

**MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT
AUTHORITY
BOARD MEETING #9**

DATE: October 19, 2006

LOCATION: Howes Cave Administrative Complex

Members Present

Joan Bent
Martha Clarvoe
Rudolph Laguna
Meredith McNeil
Olga Podmajersky
William Strevy
Edward Wesnofske

Members Absent

Raymond Halgas

Others Present

Gilbert Chichester
Robin Loske
Karen Sullivan - Otsego Co.
Reps/Pragmatic Network

1. Opening

Chairman Laguna opened the meeting at 10:10 a.m.

2. Adoption of Agenda

Meredith McNeil motioned, seconded by Olga Podmajersky, to adopt the Agenda. The agenda was unanimously approved on voice call.

3. Privilege of Floor

Chairman Laguna introduced Ron Pokorny and Rich Bulow of Pragmeta Network Communications from Oneonta, NY, who presented information on a wireless Internet service. Benefits of this type of service are as follows:

- Cost savings for phone service, long distance service, and computer networking.
- Digital phone system with voice over IP, which aids the use of the internet.
- Phone service would be through a broadband connection through the internet.
- Long distance service would be less than 1.5 cents per minute.
- Incoming calls would be around 1.8 cents per minute.
- The cost for installing the system is \$11,000. This cost can be absorbed through the cost saving per month on the telephone bill.
- Transfer stations would be able to transmit information live using the internet.
- Quality of phone reception is excellent.
- No long distances charges to contact the sites.
- Two year Service Contract and two year warrantee.

Rich Bulow explained how the system would be installed and how it works. A list of Pragmeta customers was supplied to the Board members.

Mr. Laguna asked about seeing a demonstration on the system. Mr. Pokorny stated that the system could be viewed at the Otsego County Office Building.

Chairman Laguna stated that the system would be discussed further at the next Operations Committee meeting.

4. **Minutes of Prior Meeting**

Ms. Podmajersky pointed out a correction on page 10, paragraph 4, "1999 Bond Issue" should be changed to "1994A Bond Issue". Mr. Strevy asked for a word change on page 6, which read that the Planning Committee "has not met yet". Mr. Strevy asked that the word "yet" be changed to "recently".

Olga Podmajersky motioned to accept the minutes of the prior meeting of September 21, 2006 with the corrections as noted. Meredith McNeil seconded the motion. The minutes were unanimously approved on voice call.

5. **Reports**

Chairman

Chairman Laguna reported as follows:

Resolution Number 49 of 2005 Directing the Development and Issuance of a Request for Proposals or Request for Qualifications Relating to the Economics of Future Options for the Authority - Chairman Laguna explained that Resolution Number 49 of 2005 authorized the Executive Director to develop an RFQ/RFP to facilitate the study of the development of a landfill within the service area as well as the acquisition of landfill space at an existing landfill facility along with any and all ancillary costs as well as operational or market related factors that would impact decision making on any of these options. Chairman Laguna requested that Mr. Chichester work with Ms. Chale, the Authority's Attorney, to move forward with developing the RFQ/RFP.

Mr. Strevy pointed out that the Authority has a five-year contract with Riccelli for transportation and disposal. Mr. Wesnofske stated that the Resolution was adopted prior to the execution of the contract with Riccelli.

Mr. Laguna stated that the years go very fast and felt it would be best to start this procedure.

Executive Director

Mr. Chichester reported as follows:

Accident at WTS - Mr. Chichester reported that an accident occurred at the Western Transfer Station where an individual fell into the pit while unloading his garbage. This individual left the site on his own accord. Since then the Authority has received a Notice of Claim, which has been turned over to the insurance company. The insurance company is taking the stance that the Authority is not liable and did no wrongdoing.

Flow Control - Mr. Chichester distributed an e-mail he received from Judy Drabicki who works with Mike Cahill. (attached hereto.)

Mr. Chichester also distributed a draft Local Law for Flow Control (attached hereto) for the Authority's Service Area, which Mr. Cahill helped to develop. This will be discussed further at future Planning Committee meetings.

