

**MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT
AUTHORITY
BOARD MEETING #11**

DATE: October 18, 2007

LOCATION: Howes Cave Administrative Complex

Members Present

Daniel Baker
Joan Bent
Martha Clarvoe
Meredith McNeil
David Parker
Olga Podmajersky
William Strevy
Edward Wesnofske

Members Absent

Others Present

Gilbert Chichester
Robin Loske
Barbara Corrigan
Glenn Packard
Jason Cooper

1. Opening

Chairman Wesnofske opened the meeting at 2:25 p.m.

2. Adoption of Agenda

Martha Clarvoe motioned to adopt the Agenda as presented. Meredith McNeil seconded the motion.

On voice call the Agenda was unanimously adopted.

3. Privilege of the Floor

Chairman Wesnofske offered privilege of the floor. No one came forth.

4. Minutes of Prior Meeting of September 27, 2007

Olga Podmajersky motioned to accept the minutes of the September 27, 2007 meeting with a correction on page 6, paragraph 9, to read as follows: On roll call vote the motion was defeated with two members (Baker, Parker) voting "aye" and six members (Bent, Clarvoe, McNeil, Podmajersky, Strevy, Wesnofske) voting "nay". David Parker seconded the motion to accept the minutes with the correction. On voice call the minutes were approved as corrected.

5. Reports

Chairman's Report

Chairman Wesnofske stated that he had nothing to report at this time.

Executive Director's Report

Mr. Chichester reported as follows:

- Time has been spent transitioning Barbara Corrigan, Director of Finance & Administration, relative to responsibilities and the staff. Mr. Chichester stated that Ms. Corrigan is progressing at an acceptable and reasonable pace. He pointed out that there is a lot to grasp and felt she is doing very well.
- Mr. Chichester and Mr. Packard met with DEC officials as a follow up to some of the issues and concerns that DEC has expressed relative to recycling, recycling programs, criteria, funding, regulations and household hazardous waste. They will continue to work together to formulate plans for 2008.
- Mr. Chichester and Mr. Packard met with Jeri Murray of Schoharie County. She had questions relative to recycling and some of the workings of MOSA. Mr. Chichester anticipates that these meeting will continue.
- Management staff met with a Lisa Lopez from SUNY Cobleskill to discuss their internship program.
- There have been meetings with representatives for the new scale system. Mr. Chichester anticipates presenting more details relative to the system at the next Board meeting. He hopes that the system could be operable by early next year. This is part of the capital project list presented to the Finance Committee.
- CSEA negotiations are complete.
- There have been discussions about the importance of the MOSA's website. Beginning early in 2008 the Authority website will be managed internally.
- Mr. Chichester stated that he would be on vacation during the week of October 22nd and the last week in November.

Mr. Strevy asked Mr. Chichester if the capital budget list could be identified and accepted. Mr. Chichester responded that he and staff are still working on the details relative to costs.

Ms. Corrigan stated that the list, which was presented at the Finance Committee meeting, was a good representation of the capital projects but more detailed costs should be obtained.

6. Committee Reports

Financial Report

Outside Waste Deliveries

Jason Cooper referred to page 17 of the report and stated that outside waste tonnages were down significantly from the same time as last year.

Mr. Wesnofske asked if the Authority heard anything from the haulers relative to the outside waste rate increase. Mr. Chichester responded that he has spoken to many of the haulers relative to the increase and what was behind the decision. One hauler did indicate that he would no longer bring waste into the Authority. Ms. Podmajersky asked how much tonnage would be lost with this hauler. Mr. Chichester responded that it would be about 250 tons.

Mr. Strevy stated that he understood the reason for the increase but did not feel it was appropriate for the Authority to be discouraging the waste from coming in. Mr. Wesnofske stated that the situation is almost encouraging corruption. Some haulers were claiming inside waste as outside waste to get the discounted rate.

Ms. Podmajersky asked Mr. Wesnofske if he knew that to be true. He responded that he did. Ms. Podmajersky stated that she did not think the situation was happening in Montgomery County. Mr. Wesnofske responded that it may not be the case in Montgomery County but he knows that it is the case in Otsego County and possibly portions of Schoharie County. Ms. Podmajersky asked how much tonnage was being reported inappropriately. Mr. Wesnofske stated that it was around 1,200 tons. She asked why something was not being done about it. Mr. Wesnofske responded that the Authority has no enforcement power or flow control.

Mr. Chichester stated that the bigger haulers who brought in outside waste would more than likely stop.

GAT

Mr. Cooper reported that while there was a projected aggregate GAT overage during the month of August there is now a projected aggregate GAT shortage during the month of September of 413 tons.

Ms. Podmajersky requested that a footnote be added to the GAT page relative to the flood related material for 2006 because it looks misleading.

Mr. Cooper stated that he would add the footnote to the YTD GAT Tonnages by County for the remainder of the year.

