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**MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT  
AUTHORITY  
BOARD MEETING #6**

**DATE:** May 24, 2007

**LOCATION:** Howes Cave Administrative Complex

**Members Present**

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

**Members Absent**

William Strevy

**Others Present**

Gilbert Chichester  
Carol Hawkins  
Robin Loske  
Glenn Packard  
Jason Cooper  
Chris Chale  
Terry Bliss - Otsego Co.  
Linda Kellett - The Recorder  
Ed Munger – The Gazette

**1. Opening**

Chairman Wesnofske opened the meeting at 10:08 a.m.

**2. Adoption of Agenda**

Chairman Wesnofske stated that he would like to move the “Chairman’s Report” under “Other Business” because it related to flow control discussion and felt it would take considerable time.

Olga Podmajersky motioned to amend the Agenda as suggested by Chairman Wesnofske. Joan Bent seconded the motion and on voice call the Agenda was adopted as amended.

**3. Privilege of the Floor**

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

**4. Minutes of Prior Meeting of April 12 and April 23, 2007**

Due to the fact that the Board members had not had the chance to review the minutes they were deferred until the June meeting.

**5. Reports**

**Executive Director’s Report**

Mr. Chichester reported as follows:

- Labor/management meetings are ongoing.

- GBB activities continue. Their final report will be completed by the first or second week in June.
- Glenn Packard has spent considerable time working with Steve Rothrock on the equipment replacement needs.

Ms. Podmajersky indicated that GBB was behind schedule. Mr. Chichester reminded Ms. Podmajersky that the initial meetings with the Counties took place later than originally anticipated.

### **Financial Report**

Mr. Chichester asked the members to look over the report and if they have questions to give him a call.

Mr. Chichester pointed out that projected waste deliveries for 2007 are below the GAT for Otsego and Montgomery Counties. The projections at this time are based on the first four months of the year. There seems to be a trend taking place, which Mr. Chichester will address later in the meeting under "GAT Waste Flow".

Mr. Chichester stated that all of the end-of-the year transfers have been made to balance the 2006 Budget. He informed members that he would furnish them with a detailed report at their request.

Mr. Chichester reported that the Annual Audit is about complete. Once it is complete the Comptrollers Report, the Authority Budget Office Report and the Annual Report can be completed and forwarded to the appropriate officials.

Ms. Podmajersky recommended that Finance Committee review the Equipment Replacement Schedule and the transfers into the Rate Stabilization Fund.

## **6. Committee Reports**

### **Finance Committee**

Mr. McNeil reported that the Finance Committee has not met since the last Board meeting. He anticipates that the Committee will meet in June.

### **Personnel Committee**

Mr. Wesnofske reported, in the absence of Mr. Strevy, that the Personnel Committee has not met since the Board meeting.

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**Planning Committee**

Ms. Bent reported that the Planning Committee has not met since the last Board meeting. She anticipates that the Committee will meet once the GBB report is complete.

Mr. Wesnofske stated that on May 9<sup>th</sup>, at the NYS Solid Waste Management Seminar he approached a DEC official relative to the C&D Landfill in Amsterdam. The DEC official indicated that he was not sure of the status of that project because DEC has not received a request for a permit. The DEC official did indicate that there is some concern regarding the Authority's lack of recycling activity. DEC is looking for better documentation. Mr. Wesnofske suggested that the Planning Committee review the Authority's planning unit function and make recommendations to the Board as necessary.

Mr. Baker asked how a C&D Landfill could be constructed in the advent of flow control when the Authority is responsible for the waste in the three counties. Mr. Wesnofske responded that if flow control were implemented waste generated in the three counties would be directed to Authority facilities. The C&D Landfill plan is to be a merchant facility and intend to take C&D waste from Schenectady and Albany. They indicated that the plan was to bring the waste from outside the three counties. He pointed out that if Schenectady or Albany should pass flow control then the waste could not go the Amsterdam C&D Landfill.

Mr. Baker asked if the Authority accepts this kind of material.

Mr. Chichester responded that the Authority does accept C&D material. He pointed out that one of the regulatory requirements is that the developer has to address any and all impacts on all the planning units affected. They have totally ignored the impact that they will have on MOSA. Mr. Chichester stated that from DEC's point of view the company needs to address the impact on all planning units, which is not only MOSA but every planning unit in the capital region. DEC has not reviewed the permit application. Mr. Chichester pointed out that very little C&D material from the City of Amsterdam comes into the Authority.