Regional Landfill - Mr. Chichester stated that he received communication from a company in Hartford Conn. who run transfer stations and recycling and hauling operations and are interested in siting and operating a regional landfill in conjunction with the Authority.

Town of Guilderland - Mr. Chichester received a request from the Town of Guilderland in Albany County for information relative to alternatives for handling solid waste. They wondered if the Authority could help them.

Authority Budget Office - Mr. Chichester distributed communication issued by the Authority Budget Office relative to understanding corporate governance concepts (attached hereto). Mr. Chichester also distributed the training schedule relative to the new Public Authorities Act for those members who have not attended yet.

Western Transfer Station Scale Bids - Mr. Chichester stated that he is recommending that all bids received for the replacement of the weigh scale at the Western Transfer Station be rejected. All of the bidders had deviations to the bid specifications and some incomplete proposals were submitted. There is a resolution on the Agenda to reject the bids and to re-bid the project. The new bid opening will be scheduled for October 27th and upon the Operations Committee's approval the bid will be awarded. Mr. Strevy indicated that the Board should be the one to approve the award of the bid. Mr. Wesnofske indicated that because of the time constraints a Special Board meeting would have to be called to deal with the award of the bid.

Alternatives for the Authority - Mr. Chichester stated that he would be working with Ms. Chale relative to developing an RFQ as requested by Chairman Laguna and as per Resolution Number 49 of 2005.

Budget Transfers - Mr. Chichester informed the members that there are resolutions on the Agenda to deal with budget amendments and transfers.

Financial Report - Mr. Chichester reported that the August and September Board Reports should be completed and distributed before the next Board meeting. The gentleman from CFO for Hire is closing out the books for the previous months and preparing for the Audit.

Financial Report

There was no financial report.

Mr. Laguna asked Mr. Chichester if there would be any problem associated with the closing the books. Mr. Chichester felt that there should be no problems and indicated that they should be closed by the end of the month.

Committee Reports

Personnel Committee

Edward Wesnofske reported that the Personnel Committee met on October 5th and reviewed the following issues:

Executive Director's Performance Program - There is a Resolution on the Agenda relative to the Personnel Committee's recommendations relative to items that should be included in the Executive Director's Performance Program.

New Financial Position - Mr. Wesnofske reported that the Committee reviewed the articulation of the financial position for which the Authority would be advertising. There is a resolution on the Agenda to address this.

Equipment Maintenance Function - Mr. Wesnofske stated there were also two Resolutions on the Agenda to deal with the equipment maintenance function.

Mr. Strevy asked what the associated cost would be relative to the Resolution establishing the position of Equipment and Fleet Manager. He asked why it was being proposed as managerial position. Mr. Chichester explained that currently there are three employees that have the same title of Maintenance Supervisor. Two of the employees deal with the equipment maintenance and the other employee deals with the buildings and grounds. In the past the Board made a decision to have the maintenance on the loaders and backhoes done by Milton CAT. It became apparent that this course was not cost efficient and there was a need for two employees to maintain the equipment. One of the Transfer Station Supervisors aided in this function and ultimately his title was changed to a Maintenance Supervisor.

The Committee felt that it would advantageous to have a manager oversee the equipment maintenance function. The position would be more of a lead role involved with establishing equipment maintenance policy, integrally relating to employee performance along with being responsible for monitoring expenditures and budgeting. The position calls for managing an integral part of the bigger MOSA picture.

Mr. McNeil referred to Resolution 36 on the agenda, which establishes the position of Maintenance Technician/Site Supervisor. He stated that the individual who will assume this title currently works with the Equipment Maintenance Supervisor who is going to retire. This person has acted as a swingman for a lot of different activities and offers a lot of flexibility. Ms. Bent suggested that this person be sent for training for removal of freon.

Finance Committee

Mr. McNeil stated that Mr. Chichester covered most of the financial activities during his report. Mr. McNeil had a conversation with Mr. Chichester relative to the gentleman from CFO for Hire. This person is coming up to speed fast and the reports that the members usually receive will be forthcoming soon.

Operations Committee

Mr. Laguna reported that the Operations Committee has not met since September 20th.