Finance Committee

Mr. McNeil reported that the Finance Committee has not met since the last Board meeting but he has talked to Ms. Corrigan about putting together the capital budget and preparing a plain language document relative to the reserve funds.

Personnel Committee

Mr. Strevy reported that the Personnel Committee met prior to the Board meeting.

The CSEA negotiations have been completed resulting in a four-year contract. Mr. Strevy stated that there was a Resolution on the Agenda to accept the Memorandum of Agreement between MOSA and the CSEA.

William Strevy stated that he would be addressing another issue under “New Business”.

Planning Committee

Ms. Bent reported that the Planning Committee met prior to Board meeting and reviewed the following matters:

- The Oneonta Transfer Station retrofit has been on hold and will continue to be on hold until more numbers can be acquired and more information can be attained from the GBB report.
- There is a Resolution on the Agenda to deal with the repair of the Oneonta Transfer Station tip floor.
- The Committee will be recommending under “New Business” that the Board move forward with getting a scope and pricing for Phase II of the GBB report.

Operations Committee

Mr. Parker reported that the Operations Committee has not met since the last Board meeting. Mr. Parker stated that there was a resolution on the Agenda dealing with the repair of the Oneonta Transfer Station tip and awarding a bid for a bucket truck body.

Audit Report

Mr. Baker stated that the Audit Committee will meet after the Board meeting and will work on creating a Charter.

Governance & Ethics Committee

Ms. Podmajersky reported that the Committee met prior to the Board meeting and reviewed and finalized three policies relative to Ethics, Disposition of Property and Acquisition of Property. Resolution Numbers 28, 29 and 30 to approve the policies are on the Agenda.

7. Resolutions

Resolution Number 26 Awarding Bid for the Purchase of Bucket Truck Body} Sponsored by David Parker – Seconded by Meredith McNeil

The Resolution authorized the Executive Director to purchase an articulating aerial device with a utility body from M&C Truck Equipment of Vestal, NY in the amount of \$45,078.00.

Ms. Podmajersky asked how much money was in the Equipment Replacement Fund for this piece of equipment. Mr. Parker stated that it was not split out. The total unit was in the Equipment Replacement Fund. Mr. Chichester stated that both pieces of equipment together were in the Equipment Replacement Fund for \$78,000.00.

Ms. Podmajersky stated that the replacement cost for the Dodge Ram in the Equipment Replacement Fund is \$40,000, whereas the new proposed equipment is \$45,078. Mr. Packard stated that the new equipment would be replacing both the Dodge Ram Service Truck and the high lift. Ms. Podmajersky stated that the high lift is not on the Equipment Replacement schedule.

Mr. Chichester stated that it should be kept in mind that there is a need for this equipment. He pointed out that the high lift is a separate piece of equipment that has to be transported on a flatbed trailer from one job to another. The new equipment would be all one unit and will be more practical and convenient for the Buildings and Grounds Supervisor to do his job. With the new equipment he will not have to transport extra equipment and will not have to involve other staff or vehicles.

Ms. Podmajersky stated that she understood but is trying to relate the dollars to the Equipment Replacement Schedule. Now she finds out that the high lift is not on the Equipment Replacement schedule.

Mr. Parker pointed out that the high lift was not on the Equipment Replacement schedule because there is no intention of replacing it.

On roll call the Resolution was unanimously adopted.

Resolution Number 27 Awarding Bid for the Repair of the Tipping Floor for the Oneonta Transfer Station} Sponsored by William Strevy – Seconded by Martha Clarvoe

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October 18, 2007

The Resolution authorized the Executive Director to take the necessary steps to engage ET Environmental Corporation located in Goshen N.Y. to repair the Oneonta Transfer Station tip floor for the amount of \$128,727.00. ET Environmental Corporation was the lowest bidder for the project.

Mr. Strevy stated that he was under the impression that only temporary repairs were being made to the floor.

Mr. Parker explained that the bid process resulted in one bid from Richard Wakeman in the amount of \$167,000.00. Mr. Wakeman felt that there would not be sufficient time to allow the concrete to cure properly due to the time frame and the weather. Mr. Wakeman did not recommend using the floor within two days of pouring it.

After doing some research proposals were solicited, which resulted in the submittal of two proposals with ET Environmental Corporation being the lowest of the two. The other proposal was submitted from Delta Company who bid \$178,000.00 to repair the floor.

Mr. Strevy asked what kind of guarantee ET Environmental was offering. Mr. Parker responded that there is a guarantee by virtue of industry experience.

Mr. Chichester explained that Mr. Wakeman is not used to doing this type of work. The work that he does deals mainly with foundations, floors, etc. Both ET and the Delta Company specialize in this kind of work. They go into transfer stations and replace floors with a short turn around time of 3-4 days. They use a concrete mix with metal filings, which the typical contractor does not deal with. These companies are aware that transfer stations cannot be shut down for 30 days.

