For Organics/Food Waste: **Food2Energy**

80 Leland Avenue
Utica, New York, 13502

For Solid Waste: **Authority's Western Transfer Station**

575 Perimeter Road
Rome, New York 13440; and/or

Authority's Eastern Transfer Station

80 Leland Avenue
Utica, New York 13502; and/or

Authority's Regional Landfill [With Special Approval]

7044 State Route 294
Boonville, New York 13309

For Green/Yard Waste: **Oneida-Herkimer Municipal Yard Waste**
Compost Facility

80 Leland Avenue
Utica, New York 13502

Each instance in which solid waste and/or recyclables is delivered to a non-designated facility shall constitute a violation of Local Law #1 of 1990 for Oneida County and/or Local Law #1 of 1990 for Herkimer County.

- H. The Permit holder shall procure and maintain vehicle liability insurance throughout the term of the Permit.

III. Procedure

- A. Any person seeking a Permit for the business of commercial collection, pick-up, transfer, removal and/or disposal of solid waste and/or recyclables shall file an application for a Permit on a form provided by the Authority. The form shall be filled out completely and submitted along with the appropriate fees and additional required documentation, or it will be returned or denied, at the Authority's discretion. Applicants shall supply a Certificate of Insurance to the Authority documenting the insurance required in paragraph II. H. above at the time the Permit application is submitted.
- B. Upon receipt of the Permit application, Authority staff shall review the application for completeness and accuracy. If information presented by the applicant is accurate and complete, and applicant is deemed fit to be issued a Permit, the Permit will be granted.
- C. If a Permit is denied based upon applicant's unfitness, the applicant may be provided an opportunity to be heard as determined by the Authority Board.

IV. Enforcement

Failure to comply with any provision of relevant Federal, State, or Local Law, the terms, conditions, rules and regulations, and requirements of a Permit issued hereunder, the Authority's Facility Rules and Regulations, may subject the Permit holder to Permit revocation as well as any penalties applicable, including, but not limited to the penalties set forth in Section 12 of Local Law #1 of 1990 for Oneida County and Section 13 of Local Law #1 of 1990 for Herkimer County.

V. Severability

If any section or part of a section, paragraph, sentence, clause, phrase or work of these rules and regulations is, for any reason, held or declared to be unconstitutional, inoperative or void, such holding shall not affect the remaining portions of these Rules and Regulations.

Preserving the environment through integrated recovery and disposal.

Introductory No.

Resolution No. 19

Introduced by:

Seconded by:

RE: 2019 BUDGET TRANSFERS

WHEREAS, the Authority Board, by Resolution No. 16 of 2018 adopted the 2019 operating and capital budget; and

WHEREAS, it has been determined that budget transfers are needed for unanticipated expenses as indicated below; now, therefore, be it hereby

RESOLVED, that the following 2019 budget transfers are approved:

<u>From:</u>	601-8165	MRF-Salaries & Wages	\$75,000.00
	603-8165	MRF- Overtime	\$8,000.00
	605-8165	MRF- Other Fees & Services	\$5,000.00
	614-8165	MRF- Electric	\$20,000.00
	860-8165	MRF- Hospitalization	\$156,000.00
	656-8165	MRF- Gasoline & Oil	\$10,000.00
	900-8165	MRF- Contingency	\$101,377.00
	693-8165	MRF- Maintenance & Service Contracts	\$3,049.00
<u>To:</u>	608-8165	MRF- Temp. Labor	\$260,000.00
	692-8165	MRF-Tire Disposal	\$100,000.00
	810-8165	MRF- Retirement	\$18,426.00

Explanation: Sorter positions funded in salaries account but utilizing temp agency staff, additional tire disposal costs, retirement costs GASB #68

<u>From:</u>	605-8168	UWC- Other Fees & Services	\$22,000.00
	697-8168	UWC- Disposal Fees- Other	\$8,716.00
	870-8168	UWC- GASB 75 Contribution: UWC	\$22,008.00
	900-8168	UWC- Contingency	\$21,317.00
<u>To:</u>	601-8168	UWC- Salaries	\$7,500.00
	699-8168	UWC- Fees for Collection Services	\$2,750.00
	696-8168	UWC- Disposal Fees- Contract LF	\$63,791.00

Explanation: Additional salaries expense due to Union Contract settlement and additional funds needed in UWC expense lines

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<u>From:</u>	860-8170	Admin- Hospitalization	\$8,088.00
	900-8170	Admin- Contingency	\$23,000.00
<u>To:</u>	810-8170	Admin- Retirement	\$11,888.00
	693-8170	Admin- Maintenance or Service Contracts	\$5,200.00
	605-8170	Admin- Other Fees & Services	\$14,000.00

