

**MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT  
AUTHORITY  
PLANNING COMMITTEE MEETING**

**DATE:** May 18, 2006

**LOCATION:** MOSA Administrative Complex, Howes Cave

**MEMBERS PRESENT:**

William Strevy  
Ray Halgas  
Martha Clarvoe

**ABSENT:**

Ed Wesnofske

**OTHERS PRESENT:**

Gilbert Chichester  
Olga Podmajersky  
Rudolph Laguna  
Terry Bliss

**The meeting was to convene at 8 a.m. but no quorum was present.  
Those present proceeded to discuss the topics on the agenda.**

**1. Opening**

Chairperson Strevy opened the meeting at 9:06 a.m.

**2. Minutes of Prior Meeting**

The minutes of the prior meeting of November 15, 2005 were approved as written.

**3. Amsterdam C & D Landfill**

Mr. Strevy indicated that he had met with Mr. Chiara, the chairman of the Amsterdam Industrial Development Agency (AIDA). Mr. Chiara had indicated that AIDA had not yet accepted the Draft Environmental Impact Statement (DEIS). Mr. Chiara further had indicated that there was support for the landfill from the City council and AIDA. There has been no determination from the Zoning Board regarding the designated classification of the proposed landfill site.

It was observed that the DEIS does not relate much to MOSA. There is substantial penalty to Montgomery County. The county Finance Committee is making recommendation to the full board that the board go on record as being against the landfill. All the supervisors from the City are against the landfill. The Montgomery County Board went on record as being against the landfill when the first DEIS was prepared in 2004.

Olga questioned whether the landfill would impact the ability of the Amsterdam Waste Water Treatment Plant to take leachate from the Authority owned landfills.

Concern was expressed that the drive for the landfill was very narrowly focused on the potential benefit to the City. It did not recognize the solid waste planning obligations of MOSA.

Those present suggested that the Authority should prepare a letter to go to AIDA once the DEIS is accepted and a comment period commences. The previous letter sent in 2004 could be used as a guide.

Terry raised the question as to the possibility of finding a way that the landfill can become an integral part of its solid waste planning. Martha raised the question as to whether the material delivered to the facility could be recycled. It was explained that the intent is to recycle as much of the material delivered as possible. It was felt that the Authority should also look for ways to recycle this type of material.

**Raymond Halgas arrived at the meeting, which provided a quorum for the committee.**

#### **4. United Haulers Second Circuit court Decision**

Mr. Chichester reviewed the current situation regarding flow control litigation. Further action has been brought against the Oneida Herkimer Solid Waste Management Authority. Michael Cahill has indicated that this case is before the Supreme Court along with a case from another judicial district. The Supreme Court will be deciding if it will take up the disparity in interpretation of Flow Control in October of 2006. It agrees to further consider flow control, a decision will likely come in late spring of 2007. If the court chooses not to consider flow control, the 2<sup>nd</sup> circuit decision in support of flow control will stand.

It was stated that so long as the GAT was met in Montgomery County, the County Board of Supervisors showed little concern for MOSA. It was pointed out that from a big picture perspective, MOSA's "market share" is an issue needing attention.

Martha Clarvoe felt that there should be more enforcement of recycling by possibly using stickers on garbage bags containing too many recyclables. Raymond Halgas pointed out that in the City, if a tagged bag was left on the curb, it would likely be left on the curb. Olga Podmajersky indicated that most municipalities in Montgomery County have a recycling program.

Mr. Strevy brought forward the issue of the increasing T & D costs. The tipping fee is expected to go up approximately \$10 per ton. He felt the committee should look at how to meet the challenge. The committee needs to look at how best to deal with the pending crisis.

Mr. Laguna indicated that he has brought the impact of the new T & D contract to the Otsego County Solid Waste Committee. He reported that Hugh Henderson has indicated that the Rate Stabilization Fund should be used to mitigate the impact of such a large rate increase.

It was pointed out that flow control is available. It is currently being used in Oneida Herkimer and Madison County. Olga indicated that the constituents pay either way. This led to a discussion of the relationship between the quantity of waste generated and the price paid by constituents. The different impacts of funding through the tax base as opposed to a user fee were discussed.

It was felt that there needs to be a presentation to the county boards regarding the pending large rate increase along with options. It was felt that there needs to be media coverage so that the constituency develops an understanding of the issues.

#### **5. MOSA Approaching the Tri-Counties: MOSA Operations Post 2014**

This is perceived to be a huge planning issue. It was felt that more insight needs to be developed into the long term.

It was expressed that whether or not the counties are proactive, the Authority needs to take the ball and go regardless of the lack of interest on the part of the counties. The supervisors at the county level change and the county boards have a lot of different issues before them whereas the MOSA governing board is focused on the handling of solid waste for the three county Service Area. To try to get a good handle on the position of the counties is like trying to hit a moving target. Developing a plan with the counties can not be accomplished in one or two meetings.

It was expressed that the Authority's governing board needs to move forward in the planning process and consider the counties' perspective along the way.

There is a lot of confusion around the year 2014. The Authority does not end. The debt will be paid off and the Authority will have numerous assets in the form of equipment and facilities. The Service Agreement ends in 2014. Should another agreement be developed?

The Equipment Replacement Fund has not been approved for about 3 years because of the issue of not funding equipment beyond the year 2014.

All agreed that a formal plan is necessary. Education is important for all including the county board members.

The planning process is involved and requires concentrated effort. How best to facilitate the process was a question. Past consideration of a facilitator was discussed.

The committee agreed to look at the original Solid Waste Management Plan at its next meeting.

#### **6. Other Business**

Martha Clarvoe indicated that she wants to discuss trash burning at some subsequent planning committee meeting.

**7. Closing**

Raymond Halgas motioned to adjourn the meeting. The motion was seconded by Martha Clarvoe and unanimously approved on voice call.

The meeting adjourned at 10:00 a.m.

Respectfully submitted,

Gilbert L. Chichester  
Executive Director