**Operations Committee**

David Parker reported that the Operations Committee has not met since the last Board meeting.

As a result of the last Operations Committee meeting, an equipment replacement packet was put together and forwarded to all members. He pointed out that Mr. Chichester reviewed the Equipment Replacement Fund at the last Board meeting, which reflects the movement of funds as of February 28, 2007 and the anticipated purchases, which will be addressed through the upcoming resolutions.

Mr. Parker thanked Glenn Packard for the excellent job he did to get the pricing on the needed equipment.

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Mr. Parker stated that he wanted to acknowledge Steve Rothrock who spent considerable time with Mr. Packard to obtain pricing. Mr. Packard pointed out that most of the equipment would be purchased from State Contract. The three used tractor trucks would be put out for bid. Mr. Packard distributed a summary of OGS Contract pricing for the Board to review as attached hereto.

**Resolution Number 9 Authorizing Executive Director to Purchase Certain Equipment through the NYS Office of General Services Procurement Services Group} Sponsored by Meredith McNeil – Seconded by Joan Bent**

The Resolution authorized the Executive Director to take the necessary steps, using the Equipment Replacement Reserve Fund, to purchase 2 service trucks, 1 roll-off truck, 3 backhoes and 1 loader through the Office of General Services Contracts.

On roll call the Resolution was unanimously approved.

**Resolution Number 10 Authorizing the Executive Director to Purchase Three Used Road Tractors by Way of Competitive Bidding} Sponsored by Meredith McNeil – Seconded by Martha Clarvoe**

The Resolution authorized the Executive Director to take the necessary steps, using the Equipment Replacement Reserve Fund, to purchase three used road tractors by way of competitive bidding upon the review and approval of the Operations Committee.

On roll call the Resolution was unanimously adopted.

**Resolution Number 11 Authorizing the Executive Director to Purchase Two Steam Cleaners} Sponsored Martha Clarvoe – Seconded by David Parker**

The Resolution authorized the Executive Director to take the necessary steps, using the Equipment Replacement Reserve Fund, to purchase two steam cleaners, in accordance with the current Authority Purchasing Policy, through the vendor with the lowest written quote.

Mr. Parker stated that the Operations Committee modified the list of equipment to be purchased in the future. After further study by the Operation Committee the list will be available in the next month or two for review.

Mr. Parker pointed out that due to the malfunction of a piece of equipment at the Schoharie Transfer Station the doors had to be closed, which resulted in complaints from the haulers and the public. He stressed the importance of having the proper equipment for operational needs. Mr. Chichester responded that it also reflects on the moral of the employees.

Mr. Parker thanked the Board for taking a proactive stance with the replacement of the necessary equipment.

### **Audit Committee**

Mr. Baker reported that the Committee has not met since the last Board meeting. He indicated that he would try to setup a meeting with members after the Board meeting.

### **Governance Committee**

Ms. Podmajersky reported that the Committee has not met since the last Board meeting. She indicated that she would try to setup a meeting with members after the Board meeting. She mentioned that after review she discovered that the Governance Committee is responsible to oversee the disposal of equipment.

## **7. New Business**

### **Special Rates for Senior Citizens**

Mr. Wesnofske stated that a lot of organizations have special rates for senior citizens. He asked the Board if they or a committee might want to study whether it would be desirable to perform such a service from a public relations point of view.

Ms. Podmajersky felt that the Authority should not do it because it would create more traffic at the Transfer Stations and take more manpower. She felt that the Authority should concentrate its efforts on reducing the tip fee.

Mr. Parker felt it was a good idea but pointed out that it could not be done for seniors who have haulers to pickup their waste. He did not think it would create more traffic.

Mr. Parker pointed out that in his town they pay by the pound per bag. Mr. Wesnofske thought this was an interesting concept and felt in the future that the Authority should look at the concept.

Mr. Wesnofske asked the Finance Committee to review the senior citizens discount concept.

### **Public Outreach – MOSA News Letter**

Mr. Wesnofske felt that the Authority does not get enough information out to the customers and local governments. He suggested that a quarterly or semiannual news letter might be appropriate to get information out to the public relative to general statistic's of the authority, rates, land- filling, incineration, recycling, hazardous waste, etc.

Ms. Bent thought that Mr. Wesnofske's idea was good but felt the web site would be the best way to get information to the public because she resists the concept of more paper being distributed.