Explanation: Retirement GASB #68 and additional funds needed in Administration expense lines

<u>From:</u>	500-8175	RLF- System Tipping Fees	\$600,000.00
<u>To:</u>	694-8175	RLF- Transportation	\$350,000.00
	697-8175	RLF- Disposal Fees Other	\$250,000.00

Explanation: Supplemental appropriation for transportation of material and leachate disposal

<u>From:</u>	605-8175	RLF- Other Fees & Services	\$10,992.00
<u>To:</u>	810-8175	RLF- Retirement	\$10,992.00

Explanation: Additional funds needed in RLF retirement line due to GASB #68 presentation

<u>From:</u>	900-8180	ETS- Contingency	\$17,659.00
	860-8180	ETS- Hospitalization	\$17,995.00
<u>To:</u>	651-8180	ETS- Automotive Supplies	\$3,500.00
	652-8180	ETS- Automotive Repairs	\$7,500.00
	693-8180	ETS- Maintenance or Service Contracts	\$6,700.00
	698-8180	ETS-Host Community Benefit	\$12,800.00
	810-8180	ETS- Retirement	\$5,154.00

Explanation: Additional funds needed in ETS expense lines and ETS retirement due to GASB #68 presentation

<u>From:</u>	900-8182	WTS- Contingency	\$26,628.00
	900-8175	RLF- Contingency	\$47,522.00
<u>To:</u>	651-8182	WTS- Automotive Supplies	\$33,000.00
	694-8182	WTS- Transportation	\$38,000.00
	860-8182	WTS- Hospitalization	\$3,150.00

Explanation: Additional funds needed in WTS expense lines

<u>From:</u>	900-8186	HHW- Contingency	\$16,315.00
	860-8186	HHW- Hospitalization	\$1,685.00
	900-8170	Admin- Contingency	\$4,000.00
<u>To:</u>	605-8186	HHW - Other Fees & Services	\$22,000.00

Explanation: Additional funds needed in HHW expense lines

Adopted by the following vote:

AYES___ NAYS___

Dated:

Preserving the environment through integrated recovery and disposal.

Introductory No.

Resolution No. 20

Introduced by:

Seconded by:

RE: AWARD OF AGREEMENT TO UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) ANIMAL AND PLANT HEALTH INSPECTION SERVICE (APHIS) WILDLIFE SERVICES (WS)

WHEREAS, the Oneida-Herkimer Solid Waste Authority desires to continue to minimize impacts associated with nuisance wildlife, such as gulls, starlings, crows, muskrats, beavers, turkey vultures, woodchucks and pigeons (nuisance wildlife), at the Oneida-Herkimer Regional Landfill and other Authority Facilities; and

WHEREAS, the USDA-APHIS-WS has statutory authority under the Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C. 426-426b) as amended, and the Act of December 22, 1987 (101 Stat. 1329-331, 7 U.S.C. 426c), to cooperate with states, local jurisdictions, individuals, public and private agencies, organizations, and institutions while conducting a program of wildlife services involving mammal and bird species that are reservoirs of zoonotic diseases, or animal species that are injurious and/or a nuisance to, among other things, agriculture, horticulture, forestry, animal husbandry, wildlife, and human health and safety; and

WHEREAS, the USDA-APHIS-WS employs expert biologists and technicians that conduct nuisance wildlife management services, secure all necessary permits and prepare associated reports; and

WHEREAS, Authority staff have observed and interacted with USDA-APHIS-WS technicians and biologists as they conducted nuisance wildlife management at Authority Facilities for eleven years; and

WHEREAS, the USDA-APHIS-WS has fulfilled all its duties and responsibilities and has successfully managed nuisance wildlife at Authority Facilities for 12 years; and

WHEREAS, the USDA-APHIS-WS has developed a Cooperative Service Agreement to conduct five days per week, on-site, integral nuisance wildlife control program at the Oneida-Herkimer Solid Waste Management Facilities which will reduce human health and safety risks and property damage associated with nuisance wildlife; and

WHEREAS, Authority staff have negotiated a one-year agreement with USDA-APHIS-WS; and

WHEREAS, the USDA-APHIS-WS offers the unparalleled resources and expertise of the Federal Government in nuisance wildlife management; now, therefore, be it

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RESOLVED, that the Authority Board accepts and approves the attached Inter-Governmental Agreement put forth by USDA-APHIS-WS and commencing on January 1, 2020 and continuing for one year from that date; and be it further

RESOLVED, that the Authority Board directs the Executive Director to take all necessary action to implement this Agreement.

Adopted by the following vote:

AYES__ NAYS__

Dated:

Introductory No.