Mr. Parker stated that he is worried about the structural integrity after only 4 1/2 days cure time. Mr. Parker showed the Board a sample of the floor product and stated that 12 inches of the material would be laid down. At this time there will not be a topcoat laid down.

Mr. Packard explained that ET Environmental plans to start removing the old floor on Thursday, November 8th after the close of business. The station will be closed to commercial haulers on Friday, Saturday and Monday, which is November 9th, 10th, and 12th. The station will reopen to haulers on Tuesday morning.

Mr. Chichester pointed out that only three haulers showed up for the haulers meeting to discuss the proposed repairs of the site. It was indicated that the Northern Transfer Station would be opened to haulers in the northern part of the County. This mainly involves the two haulers, which are Russ Smith & Mike Wheelock. Vet's Disposal does operate in the northern part of the County but does most of its business in the Oneonta area.

Mr. Chichester stated that under "Other Business" he would like to go into executive session to discuss contract issues regarding the repair of the Oneonta Transfer Station.

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Ms. Podmajersky asked if there is any of these types of floor nearby that staff could look at.

Mr. Chichester explained that the person Golder Associates has been working with is an engineer who works for ET Environmental. The Authority has worked with him through Golder Associates. This man has worked on transfer stations throughout the country and even in other countries. He initially thought that he could not bid because he actually developed the specs. The Authority is working with Golder and after discussions it was agreed that ET Environmental could submit a proposal.

Ms. Podmajersky asked why the floor is not being patched for now and the work completed in the spring. Mr. McNeil responded that floor would only be patched if the bidders did not feel confident doing it by the end of the year. ET Environment is confident that it can be done before the end of the year so there is no need to patch it.

On roll call vote the Resolution was adopted with seven members voting “aye” and one member (Strevy) voting “nay”.

Resolution Number 28 Adopting Ethics Policy} Sponsored by Martha Clarvoe – Seconded by Olga Podmajersky

The Governance and Ethics Committee developed and recommended that the Ethics Policy attached to Resolution Number 28 be adopted. The Policy will be placed in the MOSA Governing Board Handbook and the MOSA Employee Handbook & Policies. Each Board Member and Employee will have to acknowledge receipt of the policy and verify having read the policy by signing a written statement to that effect.

The Ethics Policy that was adopted in 1998 by way of Resolution Number 33 will be rescinded.

On voice call vote the Resolution was unanimously adopted.

Resolution Number 29 Adopting Policy for the Disposition of Property} Sponsored by Meredith McNeil – Seconded by William Strevy

The Governance and Ethics Committee developed, for the Board’s consideration, a formal Policy for the Disposition of Property as attached to Resolution Number 29. The Policy will be placed in the MOSA Governing Board Handbook and the MOSA Employee Handbook & Policies. Each Board Member and Employee will have to acknowledge receipt of this policy and verify having read the policy by signing a written statement to that effect.

On voice call vote the Resolution was unanimously adopted.

Resolution Number 30 Adopting Policy for the Acquisition of Real Property} Sponsored by Meredith McNeil – Seconded by Olga Podmajersky

Montgomery-Otsego-Schoharie Solid Waste Management Authority
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October 18, 2007

The Governance and Ethics Committee developed, for the Board's consideration, a formal Policy for the Acquisition of Real Property as attached to Resolution Number 29. The Policy will be placed in the MOSA Governing Board Handbook and the MOSA Employee Handbook & Policies. Each Board Member and Employee will have to acknowledge receipt of the policy and verify having read the policy by signing a written statement to that effect.

On voice call vote the Resolution was unanimously adopted.

Resolution Number 31 Authorizing Change to the Employee Handbook} Sponsored by Martha Clarvoe – Seconded by Daniel Baker

The Resolution authorized Section 706 of the Employee Handbook to be changed to read as follows:

”Premium Contribution – The Authority shall pay 92.5% of the premium for either individual or family medical insurance coverage. The employee must contribute the remaining 7.5% of the premium for the coverage selected, via payroll deduction. The amount of the insurance premium an employee is required to contribute is subject to change by resolution of the Board.”

On voice call vote the Resolution was unanimously adopted.

Resolution Number 32 Authorizing the Transfer of Funds} Sponsored by Meredith McNeil – Seconded by Martha Clarvoe

The Resolution authorized the transfer of \$4,000 from Account Number “4214-50-063 Asphalt/Surface Repairs” to Account Number “4201-50-063 General Repairs”.

On voice call vote the Resolution was unanimously adopted.

Resolution Number 33 Authorizing the Executive Director to Execute Agreement between the Montgomery-Otsego-Schoharie Solid Waste Management Authority and the Civil Service Employee's Association} Sponsored by Meredith McNeil – Seconded by William Strevy

The Resolution authorized the Executive Director to execute a Memorandum of Agreement between MOSA and the CSEA, as attached to Resolution Number 33, and take any necessary steps to implement the provisions of the Agreement.