Mr. McNeil agreed with Ms. Bent and indicated that the financials of the Authority are already distributed to the governmental entities.

**Other Business**

**GAT Waste Flow**

Mr. Chichester reported that disparities continue to grow with the GAT tonnages. Carol and Jason have spent a fair amount of time evaluating the flow of waste for all three-County area. Management has reviewed the waste flow for the first four months of the year comparing the deliveries from 2006 to 2007. The differences were shown on one spreadsheet. This allows the reader to see both geographic and hauler dynamics. There are haulers who are delivering more waste than in 2006 and haulers who are delivering less. Geographically, the gains and losses differ in all three counties. At this point, Schoharie County is above their projected GAT but the spread is diminishing over time. Mr. Chichester stated that management would continue to follow and analyze the differences and put it into report form and distribute the information to the Board when complete. Mr. Chichester indicated that meetings with the haulers could shed light on the patterns observed.

Ms. Podmajersky asked what the projected shortfall would be through the end of May. Mr. Chichester responded that the information is usually looked at when preparing the GAT so it was not available at this time.

Ms. Podmajersky stated that she was told that County Waste has not delivered any waste from Montgomery County in May, whereas they did in April. Mr. Chichester responded that he has looked at County Waste and they are delivering waste. He stated that it was not as much as in the past but they are delivering waste.

Ms. Podmajersky asked when the final report could be expected. Mr. Chichester indicated that he would like to get all the final figures through May before distributing the report.

Mr. Baker asked what kind of understanding the Board should get from Mr. Chichester's information. Mr. Chichester responded that it clearly indicates that there is an impact relative to the waste flow. If the waste tonnages continue to go down it obviously puts the Counties in a position where they will have to pay for a shortfall. If it can be determined where the problem lays and why it is happening the issue might be rectified.

Mr. Parker indicated that it looks like a five-year trend, as the same thing happened in 1997 and 2002. Mr. Podmajersky responded that it is tied into the Transportation and Disposal Agreement.

Mr. Chichester stated that the tipping fee in place also plays role because it the highest it has ever been. Also, it depends on what kind of legislation the Counties implement to deal with the situation through the year.

Mr. Parker stated that statistics show that the shortage will be about 15%.

## **Chairman's Report**

### **Montgomery County Meeting**

Mr. Wesnofske informed fellow members that he attended the Montgomery County Board of Supervisors meeting on May 22nd. Mr. Wesnofske distributed a packet to the Board, which he had distributed to the Board of Supervisors. Mr. Chichester distributed two news articles and a Resolution that was adopted by the Board of Supervisors relating to the meeting (attached hereto).

### **Flow Control**

Mr. Wesnofske reported that the biggest news in the waste world is the Supreme Court decision on flow control. Both Oneida and Herkimer Counties have established flow control in relationship with the Oneida-Herkimer Solid Waste Authority. The Authority has a very sophisticated and integrated operation, which included a multitude of activities, one of which was a very sophisticated system for multiple streams of recycling. In addition they contract with local city and municipalities to pickup waste. They also entered into contracts with haulers for a ten-year period where the haulers would get a discounted rate for entering into the contract.

The Oneida-Herkimer Solid Waste Authority challenged the Carbone decision, which ruled that flow control was unconstitutional. The legal challenge started in 1995 and was recently concluded in the Supreme Court. Mr. Wesnofske stated that recognition should be given to the extraordinary leadership of Hans Arnold who is the Executive Director of the Oneida-Herkimer Solid Waste Authority. Mr. Arnold was courageous in keeping the high stakes battle going for a long time and in the end was awarded with a tremendous accomplishment.

Mr. Wesnofske stated that the Supreme Court decision has a bearing on MOSA. Mr. Wesnofske pointed out that many counties have a flow control ordinances but no one would enforce it during the period of litigation. Now the question is whether those municipalities who have flow control will go into an enforcement mode, or for those municipalities that do not have it whether they will implement it.

Mr. Wesnofske asked Chris Chale to take the floor and address the Board relative to the flow control law and the impacts it would have on the Authority.

Ms. Chale stated that it really is important to recognize the kind of program that Oneida-Herkimer had in place. The Carbone decision was quite a devastating blow to public programs. It not only had effect on those municipalities that had flow control in place but also had effects on entities such as MOSA. When the option of flow control was taken away there was a significant shift in the waste markets. The Supreme Court has resolved this through the circuits and is essentially saying that this is a public system and because it is a public system it is different from Carbone and is distinguishable. It was a bit of a split decision with the split essentially saying that the States have the right to do what they want to unless the Federal Government says otherwise. They cannot discriminate but then can

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certainly be in the waste market, which is contrary to what some of the circuits were deciding.