Resolution No. 21

Introduced by:

Seconded by:

RE: APPROVAL OF AN AGREEMENT FOR THE PURCHASE AND/OR MARKETING OF PROCESSED PAPER RECYCLABLES

WHEREAS, the Authority issued a Final Request For Proposals (RFP) dated November 20, 2019 requesting proposals from vendors to purchase and/or market various categories of recyclable paper commodities 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 material to market on schedule; warehouse storage contingency plans; price offered for recyclables; ability to deal with alternative market specifications; relationship to end users; flexibility to market new materials; financial surety; and floor prices.

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

WHEREAS, the Authority staff has recommended that the Authority accept the proposal of Waste Management Recycle America for marketing of newsprint, old corrugated cardboard, sorted office mix, hardcover books, gable top cartons and aseptic packages; 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 Authority 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

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Resolution No. 21
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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:

Introductory No.

Resolution No. 22

Introduced by:

Seconded by:

RE: AWARD OF CONTRACTS TO BEEBE CONSTRUCTION SERVICES FOR \$885,400 FOR CONTRACT 19-002A GENERAL CONSTRUCTION; H.R. BRANDELES CORP. FOR \$108,000 FOR CONTRACT 19-002B MECHANICAL CONSTRUCTION; H.R. BRANDELES CORP. FOR \$41,400 FOR CONTRACT 19-003C PLUMBING CONSTRUCTION; AND ONEIDA ELECTRICAL CONTRACTORS FOR \$178,908 FOR CONTRACT 19-002D ELECTRICAL CONSTRUCTION FOR THE WESTERN TRANSFER STATION RENOVATION PROJECT

WHEREAS, the Authority owns and operates the Western Transfer Station in Rome which receives municipal solid waste, industrial/commercial waste and construction and demolition debris from Oneida and Herkimer Counties; and

WHEREAS, the continual and future use of the current Western Transfer Station has required a renovation of the current building structure, systems and employee work areas; and

WHEREAS, pursuant to Resolution No. 14 dated June 17, 2019, the Board approved a 2019 budget amendment for Western Transfer Station capital projects; and

WHEREAS, final design and specifications for the Western Transfer Station renovation project Contract 19-002A General Construction; Contract 19-002B Mechanical Construction; Contract 19-003C Plumbing Construction; and Contract 19-002D Electrical Construction were completed by Barton & Loguidice and an advertisement for sealed bids was issued in compliance with General Municipal Law Section 103 on November 25, 2019; and

WHEREAS, on December 5, 2019 a mandatory pre-bid meeting was held and on December 12, 2019 bids were received and opened from the following companies for the construction and renovation of the existing Western Transfer Station, with results as follows:

General Construction (19-002A)

Bidder & Address	Total Bid
Beebe Construction Services – Utica, NY	\$885,400.00
D.C. Building Systems, Inc. – Watertown, NY	\$1,095,000.00
R.E. Alexander Co. – Marcy, NY	\$1,212,240.00
Charles A. Gaetano Construction Corp. – Utica, NY	\$1,329,000.00
J. Priore Construction Co. – Utica, NY	\$1,661,000.00

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Mechanical Construction (19-002B)

Bidder & Address	Total Bid
H.R. Brandeles Corp. – Utica, NY	\$108,000.00

Plumbing Construction (19-003C)

Bidder & Address	Total Bid
H. R. Brandeles Corp. – Utica, NY	\$41,400.00
Brosh Mechanical, Inc. – Liverpool, NY	\$289,000.00

Electrical Construction (19-002D)

Bidder & Address	Total Bid
Oneida Electrical Contractors – Utica, NY	\$178,908.00
Patricia Electric, Inc. – Syracuse, NY	\$220,000.00

WHEREAS, the bids have been evaluated for compliance with the specifications; the contractors' qualifications have been confirmed; and reference projects have been checked; and

WHEREAS, bids by Beebe Construction Services for General Construction; H. R. Brandeles Corp. for Mechanical Construction; H.R. Brandeles Corp. for Plumbing Construction and Oneida Electrical Contractors for Electrical Construction have been determined to be qualified and the bids have been determined an acceptable low bid; now, therefore, be it

RESOLVED, that the Authority Board accepts and approves the bids and hereby awards a contract for the completion of work specified, General Construction (19-002A) – Beebe Construction Services for \$885,400.00; Mechanical Construction (19-002B) – H. R. Brandeles Corp. for \$108,000.00; Plumbing Construction (19-003C) - H.R. Brandeles Corp. for \$41,400.00; and Electrical Construction (19-002D) Oneida Electrical Contractors for \$178,908.00; and further be it

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

Adopted by the following vote:

AYES___ NAYS___

Dated:

Preserving the environment through integrated recovery and disposal.