On voice call vote the Resolution was unanimously adopted.

8. New Business

Personnel Committee Motion

William Strevy made a motion for the Personnel Committee to engage independent counsel for the purpose of reviewing matters related to personnel. Edward Wesnofske seconded the motion and on voice call the motion was unanimously approved.

Executive Session

Daniel Baker motioned to go into executive session relative to arrangements for the closing of the Oneonta Transfer Station during the tip floor repair. William Strevy seconded the motion and on voice call the motion was unanimously approved.

Executive session began at 3:30 p.m.

At 3:54 p.m. William Strevy motioned to come out of executive session. Joan Bent seconded the motion and voice call vote the motion was unanimously approved.

9. Other Business

Board Meeting

Chairman Wesnofske reported that the scheduled November 15th Board meeting would be a conflict with NYS Recycling Conference, which staff and some Board members were scheduled to attend.

The next Board meeting was set for December 5, 2007 at 11:00 a.m.

10. Closing

William Strevy motioned to adjourn the meeting. Meredith McNeil seconded the motion, which was unanimously approved on voice call.

The meeting adjourned at 3:55 p.m.

Respectfully Submitted,

Robin Loske
Confidential Secretary



Montgomery-Otsego-Schoharie
Solid Waste Management Authority

Resolution No. 26 of 2007
Dated October 18, 2007
Page 1 of 1

Resolution Awarding Bid for the Purchase of Bucket Truck Body

Resolution By David Parker

Seconded By Meredith McNeil

Whereas, this Governing Board authorized the Executive Director to purchase a Buildings and Grounds Service Truck through the NYS Office of General Services Procurement Services Group, and

Whereas, the body for this service truck could not be purchased through the NYS Office of General Services Procurement Services Group, and

Whereas, this Governing Board authorized the Executive Director to go to bid for the body for the service truck, and

Whereas, one timely and complete bid was received for one Articulating Aerial Device with Utility Body from M&C Truck Equipment at 2901 Vestal Road in Vestal, N.Y. 13850, for the sum of Forty-Five Thousand Seventy-Eight Dollars and no Cents (\$45,078.00),

Now, Therefore, Be It,

Resolved, that the Executive Director is hereby authorized to take the necessary steps to execute the purchase and facilitate the installation of the Articulating Aerial Device with Utility Body from M&C Truck Equipment at 2901 Vestal Road in Vestal, N.Y. 13850, for the sum of Forty-Five Thousand Seventy-Eight Dollars and no Cents (\$45,078.00), and be it further

Resolved, that this purchase will be funded through the Equipment Replacement Fund.

Resolution Adopted.

Secretary

VOTING RECORD				
NAME	AYE	NAY	ABSTAIN	ABSENT
D. Baker	X			
J. Bent	X			
M. Clarvoe	X			
M. McNeil	X			
D. Parker	X			
O. Podmajersky	X			
W. Strevy	X			
E. Wesnofske	X			

STATE OF NEW YORK)
COUNTY OF SCHOHARIE)ss.:

This is to certify that I, the undersigned, Secretary of the Montgomery-Otsego-Schoharie Schoharie Solid Waste Management Authority, have compared the forgoing copy of this Resolution with the original Resolution now on file in the office, and which was adopted by the Authority on the 18th day of October, 2007, a majority of all the members elected to the Authority voting in favor thereof, and that the same is a correct and true transcript of such original Resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Authority on this 18th day of October , 2007.



Montgomery-Otsego-Schoharie
Solid Waste Management Authority

Resolution No. 27 of 2007
Dated October 18, 2007
Page 1 of 1

Resolution Awarding Bid for the Repair of the Tipping Floor
for the Oneonta Transfer Station

Resolution By William Strevy

Seconded By Martha Clarvoe

Whereas, the tipping floor at the Oneonta Transfer Station has been in need of major repair, and

Whereas, specifications were prepared for the repair work and a request for bids was issued, and

Whereas, one proposal was received with deviations that were not conducive for ongoing operations of the site with continuity of service, and

Whereas, two firms that specialize in tipping floor repairs were located subsequent to the bidding process, and

Whereas, the Executive Director was directed to seek proposals from said firms, and

Whereas, two proposals have been received with the attached results,

Now, Therefore, Be It,

Resolved, that the Executive Director is hereby authorized, directed and empowered to take the necessary steps to engage the vendor with the lowest responsible proposal, that being that being from ET Environmental Corporation located in Goshen N.Y. for the sum of One Hundred Twenty-Eight Thousand Seven Hundred Twenty-Seven Dollars and no Cents (\$128,727.00), and be it further

Resolved, that the project will be funded from the Bond Redemption and Improvement Fund – Disposition Proceeds.

Resolution Adopted.

Secretary

VOTING RECORD

NAME	AYE	NAY	ABSTAIN	ABSENT
D. Baker				
J. Bent	X			
M. Clarvoe	X			
M. McNeil	X			
D. Parker	X			
O. Podmajersky	X			
W. Strevy		X		
E. Wesnofske	X			

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IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Authority on this 18th day of October , 2007.



