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**MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT  
AUTHORITY  
BOARD MEETING #8**

**DATE:** July 19, 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  
Jason Cooper  
Carol Ostrowski  
Glenn Packard  
Psalm Wyckoff - Otsego Co.  
Linda Kellett - The Recorder

1. **Opening**

Chairman Wesnofske opened the meeting at 1:05 p.m.

2. **Adoption of Agenda**

Meredith McNeil motioned to adopt the Agenda as presented. William Strevy seconded the motion and 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 June 21, 2007**

Meredith McNeil motioned to accept the minutes of the June 21, 2007, meeting as written. Martha Clarvoe seconded the motion. Ms. Podmajersky noted that the word "not" should be inserted on page 11; paragraph four, of the minutes. On voice call the minutes were approved with the correction.

## 5. Reports

### Chairman's Report

Chairman Wesnofske stated that he had nothing new to report.

### Executive Director's Report

Mr. Chichester reported on the following:

- **Director of Finance and Administration** – Continue to interview for the position.
- **Budgets** – Dealing with the Capital Budget, Operating Budget and the GAT
- **Operations** – Moving forward with the Northern Transfer Station relative to the long and short term needs along with the repair of the tip floor. Anticipates receiving a report from Golder Associates relative to the tarping stations.
- **Part-Time Staff** – Mr. Packard is interviewing and looking for part-time staff. It is tight for coverage for vacations, etc.
- **Scale System** – Looking at a new vendor for a scale system for the Authority. Will discuss in more detail later in the meeting.

Mr. Strevy asked how complicated the tarping station will be. Mr. Chichester responded that he is looking at options that relate to the needs of the facilities. He indicated that the tarping stations may be a type of catwalk situation. He indicated that safety is the main concern. He pointed out that some tarping stations are made in a prefab manner, which might suit the needs of the Authority. Mr. Parker indicated that the cost could be around ¼ million dollars.

Ms. Podmajersky asked why the position for the Director of Finance and Administration had been removed from the Agenda. Mr. Chichester stated that he is still interviewing and is not yet in the position to make a recommendation.

### Financial Report

Mr. Chichester stated that the Financial Report represents the usual information and reported as follows:

**Page 5 - T&D:** 20% of the waste is going to a Waste Management Facility and 80% of the waste is going to a Casella Facility.

**Page 13 - Waste Management Deliveries:** Waste Management's inside deliveries are up for the first six months in 2007 from 2006.

**Page 14 – Casella Waste Deliveries:** Casella's inside waste deliveries are down for April, May and June of 2007 compared to June of 2006.

Mr. Wesnofske asked if the transfer stations have indicated if waste is coming in from Waste Recovery Enterprises. Mr. Chichester stated that he has not heard anything from the sites but he thought that the Waste Recovery Enterprises just started operating about a month ago.

Mr. Baker asked who Waste Recovery Enterprises was. Mr. Chichester responded that it was a transfer station that opened in Unadilla. Most of the waste consists of C&D material and is trucked to Pennsylvania.

Ms. Clarvoe asked about Greendale Sanitation. Mr. Chichester stated that Greendale brings in outside waste and has indicated that they have a contract with Hartwick and SUCO, which Casella used to pickup.

Mr. Chichester indicated that he received a letter from Otsego County relative to recycling C&D material. He stated that apparently that are multiple things going on in the County relative to C&D and recycling.

Ms. Podmajersky asked how C&D recycling would affect the GAT. Mr. Chichester responded that C&D is not currently recycled. Ms. Podmajersky felt that MOSA should look into the matter further to see what the effect would be. Mr. Chichester pointed out that Waste Recovery has not brought any waste into MOSA therefore, the Authority does not know how much they are taking in, how much they are recycling and how much residue they have.

**Page 15 – GAT:** Otsego County's tonnage has come up considerably and they no longer have a shortfall; Schoharie County's tonnage is up and they do not have a shortfall; Montgomery County's tonnage still continues to go down and they have a shortfall of 2,120 tons. The total aggregate GAT tonnage is down by 412 tons.

Martha Clarvoe and several members asked that the sheet for the GAT be modified to show the actual figures for the previous year rather than the projections.

**Page 16 – Outside Waste:** Outside waste is down by over 1,000 tons. The Authority will probably lose more because MDS has sold out.

Mr. Wesnofske asked if the volume of recyclables that Sunset used to bring in from Montgomery County has gone down since they sold out to County Waste. Mr. Chichester responded that it had.

Mr. Chichester stated that he had a conversation with the Village Clerk of Fort Johnson before the Board meeting. She had received the paper work for the recycling incentive and was questioning if the recyclables from Fort Johnson were coming into MOSA as the

Village thought. Mr. Chichester indicated that they were not but was not sure where the hauler was taking them.

Mr. Strevy indicated that the Villages do not ask for a scale slip. That is why they do not know where the recycling is going.

Mr. Strevy asked if the checks had been mailed relative to the recycling incentive. Mr. Chichester indicated that eight municipalities have responded and checks have been cut for them. He stated that he was surprised that Schoharie County had not yet responded.

**Page 17 – C&D Deliveries:** Large projects are broken out of the regular C&D deliveries because they are not figured toward GAT as the regular deliveries are.

## **Committee Reports**

### **Finance Committee**

Mr. McNeil reported that the Finance Committee met on June 19<sup>th</sup>, which was two days before the last Board meeting and reported on at the last Board meeting.

Mr. McNeil noted that the 2006 Financial Audit was distributed this day and would be reviewed by the Audit Committee.

Mr. McNeil stated that he anticipates information relative to the 2008 Operating Budget will be forthcoming.

### **Personnel Committee**

Mr. Strevy reported that the Personnel Committee was supposed to meet before the Board meeting but the meeting had been cancelled.

### **Planning Committee**

Ms. Bent reported that the Planning Committee met on June 25<sup>th</sup> to discuss the GB&B report. She stated that the draft report had been distributed to all Board members after the last Board meeting. The Committee would like to make some recommendations on the report to GB&B. The Committee also discussed how it should be presented to the Counties. Some ideas discussed were to have a power point presentation or have an executive summary prepared and then call a meeting.

Ms. Bent stated that there were a number of items that related to the transfer station operations, which the Committee felt should be taken out of the report because it does not relate to long-term planning. She indicated that this section should be given to the Operations Committee to take action. Some items that were mentioned were signage and traffic patterns, etc.

After the report is finalized the Committee will plan for a facilitated meeting between the Authority and the Counties to look at the options and what should be done for the long term.

Mr. Strevy asked if GB&B had been paid for the report. Mr. Chichester responded that they had been paid about 85-90% of the total amount so far.

Mr. Wesnofske stated that Phase I represents the report and Phase II would be a presentation on all the various options, which might be available for disposal solutions. He felt that it would be the economic questions that would most interest people. He wondered if the Authority should commission Phase II so as to have the answers available.

Mr. Parker agreed that the operations portion in the report should be pulled out and separated. Mr. Strevy and Ms. Podmajersky stated that they did not feel that it should be taken out of the report. Mr. Parker stated that it would still be available to the public but might be renamed the GB&B Operations Report. Mr. Wesnofske stated that he saw it as a section one and section two type of report.

Ms. Podmajersky pointed out that most of the operations data is in Appendix A and is separate. It does not have to be distributed if the Board does not want a lot of questions on it. She stated that the Authority asked GB&B to look at the Authority's operations to see what can be improved. She stated that she is totally against tampering with the report and she does not understand why GB&B has not been asked to come in and discuss it with the Board and immediately get together with the Counties. She pointed out that the report had been received on June 8<sup>th</sup> and it is now July 19<sup>th</sup> and still no discussion has taken place. She stated that if the Planning Committee wanted an executive summary they could have asked for it the day it arrived and would have had it within two days.

Mr. Parker strongly pointed out that there is no intention to deceive anyone regarding the report.

Mr. Strevy stated that it is his understanding that the report is nowhere near being prepared.

Ms. Bent suggested that the Planning Committee take another look at the report and bring it back to the Board. Ms. Podmajersky stated that the report has been in the Planning Committee since June 8<sup>th</sup> and commented that again "it's do nothing MOSA".

Mr. Wesnofske stated that he did not agree with Ms. Podmajersky and commented that if she wants to ask about doing nothing she should look at the history of the counties actions over the last several years. He stated that he went back and looked at newspapers from all three counties and read several hundred articles from the years 1996, 1997 and 1998 when the landfills were closing, flow control was lost and the recycling programs were dismantled. Mr. Wesnofske indicated that the counties tried to act and interact to

solve problems and were incapable of acting and were almost paralyzed.

Mr. Wesnofske stated that the Authority is almost to the end of the Service Agreement and is at a cusp of a very important moment in finding out if the counties can come together in a community of interest and with a prospective toward what they want to do with solid waste in the long-term.

Mr. Wesnofske felt that the Authority would be failing the counties if they do not get the information in a way that they could form sound judgments as they have a history of not forming stable commitments on solid waste issues. He felt that the Authority should be careful rather than impulsive and quick moving. He stated that the Authority has to try its best to move the Counties. He indicated that even with all the Authority's best effort the Counties may still not move and then the MOSA Board would be faced with a decision.

Mr. Parker stated that it would be a good idea to separate the operations issues from the real meat of the report so that County officials do not have to wade through items like signage to get to the subject of landfills, thermo processing or privatization. He pointed out that it is not only in the appendix but also in the body of report, which he felt should not be. He stated that it should all be submitted in its entirety to the Counties but not in the body of the report. He indicated that by leaving it the way it is will only slow things down more.

Mr. Strevy asked if Mr. Parker thought the Counties would pay any attention to the report. Mr. Parker responded that he felt they would if the issues dealing with the operations were separated within the report.

Mr. Wesnofske pointed out that while attending a county board meeting it was pointed out that the board members do not have time to read all the material that is put before them. They cannot absorb everything in the time they have available. He stated that by separating the two issues within the report those who want to read about operations can go to that section while others who are more interested in the county issues and long-term planning can go directly to that section.

Mr. Strevy stated that he does not understand why the MOSA Board involves itself with these kinds of issues. He stated that the report should be presented as is and let people read it. Those who want to read it will and those who don't won't.

Ms. Bent stated that the report is not an end to itself. It is a basis of discussion to decide whether there will be a MOSA in 2014 that continues to transport the waste to other facilities or whether there should be a facility in the tri-county area where the waste can be processed.

Mr. Wesnofske indicated that it is just a matter of trying to package the report so that it is easily digestible. He stated that it is not a matter of changing the content or recommendations of the report.

Ms. Podmajersky asked why things could not be done more simply. She stated that GB&B should present the report to the MOSA Board and then to the Counties. Ms. Bent stated that there is a lot of information in the report. Ms. Podmajersky stated that there was not that much in it. There are only seventeen pages in Appendix A.

Mr. Wesnofske suggested the matter be left to GB&B and Mr. Chichester.

Ms. Podmajersky responded that in all her planning and project managing history she has never seen anything like this.

Ms. Bent pointed out that another issue is who from the counties would present the report to the counties. She stated that it should be a tri-county consensus kind of thing. Ms. Podmajersky stated that this does not need to be known right now. She indicated that the first thing that needs to be done is to have GB&B present the report to MOSA.

Mr. Wesnofske stated it is more of a situation where you are trying to move the counties not move the Authority. The basic point is to see if the counties can be brought together. He stated that while reading the newspaper articles he remembered one where Bob McMahan as Chairman of Montgomery County Board of Supervisors tried to create meetings, with the leaders of the County legislators in Schoharie and Otsego Counties, to try and bring a common attitude forward. It did not work out but he was the closest person to accomplish bringing the Counties together. Mr. Wesnofske pointed out that the Cashin & Cahill and Consensus Building reports were presented and put on the table of each of the Counties legislatures and nothing came forward from them.

Mr. Wesnofske stated that the Authority should do more than just presenting the report to the County legislators. The leadership and the legislators have to be put in a position where they act on a resolution or adopt a recommendation relative to what they expect for future solid waste management for the three county-area.

Mr. Baker stated that the MOSA Board should be the one to present the report to the Counties. He felt that MOSA should be providing leadership to the counties by pointing out what the vision of the future should be and if the Counties grab on it they will be better for it. If they do not grab on it MOSA will have to move forward without them. Mr. Baker stated that the direction and vision should come from the MOSA Board.

Ms. Clarvoe pointed out that MOSA's vision is not if it needs signage at the transfer stations.

Mr. Parker stated that the subject matter should be put on the Counties leadership tables as MOSA's vision and point out that it is a viable option for long-term solid waste solutions.

William Strevy stated that he understands what Mr. Baker, Mr. Parker and Mr. Wesnofske are saying but the closer it gets to November and election time is not a good time to be talking about MOSA. Mr. Wesnofske agreed with Mr. Strevy.

Mr. Wesnofske pointed out that MOSA tried to sell a vision back in 1998 to site a landfill, which was rejected by Montgomery and Otsego Counties. Mr. Wesnofske stated that if the Counties cannot come together and make a decision then MOSA would have to do it.

Mr. Baker felt that it was MOSA's responsibility to solve the problem because they have been the planning entity for a long time.

Mr. Strevy stated that the GB&B Report is important but felt what was more important was the implementation of flow control. With flow control in place a lot of the issues will be solved.

Mr. Parker referred to the minutes of the Otsego County Solid Waste Committee dated June 21<sup>st</sup> and read the following paragraph on Flow Control:

“Terry Bliss handed out a proposed Flow Control Law that was prepared by Michael Cahill for the three MOSA counties. He said that MOSA is setting up a meeting in July for all three counties to discuss the issue. It would be better if the counties all adopted the same local law. Representative Relic said that as long as Otsego County's garbage is coming in to fulfill the GAT, he is hesitant to adopt a Flow Control Law at his time. He would like to have one ready in case it is needed in the future, but to wait about adopting it until there is a problem.”

Mr. Parker stated that the County is being short sited and this is what is going to happen unless MOSA takes the lead.

Mr. Wesnofske stated that he was going to address the matter at the next meeting of the Otsego County Solid Waste Committee. He stated the Supreme Court made a distinction relative to flow control having an integrated program or doing it just for economic greed. If it is done just for the economic greed it may be challenged in court.

Mr. Chichester stated that the bottom line is that it needs to be done in a way that will bring people together in an organized fashion. It should not be done from the point of view that you are telling people what to do and what direction to go in. It should be done in a point of view to make sure that it comes forward in a way that makes people accountable. They can't just walk away, say nothing, make no decisions or throw it on someone else and to criticize later. It needs to be thought out and put forward in a

professional manner. Mr. Chichester stated that people have to be made accountable about the decisions they make. By doing so everyone will know why the Authority takes the action it does as it moves forward. He stated that if you want something different

than what you have been getting, than you need to do something different from what you have been doing.

Mr. Chichester stated that the Authority is investing tens of thousands dollars and it behooves MOSA to bear the cost to bring it to a solid conclusion or else it is another waste of money. It should be looked at as an investment and hiring someone to help the score is an additional investment.

Mr. Strevy asked if that was a lead in for Erin Crotty. Mr. Chichester responded that it should to be done in a professional manner and if a facilitator is needed so be it.

The Board decided that it would be best to first meet with GB&B before moving any further.

Ms. Bent motioned to direct the Executive Director to setup a meeting with GB&B.

Tentative dates to meet with GB&B were established for either August 6<sup>th</sup> or August 9<sup>th</sup> at 1:00 pm.

### **Operations Committee**

David Parker reported that the Operations Committee has not met since the last Board meeting but the Committee has addressed several issues.

A risk management person from the Authority's insurance company came out and toured all the sites with Glenn Packard.

The section in the GB&B report concerning operations is being addressed relative to signage, etc.

Two of the Mack tractors have been delivered and the other one will be in at the end of the month.

Mr. Wesnofske stated that there is still staffing issues to be addressed for the field. Mr. Parker stated that Mr. Packard has been interviewing potential candidates.

### **Audit Committee**

Mr. Baker reported that the Committee will meet on August 13<sup>th</sup>, at 1:00 p.m., at which time Will Reynolds, from Bollam Sheedy & Torani will be in attendance to go over the 2006 Financial Audit with the Committee.

Ms. Podmajersky asked if Mr. Reynolds would be attending a Board meeting to over the Audit with other members. Mr. Chichester responded that he would not. The Audit Committee is responsible for the audit but any member of the Board can attend the Audit Committee if they like.

Mr. Baker stated he would welcome any suggestions from other members relative to agenda items to be discussed by the Audit Committee.

### **Governance & Ethics Committee**

Ms. Podmajersky reported that the Committee met on July 12<sup>th</sup> and discussed the following matters:

- Reviewed the requirements of the Accountability Act of the responsibilities for the Governance Committee.
- All the Board members have attended the Public Authorities one-day seminar.
- Discussed financial disclosure for the Board members. The Accountability Act does not require that Board members disclose their financial matters. The Committee thought some type of disclosure should be required of the Board members.
- Disclosures required by Montgomery and Otsego Counties were reviewed.
- Chairman Wesnofske sent letters regarding Board member skills to both Chairman Lindberg and Chairman DiMezza of Otsego and Montgomery Counties. Ms. Podmajersky requested that the letter be sent to the Chairman of Schoharie County and that the Committee receive a copy.
- The Accountability Act identifies ten policies, which should be implanted by the Governance & Ethics Committee. Of the ten policies four are complete. Three have been updated and revised and the Committee reviewed three new ones. Ms. Podmajersky will be working with the Executive Director regarding the policies and hope to have them all in place in a couple of months.
- The Committee's goal is to review all the Authority's policies and each Committee will be asked to review the appropriate policies under their jurisdiction. Ms. Podmajersky hopes to have a list of all the policies and what committee should be reviewing them by the next Governance & Ethics Committee meeting.
- The next Governance & Ethics Committee meeting is scheduled for August 16<sup>th</sup> at 11:00 a.m.

Mr. Wesnofske noted that Ms. Podmajersky prepared a very comprehensive scope of responsibilities for the Governance Committee. He pointed out that you never know when a visitation might occur from the State to make sure the Authority is in compliance with the Accountability Act.

## 6. **New Business**

### **Scale System**

Mr. Chichester reported that he met with a representative from Creative Innovations Systems out of New Hampshire who sell scale software systems. He pointed out that he had become acquainted with the company at the Solid Waste Conference in Lake George.

Mr. Chichester pointed out that the Authority's current scale system needs to be replaced.

Mr. Chichester noted that this company has been working with the Oneida-Herkimer Landfill. Representatives from Oneida-Herkimer spoke highly of the firm at a recent tour of their new landfill facilities. The company has been in business for over twenty years.

Some advantages to their scale system are as follows:

- Scale can be unmanned;
- Credit cards would be used;
- Bag customer could be dealt with separately;
- Live internet connection;
- Can be linked to accounting software packages;
- Will help keep the Authority in compliance with DEC regulations.

Both the old and new scale software systems could be run together until everything is worked out.

Creative Innovations Systems will be providing a quote for a system that fits the Authority's needs.

### **Other Business**

#### **Collective Bargaining Unit**

Chairman Wesnofske stated that there would be a labor management meeting at 4:00 p.m. this day.

#### **Montgomery County Municipal Cooperative Insurance**

Chairman Wesnofske stated that he read in the newspapers that MOSA might get involved in the Montgomery County Municipal Insurance. Mr. Wesnofske stated that MOSA could not be involved in it because it is a public benefit corporation and not a municipal

corporation. He felt that it was necessary to clarify that the Authority would not be eligible for this insurance.

### **Next Board Meeting**

The next Board meeting was set for August 16, 2007 at 1:00 p.m. at the MOSA Administrative Office.

### 7. **Closing**

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

The meeting adjourned at 3:00 p.m.

Respectfully Submitted,

Robin Loske  
Confidential Secretary