Ms. Chale explained that the Supreme Court decision notes that the Oneida-Herkimer Solid Waste Authority provided a number of services such as recycling, composting, household hazardous waste collection and a number of other programs. The Authority's flow control mechanism was part of a broader way of handling solid waste. Also, the Supreme Court notes that it is well known that garbage collection is a core function of local government in the United States. Congress has recognized local government's vital role in waste management and it is clear that flow control should continue to be primarily the function of State and local agencies. The policy of the State of New York favors displacing competition with regulation or monopoly control. The court is saying that it may not be a good idea to impose flow control but New York State says it is ok to do it and its up to New York State and the local municipalities to decide if it is an appropriate policy.

Ms. Chale pointed out that Mike Cahill represented for the Oneida-Herkimer Solid Waste Management Authority in the flow control litigation. Mr. Cahill has been engaged by MOSA in the past and is the person who drafted a model local law for flow control in 2002.

Mr. Wesnofske asked if the Authority had passed a resolution in the past to obtain Mr. Cahill to assist the three Counties in drafting flow control. Mr. Chichester stated that there was a resolution to support Mr. Cahill in litigation efforts relative to flow control but there is not a resolution to engage Mr. Cahill to assist the Counties.

Ms. Chale stated that there is a draft local law, which Mr. Cahill created just for discussion purposes. She pointed out that the authority to enforce a local law belongs to the Counties. In the case of a multi-county Authority, if each County effectuated its own flow control ordinance it may not be in the best interest of the Counties. The model ordinance was to let the Counties look at, massage it and see if it is something they might want to consider. As a planning decision, now that flow control is possible, is it even something the Counties want to consider. Ms. Chale stated that the discussions have to be led by the Counties because they are the ones that are directly impacted by it.

Ms. Chale pointed out that the model law that Mr. Cahill drafted involved a common administration. There needed to be mechanisms for administering and enforcing the law.

Ms. Chale pointed out that Oneida-Herkimer was successful with their litigation because of their significant board base programs. During planning discussions it is important for MOSA to keep in mind how this plays into their plan, such as taking over the Counties recycling programs. Another thing to keep in mind is the impact on the haulers and the

potential for more lawsuits as things work through and further challenges might be expected. In particular she felt there would be further challenges around private facilities.

Mr. McNeil asked what the primary advantage of flow control would be to MOSA. Ms. Chale responded that the primary advantage would be to the Counties who are financially supporting MOSA. There would not be a shortfall and the fees would be set for whatever

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expenses the Authority has. An advantage to the Authority would be that they could tell the Bond Holders, for current or future projects, that there is a flow control ordinance in place, which makes a more stable situation for a revenue source.

Ms. Podmajersky pointed out that the Authority does have a form of flow control through the GAT and Service Agreement. Ms. Chale stated that Bond Holders do not just look at MOSA's financial picture but look through MOSA to the Counties financial picture.

Ms. Podmajersky noted that Mr. Cahill has stated that an entity needs a good Solid Waste Management Plan, which the Authority does not have. Ms. Chale agreed.

Mr. McNeil stated that when the Authority was first formed flow control would have been easier to implement and enforce because it had two operating landfills and a two-county curbside recycling program. He stated that he is a little concerned as to how flow control would be enforced if it were in place. Mr. Chichester stated that it would have to be a integrated system and the counties and Authority would have to work together.

Mr. Parker asked if there was an enforcement model. Mr. Wesnofske stated that there are model laws and they include criminal and civil penalties for breaking the law. Mr. Parker asked who would enforce such a law. Mr. Wesnofske responded that in Madison County any peace officer, such as local police, sheriff's office, or even the state police could issue tickets.

Mr. Parker asked Terry Bliss if Otsego County might be interested in flow control. Mr. Bliss responded that the County is interested in flow control for reasons such as the GAT and not knowing what the future holds. He asked Ms. Chale what the major steps and time frame would be to implement flow control.

Ms. Podmajersky pointed out that Otsego County does have a flow control law that they did not enforce. Mr. Bliss responded that the County had thought about districting but did not have a flow control law. Ms. Chale stated that she also thought that Otsego County had some form of a flow control ordinance.