Montgomery-Otsego-Schoharie
Solid Waste Management Authority

Resolution No. 28 of 2007
Dated October 18, 2007
Page 1 of 1

Resolution Adopting Ethics Policy

Resolution By Martha Clarvoe

Seconded By William Strevy

Whereas, Section 2824 of the Public Authorities Law provides that Board members of Public Authorities shall establish an Ethics Policy, and

Whereas, the Governance and Ethics Committee of the Governing Board of the Montgomery-Otsego-Schoharie Solid Waste Management Authority have met to discuss the establishment of an Ethics Policy, and

Whereas, the Governance and Ethics Committee has developed a formal Ethics Policy for consideration by the Governing Board, a copy hereto attached,

Now, Therefore, Be It,

Resolved, that this Governing Board hereby accepts and formally approves the attached Ethics Policy as recommended by the Governance and Ethics Committee, and be it further

Resolved, that said policy shall be placed in the MOSA Governing Board Handbook and the MOSA Employee Handbook & Policies, and be it further

Resolved, that each Governing Board Member and Employee shall acknowledge receipt of this policy and verify having read the policy by signing a written statement to that effect, and be further

Resolved, that the Ethics Policy adopted in 1998 by way of Resolution Number 33 is hereby rescinded.

Resolution Adopted.

Secretary

VOTING RECORD				
NAME	AYE	NAY	ABSTAIN	ABSENT
D. Baker	X			
J. Bent	X			
M. Clarvoe	X			
M. McNeil	X			
D. Parker	X			
O. Podmajersky	X			
W. Strevy	X			
E. Wesnofske	X			

STATE OF NEW YORK)
COUNTY OF SCHOHARIE)ss.:

This is to certify that I, the undersigned, Secretary of the Montgomery-Otsego-Schoharie Schoharie Solid Waste Management Authority, have compared the forgoing copy of this Resolution with the original Resolution now on file in the office, and which was adopted by the Authority on the 18th day of October, 2007, a majority of all the members elected to the Authority voting in favor thereof, and that the same is a correct and true transcript of such original Resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Authority on this 18th day of October, 2007.



Montgomery-Otsego-Schoharie
Solid Waste Management Authority

Resolution No. 29 of 2007
Dated October 18, 2007
Page 1 of 1

Resolution Adopting Policy for the Disposition of Property

Resolution By Meredith McNeil

Seconded By William Strevy

Whereas, Section 2041-d of Public Authorities Law specifies that the Montgomery-Otsego-Schoharie Solid Waste Management Authority has the authority to dispose of property, and

Whereas, Title 5-A of Article 9 of the Public Authorities Law provides that Board members of Public Authorities shall establish policies regarding the disposition of property, and

Whereas, the Governance and Ethics Committee of the Governing Board of the Montgomery-Otsego-Schoharie Solid Waste Management Authority have met to discuss the establishment of a Policy for the Disposition of Property, and

Whereas, the Governance and Ethics Committee has developed a formal Policy for the Disposition of Property for consideration by the Governing Board, a copy hereto attached,

Now, Therefore, Be It,

Resolved, that this Governing Board hereby accepts and formally approves the Policy for the Disposition of Property as recommended by the Governance and Ethics Committee, and be it further

Resolved, that said policy shall be placed in the MOSA Governing Board Handbook and the MOSA Employee Handbook & Policies, and be it further

Resolved, that each Governing Board Member and Employee shall acknowledge receipt of this policy and verify having read the policy by signing a written statement to that effect.

Resolution Adopted.

Secretary

VOTING RECORD				
NAME	AYE	NAY	ABSTAIN	ABSENT
D. Baker	X			
J. Bent	X			
M. Clarvoe	X			
M. McNeil	X			
D. Parker	X			
O. Podmajersky	X			
W. Strevy	X			
E. Wesnofske	X			

STATE OF NEW YORK)
COUNTY OF SCHOHARIE)ss.:

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IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Authority on this 18th day of October, 2007.



Montgomery-Otsego-Schoharie
Solid Waste Management Authority

Resolution No. 30 of 2007
Dated October 18, 2007
Page 1 of 1

Resolution Adopting Policy for the Acquisition of Real Property

Resolution By Meredith McNeil

Seconded By Olga Podmajersky

Whereas, Section 2041-d of Public Authorities Law specifies that the Montgomery-Otsego-Schoharie Solid Waste Management Authority has the authority to acquire real property, and

Whereas, Section 2824 of Public Authorities Law specifies that Board members of Public Authorities shall establish policies regarding the acquisition of real property, and

Whereas, the Governance and Ethics Committee of the Governing Board of the Montgomery-Otsego-Schoharie Solid Waste Management Authority have met to discuss the establishment of a Policy for the Acquisition of Real Property, and

Whereas, the Governance and Ethics Committee has developed a formal Policy for the Acquisition of Real Property for consideration by the Governing Board, a copy hereto attached,

Now, Therefore, Be It,

Resolved, that this Governing Board hereby accepts and formally approves the Policy for the Acquisition of Real Property as recommended by the Governance and Ethics Committee, and be it further

Resolved, that said policy shall be placed in the MOSA Governing Board Handbook and the MOSA Employee Handbook & Policies, and be it further

Resolved, that each Governing Board Member and Employee shall acknowledge receipt of this policy and verify having read the policy by signing a written statement to that effect.