- **Tour of Facilities** - Mr. Laguna reported that seven of the eight Board members took a tour of the MOSA facilities located in Montgomery County on Saturday, October 14th. He indicated that the tour was very educational. It gave the Board members something to compare to the Oneonta Transfer Station. The transfer stations in Schoharie and Montgomery Counties were built during the 1990's. They were built for about 2.5 million dollars.

Mr. Wesnofske stated that the facilities were in very good shape and looked a lot better than the last time he had visited them.

- **Oneonta Transfer Station Retrofit** - Mr. Laguna stated that there have been ongoing discussions relative to the retrofit of the Oneonta Transfer Station. He stated that he has been getting complaints from the haulers and residents about the recycling and staging area at the facility. He hoped that something would be done with the facility very soon.

Ms. Podmajersky asked what the status was for paving at the Oneonta Transfer Station. Mr. Chichester responded that staff is doing the work. The parking lot and roadway areas have been done. The recycling area will be done next.

- **New Phone System** - Mr. Strevy asked if there was going to be a RFP relative to the phone system. Mr. Chichester stated that Pragmeta had not been solicited. They

approached Mr. Chichester with their system and asked for information relative to the operations of the Authority. The idea will be further discussed at future Operations Committee meetings.

Planning Committee

Mr. Strevy reported that the Planning Committee met on October 5th and discussed the following:

- **Mission Statement** - The Committee reviewed and recommended changes to the Mission Statement of the Authority. Ms. Clarvoe suggested that wording be added relative to recycling. A recommendation will be made to the full Board to add language relative recycling.
- **Board Management Objectives** - The Committee discussed and reviewed information presented on Board Management Objectives. Mr. Strevy stated that there was a Resolution on the Agenda to establish the Board Management Objectives.
- **Flow Control** - The Committee discussed flow control for the three Counties.
- **Next Meeting** - The Planning Committee will meet again on November 2nd at 10:00 a.m.

Audit Committee

The Committee did not meet.

Governance Committee

The Committee did not meet.

6. Old Business

Mr. Wesnofske asked Mr. Chichester if he has met with the engineers. Mr. Chichester responded that he met with the engineers and reviewed all the sites. He should get some feedback on the WTS station relative to recycling. Mr. Chichester continues to pursue Board objectives.

7. New Business

Resolution Number 30 Establishing the 2007 Tipping Fees and Other Rates for 2007}
by Meredith McNeil - Seconded by Edward Wesnofske

The Resolution established the MOSA tip fee at \$99.00 per ton, the minimum fee at \$16.00, the per bag rate at \$4.00 and the outside waste rate at \$66.00 per ton with a discount for larger quantities.

Ms. Podmajersky stated that she has a problem with the outside rate fee and suggested that it be raised or further evaluated by the Finance Committee.

Mr. Strevy stated that if outside waste is being encouraged the revenue gained from it should be used to lower the tip fee.

Mr. Chichester pointed out that the Board could amend the Fee Schedule after the Finance Committee has evaluated the outside waste rate.

After further discussion on the matter, Ms. Podmajersky motioned to amend the second "Resolve" clause in the Resolution by deleting the amount of \$66 per ton and inserting the amount \$70.00 per ton and deleting the remaining sentences, which relate to discount rates for large quantities of waste delivered. Martha Clarvoe seconded the motion and on roll call the motion to amend was unanimously approved.

Mr. Wesnofske expressed his concern about the \$4.00 per bag fee. He indicated that it might be too much and wondered if this might cause the waste to be disposed of improperly. Mr. Chichester stated that if the bag rate is not raised in conjunction with the increase in the official tipping fee, the margin of revenue raised by the bag fee would be significantly diminished. Mr. Wesnofske stated that if the bag rate is going to reach a plateau for a couple of years, it would probably be best to raise it in 2007.

On roll call the Resolution as amend was adopted with six members voting "aye", one member (Strevy) voting "nay" and one member (Halgas) "absent".