Ms. Podmajersky asked if one county could adopt flow control without the others. Mr. Chichester stated that they could. Ms. Podmajersky asked if that would be workable. Ms. Chale stated that it would be legal but was not sure it would be too workable.

Ms. Chale told Mr. Bliss that it is too early to place the framework. She indicated that the municipalities should have community level discussion to see if they are interested.

Ms. Clarvoe indicated that an incentive should be offered to those Counties that implement flow control. Mr. Parker agreed with Ms. Clarvoe and stated that he thought it was a good idea for Otsego County to take the initiative to start flow control independent of the other two Counties.

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Mr. Bliss stated that Otsego County seems to want to grab the bull by horns and get the process started. Ms. Chale responded that one way to get started would be to distribute and review the draft law that Mr. Cahill wrote several years ago.

Mr. Chichester stated that Otsego County should go ahead and start the process because the other two Counties might not be so willing and would hold things back.

Mr. McNeil stated that he felt that Schoharie County would be in favor of flow control.

Mr. Bliss stated he and his office would take a look at the old draft and put questions or comments in writing to Mr. Chichester.

Mr. Wesnofske suggested as an incentive to Otsego County for taking the initiative and if they commission Mr. Cahill the Authority Board could then consider reimbursing Otsego County for Mr. Cahill's time.

Ms. Chale encouraged a meeting between the Authority Board, the three Counties and Mike Cahill as she felt it would be in the best interest of the Authority.

Ms. Podmajersky stated that all three Counties should meet with Mr. Cahill as before. Mr. Chichester stated that kind of meeting was set in the past and nothing came of it.

Ms. Chale stated that it was important to have one common meeting with all the parties so that everyone is hearing the same information at the same. After that if one county wants to move faster, then so be it.

Mr. Parker stated that he did not agree with Ms. Chale. He felt that the meeting did not have to be consecutive.

Mr. Wesnofske motioned to authorize the Executive Director to contact Mr. Cahill on behalf of the Authority to sponsor a meeting with the leaderships of the Counties as well as any other meetings with specific Counties to foster the understanding of implementing flow control.

Ms. Clarvoe seconded the motion and on voice call the motion was unanimously approved.

**Counties Reimbursement**

Ms. Podmajersky asked Ms. Chale if it would be legal to have a resolution to reimburse the Counties \$1 per ton for their 2006 waste deliveries for economic flow control. Ms. Chale

stated that to pay a reimbursement for something that has already been done is not legal. You can make a reimbursement if there is an ongoing relationship or agreement.

Ms. Chale asked what Ms. Podmajersky meant by economic flow control. Ms. Podmajersky responded that the municipalities were not aware of a proposed increase in the

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Authority's tip fee for 2007, while they were preparing their budgets in July. In order to get the haulers to bring in the waste at \$99 per ton the municipalities would have to subsidize the haulers.

Mr. Wesnofske responded that the problem with that is there is no way to police the waste. You don't know if the waste your paying for actually came from within the Authority.

Ms. Chale stated that the Authority could reduce its tip fee as one way of reimbursing the Counties but to pay for something that happened in the past is not legal. She pointed out another way to handle it would be to reimburse the Counties for their GAT subsidy overage, as has been done in the past.

Ms. Podmajersky asked Ms. Chale if it means anything that the municipalities were not notified of the increase in the tip fee prior to adopting their budgets. Mr. Wesnofske stated that Ms. Podmajersky wants to reimburse money back to the Counties because they were not notified but the three Counties were notified and knew in advance that the tip fee would be increased. There were only a few villages and the City of Amsterdam that claim that they were not notified of the increase. In actuality the City of Amsterdam should have been aware of it because they have a representative sitting on the MOSA Board. Ms. Podmajersky stated that the City of Amsterdam did not know that there would be no Rate Stabilization Funds used to lower the tip fee and the Authority budget was not finalized until November.

Mr. Baker asked Ms. Chale what the difference between the original proposal to reimburse the Counties for something that happened in the past and the current proposal, which would reimburse the Counties for recycling incentives that happened in the past. Ms. Chale stated that she was under the impression that the payment would be based on recycling incentives going forward.

Mr. Wesnofske stated that the amount of funds to be reimbursed was figured on past tonnages in order to apportion for future recycling.

Ms. Chale stated the Authority could run its own recycling program or sponsor the Counties for running recycling programs. Ms. Chale indicated that it was her understanding that the reimbursement was figured from past waste delivery activities to make payments going forward.