Resolution Adopted.

Secretary

VOTING RECORD				
NAME	AYE	NAY	ABSTAIN	ABSENT
D. Baker	X			
J. Bent	X			
M. Clarvoe	X			
M. McNeil	X			
D. Parker	X			
O. Podmajersky	X			
W. Strevy	X			
E. Wesnofske	X			

STATE OF NEW YORK)
COUNTY OF SCHOHARIE)ss.:

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IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Authority on this 18th day of October, 2007.



Montgomery-Otsego-Schoharie
Solid Waste Management Authority

Resolution No. 31 of 2007
Dated October 18, 2007
Page 1 of 1

Resolution Authorizing Change to the Employee Handbook

Resolution By Martha Clarvoe

Seconded By Daniel Baker

Whereas, Resolution No. 50 of 2005 establishes the salary and other forms of compensation for Management Employees then employed by the Authority, and

Whereas, the level of contributions to be made by Management Employees toward the cost of their health insurance coverage was established to be 7.5%, and

Whereas, since that time, additional Management Employees have been hired with the appointing resolution indicating that their employment shall be governed by the Employee Handbook, and

Whereas, the Employee Handbook needs to be updated to reflect the above level of health insurance contribution for all Employees covered under the Employee Handbook,

Now, Therefore, Be It,

Resolved, that Section 706 of the Employee Handbook is hereby changed to read:

”Premium Contribution – The Authority shall pay 92.5% of the premium for either individual or family medical insurance coverage. The employee must contribute the remaining 7.5% of the premium for the coverage selected, via payroll deduction. The amount of the insurance premium an employee is required to contribute is subject to change by resolution of the Board.”, and be it further

Resolved, the effect of this modification is to be retroactive to January 1, 2006.

Resolution Adopted.

Secretary

VOTING RECORD				
NAME	AYE	NAY	ABSTAIN	ABSENT
D. Baker	X			
J. Bent	X			
M. Clarvoe	X			
M. McNeil	X			
D. Parker	X			
O. Podmajersky	X			
W. Strevy	X			
E. Wesnofske	X			

STATE OF NEW YORK)
COUNTY OF SCHOHARIE)ss.:

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IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Authority on this 18th day of October , 2007.



Montgomery-Otsego-Schoharie
Solid Waste Management Authority

Resolution No. 32 of 2007
Dated October 18, 2007
Page 1 of 1

Resolution Authorizing the Transfer of Budget Funds

Resolution By Meredith McNeil

Seconded By Martha Clarvoe

Whereas, Resolution 35 dated June 27, 1996 adopted a Budget Transfer Policy, and

Whereas, said policy requires any budget transfer in an amount greater than \$1,000 be approved by Board resolution,

Now, Therefore, Be It

Resolved, that the 2007 Budget be amended as follows:

TRANSFER:

From:	To:	Amount:
4214-50-063 – Asphalt/Surface Repairs	4207-50-063 – General Property Repairs	\$4,000

Resolution Adopted.

Secretary

VOTING RECORD				
NAME	AYE	NAY	ABSTAIN	ABSENT
D. Baker	X			
J. Bent	X			
M. Clarvoe	X			
M. McNeil	X			
D. Parker	X			
O. Podmajersky	X			
W. Strevy	X			
E. Wesnofske	X			

STATE OF NEW YORK)
COUNTY OF SCHOHARIE)ss.:

This is to certify that I, the undersigned, Secretary of the Montgomery-Otsego-Schoharie Schoharie Solid Waste Management Authority, have compared the forgoing copy of this Resolution with the original Resolution now on file in the office, and which was adopted by the Authority on the 18th day of October, 2007, a majority of all the members elected to the Authority voting in favor thereof, and that the same is a correct and true transcript of such original Resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Authority on this 18th day of October, 2007.