Resolution Number 31 Amending 2006 Operating Budget for Outside Waste} Sponsored by Edward Wesnofske - Seconded by Meredith McNeil

The Resolution authorized the amendment of the 2006 Operating Budget by increasing the appropriations and revenues by \$1,731,000 to cover the cost for transportation and disposal and facilitating the additional revenue received for outside waste.

On roll call the Resolution was unanimously adopted.

Resolution Number 32 Amending 2006 Operating Budget for Projected GAT Overage} Sponsored by Olga Podmajersky - Seconded by Edward Wesnofske

The Resolution authorized the amendment of the 2006 Operating Budget by increasing the appropriations and revenues by \$701,000 to cover the cost for transportation and disposal and facilitating the additional revenue received for the GAT overage.

On roll call the Resolution was unanimously adopted.

Resolution Number 33 Authorizing Transfer of Budget Funds} Sponsored by Meredith McNeil - Seconded by William Strevy

The Resolution authorized the transfer of funds within 2006 Operating Budget as follows:

From:	To:	Amount:
9072-75-63 Auto Ins. – T. S.	1111-51-63 Equip Maint. OT	\$ 4,900
9099-61-61 Contingency	4486-51-63 Bulk Liquids	3,000
9099-61-61 Contingency	4315-61-61 Reports & Forms	2,000
9099-61-61 Contingency	4061-61-61 Comp Service/Support	3,000
9099-61-61 Contingency	4416-40-63 Sch. Co. HHW	2,800
9099-61-61 Contingency	4121-75-63 T. S. Electric	5,000
9099-61-61 Contingency	4191-40-63 Leachate Disposal CLF	8,000
9099-61-61 Contingency	4204-50-63 Leachate System	5,000
9099-61-61 Contingency	4201-50-63 Door Repair	2,000
9099-61-61 Contingency	4241-50-63 Misc. Equip. Rental	6,800

On roll call the Resolution was unanimously adopted.

Resolution Number 34 Establishing Second Accountant Position and Authorizing the Executive Director to Fill the Position} Sponsored by Martha Clarvoe - Seconded by Meredith McNeil

The Resolution would establish an Accountant position, which will be a management level position that is governed by the provisions of the Employee Handbook and Policies as they exist or are henceforth amended with an entry level annual salary established at \$40,000 per year.

Ms. Podmajersky asked Mr. Chichester how much longer the subcontractor from CFO for Hire would be used. Mr. Chichester responded that he did not know but his services will continue to be used as necessary. Ms. Podmajersky asked what the cost estimate would be for the continued services of the subcontractor. Mr. Chichester stated that the cost is unknown because it is not known how much longer his services would be needed.

On roll call the Resolution was unanimously adopted.

Resolution Number 35 Establishing the Position of Equipment and Fleet Manager} Sponsored by Meredith McNeil - Seconded by Martha Clarvoe

The Resolution would establish the position of Equipment and Fleet Manager, which would be a management level position that is governed by the provisions of the

Employee Handbook and Policies as they exist or are henceforth amended with an entry level annual salary established at \$40,000 per year.

Ms. Podmajersky pointed out that the amount of \$40,000 per year does not include the cost for benefits and therefore does not depict the total cost for the position. She also was not sure why the position needed to be a management position.

On roll call vote the Resolution was adopted with five members voting “aye”, two members (Podmajersky, Strevy) voting “nay” and one member (Halgas) “absent”.

Resolution Number 36 Establishing the Position of Maintenance Technician/Site Supervisor} Sponsored by Meredith McNeil - Seconded by Edward Wesnofske

The Resolution authorized the least senior person currently filling the Maintenance Supervisor position in the Equipment Maintenance area of the Department of Operations to fill the position of Maintenance Technician/Site Supervisor with no loss of pay, longevity or benefits. The two Maintenance Supervisor positions in the Equipment Maintenance functional area of the Operations Department would be abolished as of the close of business on December 31, 2006.

Olga Podmajersky felt that the Director of Operations should fill in at a site in the absence of a site supervisor. She indicated that she felt the same way about this position as she did the Equipment and Fleet Manager position.

On roll call vote the Resolution was unanimously approved.

Resolution Number 37 Adopting an Executive Director Performance Program} Sponsored by Edward Wesnofske - Seconded by Meredith McNeil

The Resolution established an “Executive Director Performance Program” as attached hereto.

Ms. Podmajersky stated that the way the program is written is more like a job description. Mr. Wesnofske responded that it does have that aspect, which is part of any evaluation. Mr. McNeil stated that the program indicates what is expected of the Executive Director. Ms. Bent stated that it is part of the governance. Mr. Wesnofske stated that the Executive Director has stated in the past that he is not sure what the Board expects of him. This program is the core of the significant things that are expected.

Ms. Podmajersky stated that essentially the Executive Director’s job is to make sure that the work gets done and to satisfy the terms of the Service Agreement and the Public Authorities Law. She stated that she could barely find these aspects in the program as written. Mr. Wesnofske stated that the program is a good description of responsibilities and has more detail than he has seen for any professional leadership position in any organization to date.

Mr. Strevy stated that he did not feel it was necessary to adopt the program through a Resolution. He indicated that Mr. Chichester knows what is expected of him. Mr. Strevy stated that when he does a performance report he knows what he expects of the Executive Director. Mr. Wesnofske responded that he felt it necessary to give the Executive Director guidance as to what the Board expects. Mr. Strevy stated that it is a personnel issue and the Personnel Committee should deal with it. Mr. Wesnofske stated that ultimately the Board is charged with the accountability of the Executive Director.

Mr. Chichester stated he might have had two evaluations in the thirteen years of his employment with the Authority. He indicated that there is a problem with communication relative to expectations.

After further discussion, Ms. Clarvoe called the questioned. Mr. Strevy seconded the motion and on voice call was unanimously approved.

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

Resolution Number 38 Establishing MOSA Board Management Objectives} Sponsored by Edward Wesnofske - Seconded by Martha Clarvoe

The Resolution established a document entitled "MOSA Board Management Objectives", which states the immediate/ongoing and the intermediate term management objectives (as attached hereto).

Ms. Podmajersky stated that she has the same problem with this Resolution as with the pervious one.

Mr. Wesnofske stated that the objectives are to give the Board guidance as to what direction it should be moving toward.

On roll call vote the Resolution was adopted with six members voting "aye", one member (Strevy) voting "nay" and one member (Halgas) "absent".

Mr. Wesnofske asked if the objectives should be communicated to the County Boards. Ms. Bent felt that it should be communicated.

Ms. Clarvoe asked if there was a meeting established yet with the three Counties for planning purposes. Mr. Chichester responded that a meeting has not been established.

Resolution Number 39 Rejecting all Bid Received for New Truck Scale at the Western Transfer Station} Sponsored by Meredith McNeil - Seconded by Martha Clarvoe

Mr. Chichester stated that there was deviations or a lack of response to certain aspects of the specifications relative to the Western Transfer Station scale bid and it his recommendation that all bids be rejected and that the project be bid again.

Mr. Chichester explained that construction for the new scales would take 3 to 4 weeks and asked the Board if they felt that temporary scale should be used or should the traffic be diverted to the Amsterdam Transfer Station.

After some discussion, Mr. Wesnofske motioned that a set of temporary scales be used during the construction period. Mr. Laguna seconded the motion and on voice call the motion was unanimously approved.

On roll call vote the Resolution was unanimously adopted.

8. Other Business

Transfer Stations

Mr. Wesnofske stated that at times it is difficult to identify the transfer stations by their names or initials that are currently used. He suggested that the names for each site be formalized.

After some discussion, it was recommended that the Operations Committee review the matter.

Meetings

The Board set up the following Committee and Board meetings:

Planning Committee Thursday, November 2nd at 10:00 a.m.
Personnel Committee Thursday, November 2nd at 12:00 p.m.
Board Meeting Thursday, November 16th at 10:00 a.m.

9. Closing

Joan Bent motioned to adjourn the meeting. The motion was seconded by Meredith McNeil and was unanimously approved on voice call.

The meeting adjourned at 1:15 p.m.

Respectfully Submitted,

Robin Loske
Confidential Secretary