Mr. Chichester stated that the letter of agreement that was attached to the Resolution was for a commitment from the municipalities to continue recycling in the future. The payment was apportioned based on waste delivery activities for 2006.

Mr. Baker stated that the Counties are committed until 2014 to bring garbage into the MOSA system. Mr. Chichester stated that they do have an obligation and the Counties have implemented economic flow control by paying a subsidy. He pointed out that there is an agreement in place. Mr. Baker asked why since there is an agreement in place the

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reimbursement could be based on a figure that was setup based on what they brought into the system in past.

Ms. Chale stated that there is some flexibility. The other piece of it is to make sure the Authority has sufficient funds to support it. Economically, it is not much different than changing the tip fee rate.

Mr. Baker stated that it is a very simple issue but because of the wording it has become a very complicated issue. He indicated that the appropriate language be settled to get the issue off the table and move on.

Ms. Chale stated that there are two very straightforward options to address this issue. One would be to adjust the tipping fee and the other would be to reimburse the Counties for their GAT overage, which has been discussed by the Board and was not agreed upon.

Mr. Parker asked if Ms. Chale reviewed Resolution Number 8 and if she had an issue with it. Ms. Chale responded that she did review and thought it was fine.

Ms. Podmajersky stated that State law requires recycling. Ms. Chale responded that it does not mean that the Authority can't support the Counties in their recycling efforts.

Ms. Clarvoe pointed out that Resolution Number 8 was an attempt to do what the Villages wanted.

Mr. Baker stated that Resolution Number 8 for reimbursement to the Counties was not based on a future commitment but was based on something that happened in the past, which Ms. Chale has indicated is not legal.

Mr. Chichester stated that it was not based on the past but on a contract and commitment to recycling in the future.

Ms. Clarvoe asked if Resolution Number 8 as written was ok. Mr. Parker responded that the text was disagreeable to Mr. Strevy, Mr. Baker and Ms. Podmajersky. Mr. Parker stated that personally he thought that requiring a certified copy of an agreement was overly restricted. In order to get funds out to the affected villages and municipalities he suggested "Other" be added to the agreement under the affidavit portion. He also felt that another acceptable alternative would be a letter of intent to continue recycling programs that the Executive Director could review and approve.

Mr. Parker motioned, seconded by Ms. Clarvoe, to bring a new resolution to the table, which would be entitled "**Resolution Number 12 Authorizing MOSA to Provide Financial Assistance to Local Governments in Support of Recyclables Collection, Transportation and Disposal**". The Resolution would be worded the same as Resolution Number 8 except for the first resolved clause would read as follows:

**"Resolved**, the Authority finds that it has sufficient resources available for, and hereby establishes, a Recycling Incentive Program for the above named counties and municipal

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entities who by letter demonstrate support of an active program for recycling in their 2007 solid waste programs, and be it further”

He also motioned to revise the letter of agreement attached to the Resolution by wording the third paragraph as follows:

“Evidence of financial responsibility may be demonstrated through the provision of a certified copy of a current contract for the collection of recyclables in 2007, a certified copy of a resolution adopted by the Governing Board of the Municipality awarding a contract for the collection of recyclables in 2007, or a certified copy of a budget showing an appropriation for a recycling program for 2007 or other documentation demonstrating an active program for recycling.”

He also motioned to add the word “Other” to the affidavit portion of the letter after the words “Certified Copy of the Budget”.

Ms. Chale again pointed out that this is not payment for something that happened in the past but rather for future recycling incentives. It is measured by past history just as the GAT is based on past history.

Ms. Podmajersky stated that she would not vote in favor of the Resolution because she does not want to commit the municipalities to submittal of additional documentation for recycling.

On roll call vote Resolution 12 was defeated with four members (Baker, Clarvoe, Parker, Wesnofske) voting “aye”, three members (Bent, McNeil, Podmajersky) voting “nay” and one member (Strevy) “absent”.

Next Board Meeting

The next Board meeting was set for June 21, 2007 at 1:00 p.m. at the Montgomery County Annex Building and Fonda.

**8. Closing**

Edward Wesnofske motioned to adjourn the meeting. Joan Bent seconded the motion, which was unanimously approved on voice call.

The meeting adjourned at 12:37 p.m.

Respectfully Submitted,

Robin Loske  
Confidential Secretary