Montgomery-Otsego-Schoharie
Solid Waste Management Authority

Resolution No. 33 of 2007
Dated October 18, 2007
Page 1 of 1

Resolution Authorizing The Executive Director To Execute Agreement Between The Montgomery-Otsego-Schoharie Solid Waste Management Authority And The Civil Service Employees' Association

Resolution By Meredith McNeil

Seconded By William Strevy

Whereas, the Collective Bargaining Agreement between the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA) and the Civil Service Employees Association (CSEA) expires on December 31, 2007, and

Whereas, after both parties bargained in good faith, a Memorandum of Agreement was prepared, which enumerated the changes to the expired Agreement, all of which were presented to the Governing Board at its September 27, 2007 meeting, and

Whereas, the Union membership has ratified the agreement, and

Whereas, the Agreement between MOSA and CSEA effective January 1, 2008 through December 31, 2011 will be prepared, which incorporates all provisions of the Memorandum of Agreement, with all other provisions of the Agreement remaining the same,

Now, Therefore, Be It,

Resolved, that the Executive Director is hereby authorized, empowered and directed to execute the said Agreement between MOSA and CSEA upon its final preparation, and be it further

Resolved, that the Executive Director is hereby authorized to immediately take any and all necessary steps to implement the provisions of the Memorandum of Agreement.

Resolution Adopted.

Secretary

VOTING RECORD

NAME	AYE	NAY	ABSTAIN	ABSENT
D. Baker	X			
J. Bent	X			
M. Clarvoe	X			
M. McNeil	X			
D. Parker	X			
O. Podmajersky	X			
W. Strevy	X			
E. Wesnofske	X			

STATE OF NEW YORK)
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IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Authority on this 18th day of October, 2007.

MONTGOMERY-OTSEGO-SCHOHARIE
Solid Waste Management Authority

ETHICS POLICY

A. CODE OF ETHICS

The Governing Board of the Authority has adopted the following Code of Ethics:

1. No board member or employee of the Authority, whether paid or unpaid, shall:
 - a. Without the knowledge of an officer of the Board (i.e. Chair, Vice-Chair or Treasurer), directly or indirectly solicit or accept any gift during any one-month period having a value of twenty-five dollars or more whether in the form of meals, drinks, money, service, loan, travel, tickets, entertainment, hospitality, things or promises, or gifts in any form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him/her or could reasonably be expected to influence him/her in the performance of his/her official duties or was intended as a reward for any official action.
 - b. Disclose confidential information acquired by him/her in the course of his/her official duties or use such information to further his/her personal interests.
 - c. Enter into any agreement, express or implied, for compensation of services to be rendered in relation to any matter before the authority, whereby the board member or employee's compensation is to be dependent or contingent upon any action by the authority with respect to such matter.
 - d. During employment with the Authority or Board membership, accept other employment or engage in any business transaction directly or indirectly which might tend to affect his/her judgment in any official act or create a conflict with his/her official duties.
 - e. During employment with the Authority or Board membership, knowingly enter into an investment or interest, legal or beneficial, directly or indirectly, in any property, real or personal in conflict with his/her official duties.
 - f. For a one (1) year period after the termination of service or employment, without prior disclosure, appear before this Authority or render services on behalf of any person, firm, corporation or association, other than the Authority itself, in relation to any matter with respect to which such board member or employee was directly concerned or in which he/she personally participated during the period of his/her service or employment or which was under his/her active consideration, until such matter has been finally disposed of, nor shall said board member, officer or employee receive or agree to receive any compensation with respect to such

2. The function of the Governance and Ethics Committee regarding ethical conduct shall be:
 - a. To counsel in confidence, employees and board members who seek advice about ethics issues;
 - b. To receive and investigate complaints about ethics violations in the Authority and report such complaints to the Chairman of the Board who will advise all board members;
 - c. If there is no substance to the ethics complaint, to dismiss it with a letter to the complainant and notation in the minutes of the Governance and Ethics Committee;
 - d. If the Governance and Ethics Committee determines that a probable Code of Ethics violation has occurred involving an Authority employee or former employee, the committee shall forward the complaint with an investigative report and recommendation to the Executive Director. If the Governance and Ethics Committee determines that a probable Code of Ethics violation has occurred involving a board member or former board member, or the Executive Director or former Executive Director, the Committee shall advise an officer of the Board for possible Board action and/or referral to the appointing Board per 2041-b of the Public Authorities Law;
 - e. To advise the Executive Director of any situation where an employee has reported an unusual or unacceptable number of gifts or gratuities received, whether from one or several sources.
3. As to alleged Ethics Code violations involving Authority employees or former employees, the Executive Director shall then either:
 - a. Dismiss the complaint, or
 - b. Take appropriate disciplinary action up to and including termination, and/or
 - c. Forward the complaint to the appropriate authorities for possible criminal review and/or action.
 - d. Recommend to the Board that legal action be taken to enjoin the violation or seek money damages on behalf of the Authority.

C. PUBLIC AUTHORITIES LAW PROHIBITION AGAINST INTEREST IN CONTRACTS

New York Public Authority Law Section 2041-p provides as follows:

“It shall be a misdemeanor for any member of the governing body or the officer, agent, servant or employee of the Authority to be in any way or manner interested, directly or indirectly, in the furnishing of work, materials, supplies or labor, or in any contract therefore which the authority is empowered by this title to make.”

Attachments

(A) Ethics Disclosure Statement by MOSA Board Members

(B) Acknowledgement of Receipt of MOSA Code of Ethics by Employees

ETHICS DISCLOSURE STATEMENT BY MOSA BOARD MEMBERS

I, _____ (board member name) have reviewed the Montgomery, Otsego, Schoharie Solid Waste Management Authority Ethics Policy and have reviewed my employment, my business positions, investments, real property holdings, contracts, trusts, other forms of compensation, and affiliations with other organizations which have a relationship with the Montgomery-Otsego-Schoharie Solid Waste Management Authority.

I hereby attest to the following:

1. I am not employed by the Authority.
2. I do not have an ownership interest in a company or organization, which sells supplies or services to the Authority.
3. I have not sold any real property to the Authority, nor do I currently own any real property, which is of interest to the Authority.
4. I hold no contract with the Authority other than a commitment of delivery of waste to Authority facilities.
5. I hold no investments in companies that contract with or provide services to the Authority except as identified below.

6. I receive no compensation, other than reimbursement for all actual and necessary expenses incurred in connection with the carrying out of the purposes of the Authority as allowed by Public Authorities Law Section 2041, Title 13-AA.

Sign

Date

Print Name

ACKNOWLEDGEMENT OF MOSA ETHICS POLICY BY EMPLOYEES

I hereby acknowledge that I have received a copy of the Ethics Policy for the Montgomery-Otsego-Schoharie Solid Waste Management Authority. I have reviewed the policy and understand the required standards.

Sign

Date

Print Name

**MONTGOMERY-OTSEGO-SCHOHARIE
SOLID WASTE MANAGEMENT AUTHORITY**

POLICY FOR DISPOSITION OF PROPERTY

The Policy for the Disposition of Property for the Montgomery-Otsego-Schoharie Solid Waste Management Authority is as follows:

1. Disposal of Property

- a. The Authority shall follow the provisions of Title 5-A of Article 9 of the Public Authorities Law as it disposes of property with the following restrictions.
- b. Disposal through the bid process:
 - i. Public notification of the sale of property shall be published in the Authority's Official Newspapers and on the Authority's website for a minimum of 7 business days.
 - ii. In the case of real property, the Contracting Officer shall review the bids and make a recommendation to the Governing Board. All real property sales must be approved through a formal resolution adopted by the Governing Board.
 - iii. For disposal of items other than real property, the Contracting Officer shall review all bids and the award made that is most advantageous to the Authority.
 - iv. All bids may be rejected when the Contracting Officer determines that it is in the Authority's best interest to do so.

2. Contracting Officer

The Governing Board of the Authority shall designate the person who will serve as its Contracting Officer, who shall be responsible for the Montgomery-Otsego-Schoharie Solid Waste Management Authority's compliance with and enforcement of its disposition activities at its Annual meeting on the last Tuesday of January. The person assuming this position may be changed at any time by a resolution enacted by the Governing Board.

3. Inventory Controls

Annually, the Authority shall conduct a physical inventory of Authority property in accordance with the Authority's inventory policy. Generally, upon completion of the inventory and after consultation with Authority staff, a determination is made as to which property should be disposed of. All property proposed for disposition must be approved by adoption of a formal resolution of the Governing Board.

4. Report

Not less frequently than annually, the Authority shall publish a report that includes:

- a. A listing of all real property of the Authority;

- b. A list with full description of real and personal property disposed of during the period of the report;
- c. The price received by the Authority;
- d. The name of the purchaser.

Copies of the report shall be sent to the State Comptroller, Director of Budget, Commissioner of General Services and the New York State Legislature.

5. Review and Approval of Guidelines

- a. Guidelines shall be reviewed annually and approved by the Governing Board.
- b. On or before the thirty-first day of March in each year, the Authority will file with the State Comptroller a copy of the guidelines most recently reviewed and approved by the Governing Board, including the name of the public Authority's designated contracting officer.
- c. The guidelines will be posted on the Authority's web site.

**MONTGOMERY-OTSEGO-SCHOHARIE
SOLID WASTE MANAGEMENT AUTHORITY**

POLICY FOR ACQUISITION OF REAL PROPERTY

The Montgomery-Otsego-Schoharie Solid Waste Management Authority may, from time to time, find it necessary and appropriate to acquire real property, which will enable it to fulfill its mission. Real Property shall be defined as land and whatever is erected on it or is growing from it along with all rights issuing out of, annexed to, and exercisable within or about the land.

Real Property must be considered an asset and the purpose of the acquisition must be outlined in a plan, which shall entail an appraisal of the value of the real property to be acquired, a cost benefit analysis of how the acquisition enables the Authority to better accomplish its mission in the short or long term, and identifies the source of funding and/or other considerations related to the acquisition.

No real property shall be acquired without prior authorization of the acquisition through the adoption of a formal resolution by the Governing Board.