Introductory No.

Resolution No. 23

Introduced by:

Seconded by:

RE: CONTRACT FOR TRANSPORTATION OF WASTEWATER TREATMENT BY-PRODUCTS FROM THE ROME WATER POLLUTION CONTROL FACILITY AND THE ONEIDA COUNTY WATER QUALITY AND WATER POLLUTION CONTROL FACILITY

WHEREAS, the Oneida-Herkimer Solid Waste Management Authority has had a long-term, mutually beneficial relationship with the Rome Water Pollution Control Facility (RWPCF) and the Oneida County Water Quality and Water Pollution Control Facility (OCWQWPCF); and

WHEREAS, these facilities have utilized the Oneida-Herkimer Regional Landfill (RLF) since 2006 and the RLF provides for environmentally sound disposal of all wastewater treatment by-products generated at the facilities; and

WHEREAS, the Authority, pursuant to Section 103 of the New York General Municipal Law, by a Request for Proposals (RFP) dated November 19, 2019, invited interested respondents to submit proposals for the transportation of wastewater treatment by-products from RWPCF and OCWQWPCF for a term commencing on January 1, 2020 and terminating three years from that date with two additional one-year extensions, not to exceed five total years; and

WHEREAS, the Authority received proposals from Eggan Excavating & Equipment Co. Inc., Rome, NY; Weakley Hauling, Poland, NY; JS Septic & Sewer Services, Boonville, NY; and Rauscher Bros. Inc., West Leyden, NY; and

WHEREAS, Authority staff have reviewed and evaluated credentials, experience, equipment, content and proposed fees for each proposal; and

WHEREAS, Section 103 of the New York General Municipal Law requires that public contracts be awarded to the lowest responsible bidder; and

WHEREAS, Rauscher Bros. Inc. was determined by Authority staff to be the lowest responsible bidder, therefore, Authority staff recommends that the Authority enter into a service agreement with Rauscher Bros. Inc. for transportation of wastewater by-products from RWPCF and OCWQWPCF to the RLF, for the fees per ton listed in their proposal commencing on January 1, 2020 and hauled to the RLF; now, therefore, be it

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Resolution No. 23

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RESOLVED, that the Board directs the Executive Director to prepare and to take all action necessary to enter into a contract with Rauscher Bros. Inc., for the wastewater treatment by-products transportation service.

Adopted by the following vote:

AYES__ NAYS__

Dated:

Introductory No.

Resolution No. 24

Introduced by:

Seconded by:

RE: ESTABLISH REGULAR MEETING DATES FOR 2020 AND DESIGNATE OFFICIAL NEWSPAPERS FOR PUBLICATION OF LEGAL NOTICES

WHEREAS, the Authority customarily adopts a regular meeting schedule for the upcoming year and designates official newspapers for the publication of legal notices; now, therefore, be it

RESOLVED, that the Authority Board of Directors hereby designates the following meeting dates for 2020: March 16, May 11, June 15, September 21, November 16 and December 21. The Chairman may call additional meetings as necessary and after public notice; and further be it

RESOLVED, that the Board of Directors hereby designates the Utica Observer-Dispatch, the Rome Daily Sentinel, and the Times Telegram for publication of all official notices of the Authority and the Board further directs the Authority Secretary to post all official notices on the Authority's web site.

Adopted by the following vote:

AYES__ NAYS__

Dated:

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Introductory No.

Resolution No. 25

Introduced by:

Seconded by:

RE: ELECTION OF OFFICERS AND COMMITTEE MEMBERS FOR 2020

WHEREAS, pursuant to the New York State Public Authorities Accountability Act and the Authority's Bylaws, the following slate of officers has been recommended by the Nominating Committee to serve for 2020:

Ken Long, Chairman
Vincent Bono, Vice Chairman
Harry Hertline, Treasurer

; now, therefore, be it

RESOLVED, that the Authority Board hereby elects the following slate of officers for 2020:

Ken Long, Chairman
Vincent Bono, Vice Chairman
Harry Hertline, Treasurer

; and further be it

RESOLVED, that the Authority Board of Directors hereby appoints the following members to serve on the following committees for 2020:

Audit Committee:

Harry Hertline – Chairman, Audit Committee
Vincent Bono - Vice Chairman, Audit Committee
Neil Angell

Finance Committee:

Harry Hertline – Chairman, Finance Committee
Vincent Bono - Vice Chairman, Finance Committee
Neil Angell

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Governance Committee:

Barbara Freeman – Chairperson
James Williams
Nancy Novak

FOIL Appeals Committee:

James D’Onofrio – Chairman
Barbara Freeman
James Franco

Adopted by the following vote:

AYES__ NAYS__

Dated: