

**MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT
AUTHORITY
BOARD MEETING #14**

DATE: November 17, 2005

LOCATION: Howes Cave Administrative Complex

Members Present

Charles Buck
Donald Lindberg
William Strevy
James Powers
Olga Podmajersky
Edward Wesnofske

Members Absent

Meredith McNeil
Raymond Halgas

Others Present

Gilbert Chichester
Melissa Morlang
Marijeanne Broadwell
Robin Loske
Terry Bliss, Otsego Co.
Ann Williamson, Otsego Co.
Press

1. Opening

Chairman Wesnofske opened the meeting at 9:40 p.m.

2. Adoption of Agenda

Donald Lindberg motioned, seconded by Charles Buck, to adopt the Agenda. On voice call the Agenda was unanimously approved.

2. Privilege of Floor

Terry Bliss, Otsego County Solid Waste Coordinator, took the floor and introduced Ann Williamson of the Otsego County Planning Department.

3. Minutes of Prior Meeting

Olga Podmajersky motioned, seconded by Charles Buck, to accept the minutes of the prior meeting of October 26, 2005 as written. On voice call the minutes were unanimously approved.

4. Reports

Chairman

Chairman Wesnofske stated that he had nothing to report.

Executive Director

Safety Programs

Mr. Chichester reported that his primary function has been to work on safety programs. There are two safety-training programs scheduled for staff for the first week in December. Management will also be dealing with issues concerning pigeon guano and tarping functions.

Mr. Wesnofske asked if safety-training manuals would be distributed to employees. Mr. Chichester stated that manuals would be distributed and updated annually. He also indicated that purchasing policies would need to be reviewed with regard to compliance with the Hazardous Communications and Safety requirements.

Transportation and Disposal Agreement

Mr. Chichester reported that he received the Bid Bond from Riccelli Enterprises relative to the new contract. The Performance Bond should be in place by mid December. Mr. Chichester is currently working with Riccelli on the facilities to be used to dispose of the waste.

Mr. Chichester pointed out that New York State is closely monitoring landfills throughout the state. A lot of facilities are reaching their capacity and are diverting waste to other facilities. Currently, MOSA's waste is being delivered to Seneca Meadows, Ontario and Chemung.

Ms. Podmajersky felt it was a lack of planning on the part Riccelli and pointed out that Chemung is not part of the four or five approved facilities that are a part of the contract with Riccelli. Ms. Podmajersky indicated that MOSA should get a rebate for the waste being delivered to Chemung and Seneca Meadows because they are closer.

Mr. Chichester pointed out that the Authority is about to enter into a new five-year agreement for transportation and disposal of the waste generated in the Service Area as well as surrounding areas. He further indicated that it is the Authority's responsibility to assure the flow of waste from its facilities to appropriate disposal sites.

Mr. Chichester acknowledged that he was aware of the fact that some wanted to enter into a contract with a landfill. However, it was clear to him that under the conditions being experienced by disposal facilities at this time, MOSA's waste would be diverted to other facilities.

Relative to the use of Chemung County's Landfill, it was possible that Riccelli could declare another emergency situation and everyone would spend a lot of time shuffling paper when, in fact, we are moving to allow the use of that facility as well as one operated by DANC.

Relative to cost, Mr. Chichester indicated that it was not costing more. He further pointed out that Riccelli could not include the Chemung facility in earlier negotiations because they did not have the operating lease in place at the time.

Mr. Chichester indicated that the Board should give him specific direction if they wished to take a different direction.

Ms. Podmajersky stated that potentially the same thing could happen in the future and felt that the Board should be made aware of it.

Mr. Wesnofske felt that the Board is aware of it and pointed out that the Authority does not control the landfills or transportation. He indicated that the Authority is on the receiving end of all that goes on between the agencies in the waste business.

Mr. Buck felt that the low proposer who responded to the RFP would have put in a lower bid if they could take the waste to Seneca Meadows. Seneca Meadows itself was not the low proposer.

Mr. Chichester stated that at this time the market place calls for using multiple landfills.

Mr. Wesnofske stated that an outfit like Waste Management not only has its permit requirement, it budgets the utilization of its landfill space over so many years given what their capacity is. It is also associated with their financial mechanisms for depreciation and recovery of cost.

Ms. Podmajersky asked what the estimated date was for the placement of the contract. Mr. Chichester responded that there was a date certain for the bid and performance bonds but not for the contract. The Contract must be in place by December 31, 2005.

William Strevy asked if there were contracts between Riccelli and the facilities that he uses. Mr. Chichester responded that there was and the Authority has copies of the contracts. Mr. Strevy asked if there is a stipulation in the contracts relative to the amount of waste the facilities would accept. Mr. Chichester responded that the wording in the contracts is such that the facility will take up to so much waste, which they are providing space for, but it does not give an exact number.

William Strevy asked if the Chaffee and Hyland landfills were at their maximum capacity. Mr. Chichester responded that it was his understanding that Waste Management directed Riccelli not to deliver anymore waste to Chaffee or High Acres because they are at their maximum capacity.

Mr. Chichester stated that he had discussions with Larry Shilling, who operates Hyland Facility, relative to why the Authority's waste was not going there. Mr. Shilling responded that they are facilitating the flow of waste based on good business practices for all.

Financial Report

Ms. Morlang informed the Board that she and Mr. Chichester had a phone conference with Standard and Poors as a follow up to the underline rating of the Bonds. They asked about the T&D contract, the 2004, 2005 and 2006 Budget. There was a series of questions and answers and everything was satisfactory.

Ms. Morlang reported on the October Financial Report as follows:

Page 2 - Bond Account Activity: In the line titled 2003 Redemption/Improvement Disposition Proceeds the amount of \$6,450 under disbursement amounts reflects what has been paid to Golder Associates to date. The amount of \$10,750 under receipt amount reflects the amount of money received for the disposition of some equipment. Disposition proceeds for equipment purchased with bond funds must go back into the Bond Redemption/Improvement Fund.

Page 5 - Reserve Accounts Activity: Made notation that the Assurance Fund only includes the Eastern Landfill and the not the Central Landfill.

Page 6 – Transportation and Disposal: During October the majority of Authority’s waste was delivered to the Seneca Meadows Landfill and profiled and other waste was delivered to the Ontario Landfill.

Ms. Podmajersky asked what percentage of waste has been delivered to Chemung so far in November. Ms. Morlang responded that she did have that information currently but after the meeting she could provide that information to Ms. Podmajersky.

Page 16 – GAT: Each County is still projected to be over their GAT. The total aggregate GAT overage is projected to be 8%.

Page 19 – Recycling Summary: During October the Authority received \$54 per ton for its paper from Neaf and charged \$45 per ton for commingled containers. There was no charge to deliver paper.

Ms. Morlang pointed out that there is a budget transfer resolution for door repairs on the agenda for consideration.

Based on the Authority’s Budget Transfer Policy the Treasurer has been dealing with transfers under \$1,000.

Committee Reports

Donald Lindberg reported that the Operations Committee met November 10th and discussed the following:

- Installation of the Amsterdam Transfer Station scale has been completed and is operational.

- Repairs to the Eastern Landfill have been completed.
- The Committee authorized the Executive Director to purchase a new backhoe/loader.
- Reviewed equipment needs for the equipment maintenance function.
- Customer service at the Northern Transfer Station.
- Development of tarping stations.
- Pigeon guano cleanup.
- Snow handling at the Northern and Schoharie Transfer Stations.

There is a resolution on the Agenda recommending the purchase of a new service truck for the equipment maintenance function.

Chairman Wesnofske stated that the Finance Committee did not meet.

Chairman Wesnofske informed the Board that the Public Authority's Accountability Act requires a lot of new functions dealing with financial accountability, governance, ethics, etc. He suggested that the Finance Committee be retitled to manage these functions. The law is not officially on the books yet. Mr. Wesnofske called the Governor's Office to check on the status of the law and was informed that they know about the law but have not received it from the Senate. Mr. Wesnofske checked with the Senate and was informed that everything has to be into the Governor's Office by December 31st. The Legislature has scheduled a day of business for November 29th. Mr. Wesnofske wondered whether the legislature might make some technical corrections to the law and that could be what is holding it up.

James Powers reported that the Planning Committee met on November 15th and authorized the Executive Director to prepare a Request for Qualification to exam the viability of certain future economic options for the Authority.

Mr. Wesnofske reported that the Personnel Committee did not meet.

5. Old Business

There was no old business discussed.

6. New Business

**Resolution Number 41 Authorizing the Transfer of Budget Funds for Door Repairs}
Sponsored by Charles Buck - Seconded by Donald Lindberg**

The Resolution authorized the transfer of budget funds in the amount of \$3,000 from Account 4214-50-63 Asphalt to Account 4201-50-63 Door Repairs.

On voice call the Resolution was unanimously adopted.

Resolution Number 42 Authorizing the Executive Director to Purchase Lube Truck and Body to be Used by the Equipment Maintenance Function} Sponsored by Donald Lindberg - Seconded by Charles Buck

On the recommendation of the Operations Committee the Resolution authorized the Executive Director to purchase one 2006 F-350 4X2 Chassis with 6.0L V8 Diesel and 5-speed automatic transmission and one Knapheide KC108H2094J Body.

William Strevy asked what would happen to the current service truck. Larry Nellis, Equipment Maintenance Supervisor, responded that the truck would be kept in service because it has a crane on it and it is used for welding and changing tires. The new unit would be used for lubing vehicles.

Mr. Strevy asked why one truck would not serve the needs of the equipment maintenance function rather than have two trucks. Mr. Nellis responded that since there is now two employees in the equipment maintenance function one truck could work at one end of the service area while the other truck works the other end. Also there is no room for storage in the current vehicle. Mr. Strevy indicated that if a different style truck had been looked at it might have suited the needs of the equipment maintenance function better. He asked if the plan was always to have two trucks. Ms. Morlang responded that it was the plan to have two trucks because there are two employees who could work at different ends of the system.

Mr. Lindberg reminded Mr. Strevy that the Authority is no longer contracting with CAT for maintenance of backhoe/loaders and that is why two trucks are needed as it was explained in the Operations Committee meeting. Mr. Strevy indicated that he was under the impression that one truck would be outfitted to suit both needs.

Mr. Wesnofske pointed out that one truck is for heavier duty maintenance.

On voice call the Resolution was adopted with five members voting "aye", one member (Strevy) voting "nay" and two members (Halgas, McNeil) "absent".

Resolution Number 43 Amending Fixed Asset Policy} Sponsored by Charles Buck - Seconded by Edward Wesnofske

Ms. Morlang explained that basically the amendment of the policy would allow for a higher threshold to capitalize assets relative to land and building improvements, which are depreciated over 31 ½ years. At this point the Authority has capitalized anything over \$1,000, which in today's day in age this amount is too low to capitalize over 31 ½ years. She recommended that it be raised to \$5,000 as stipulated in the Resolution.

On voice call the Resolution was unanimously adopted.

Executive Session

James Powers motioned to go into executive session to discuss personnel issues. Charles Buck seconded the motion and on voice call was unanimously approved.

The executive session began at 10:15 a.m.

At 10:45 a.m. Charles Buck motioned, seconded by Edward Wesnofske, to reconvene the meeting.

Donald Lindberg motioned, seconded by James Power to put Resolution Number 44 entitled **“Resolution Establishing Salaries for Accountant and Confidential Secretary”** on the Table.

Ms. Podmajersky stated that she would like more time to review the Resolution because she has not been involved in the Personnel Committee meetings.

Charles Buck motioned to amend the 2005 salary amount for the Confidential Secretary to \$34,050 and for 2006 to \$35,100. James Powers seconded the motion and on voice call was approved with four members voting “aye” and two members (Podmajersky, Strevy) voting “nay”, two members (Halgas, McNeil) “absent”.

On roll call the vote the Resolution was defeated as amended with four members voting “aye”, two members (Podmajersky, Strevy) voting “nay”, and two members (Halgas, McNeil) “absent”.

Both Ms. Podmajersky and Mr. Strevy stated that their vote had nothing to do with the people involved but felt that they did not have enough time to review the matter.

Next Board Meeting

The next Board meeting was scheduled for December 13th at 2:00 p.m.

7. Closing

Charles Buck motioned, seconded by Donald Lindberg, to adjourn the meeting. On voice call the motion was unanimously approved.

The meeting adjourned at 10:50 p.m.

Respectfully Submitted,

Robin Loske
Confidential Secretary