

**MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT  
AUTHORITY  
BOARD MEETING #3**

**DATE:** February 13, 2009

**LOCATION:** Howes Cave Administrative Offices

**Members Present**

Martha Clarvoe  
John Mattas  
Meredith McNeil  
David Parker  
Olga Podmajersky  
Phil Skowfoe  
Edward Wesnofske  
John Thayer

**Members Absent**

**Others Present**

Gilbert Chichester  
Dennis Heaton  
William Wallens

**1. Opening**

Chairman Wesnofske opened the meeting at 1:15 p.m.

**2. Adoption of Agenda.**

Edward Wesnofske indicated that he wished to add a personnel related item to the agenda pertaining to discussions with regard to an employment agreement with the Executive Director. He indicated that this would be discussed in executive session following the other matter of litigation.

John Thayer asked if it would be more appropriate to move the discussions relating to the latest GBB report forward on the agenda to be before the personnel / litigation discussions.

On voice vote all agreed with the suggested changes to the agenda.

**3. Privilege of the Floor**

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

Mr. Wesnofske introduced Dennis Heaton as the new Solid Waste Coordinator for Montgomery County as of February 17, 2009.

**4. Phase II report submitted by Gershman, Brickner & Bratton, Inc.**

John Mattas asked if the report was final.

Mr. Wesnofske indicated that it was issued in draft format to give MOSA the opportunity to indicate if the Authority wanted any areas further explained or expanded.

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Mr. Parker indicated that he had spoken with Tim Bratton from GBB and that he was open for further elaboration. Mr. Parker further indicated that he would like further elaboration on a couple of areas. He explained that he wants more information on the economy of scale as it relates to both a waste to energy facility and a landfill.

Mr. Mattas indicated that he would like further elaboration as to the possibilities of linking with municipalities in the Capitol District Region.

Mr. Parker asked if it is appropriate to share portions of the report with people outside of MOSA.

Mr. Wesnofske indicated that the document was prepared at the request of MOSA that is a public entity. Therefore the report has public standing. He raised question with regard to any cost that would be associated with requesting the report to be expanded. He felt that such a request or a request for Mr. Bratton to speak to the report would result in added cost.

Mr. Parker indicated that he did not want to ask for any additional work that would result in added cost. He indicated that he wanted some adjustment to the data presented on a waste to energy facility as it relates to the 250,000 ton benchmark requested by MOSA.

Mr. Parker expressed his feeling that the report did not speak to the benefits of waste to energy facilities sized to accept greater quantities of waste. He pointed out that the Wheelabrator facility in Frederick, Maryland accepted six times the 250,000 limit put on the facility to be presented in the report.

Mr. Wesnofske asked if Mr. Parker wanted a different scale used in the report.

Mr. Parker indicated that he wanted to see some discussions with regard to the impact of additional increments of throughput for a waste to energy facility to demonstrate the advantage of a broader regional application as well as the greater long term benefit of investment in a waste to energy facility.

Mr. Wesnofske indicated that he had some concern relative to mission crepe with regard to the original intent of having the Phase II report prepared.

Mr. Parker emphasized the importance of putting forth base line information relative to waste to energy and landfill developmental costs.

Mr. Wesnofske acknowledged that he could understand Mr. Parker's desire to look at the regional concept and his wanting to get information in the report to show the advantages thereof..

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Mr. Parker spoke to the comparison between the benefit of investing in waste to energy versus a landfill. He indicated that a landfill developed with a twenty-year life would be at the end of its useful life in twenty years. On the other hand, a waste to energy plant developed for twenty years would likely have a useful life well beyond the initial twenty year planning horizon.

Mr. Wesnofske indicated that he would believe the incorporation of these concepts in the report would lead to additional billing.

Mr. Parker indicated that he would have further discussions with Tim Bratton on this and he would report back. Mr. Parker expressed concern as to how anyone would support waste to energy as the current report is written. He felt that the additional information would bring much better understanding and more consideration of the concept.

Mr. Parker went on to explain that in Virginia they have Renewable Energy Credits or RECs that foster the development of waste to energy. He indicated that Virginia also has Ash Credits to encourage the use of ash from waste to energy facilities to be used in construction, i.e. using the ash in concrete mixes so as to add strength to the concrete. Virginians prefer to have 15 acre disposal sites rather than 200 acre disposal sites.

Mr. Thayer felt that one needed to look at the population density. He also expressed an understanding that there is opportunity in waste to energy technology, but felt that only government could foster the development of waste to energy.

Mr. Parker agreed with the need for a regional consortium.

Mr. Wesnofske indicated that he could see the benefit of clarifying the report so that it would flesh out details that would help in discussions in the broader arena.

John Thayer felt that he needed more time to read the report. Other board members agreed.

Olga Podmajersky felt it would take time to relate to all that was presented so as to draw conclusions. She wanted more time.

Mr. Wesnofske reminded everyone of the original mission. It was to give third party perspective to these issues. He indicated that he had been questioned on waste to energy and the use of rail. He felt there were a lot of angles to evaluate, the risks as well as the systemic issues with regard to running any of the systems. The report was to provide information to people not familiar with the the waste markets.

Olga Podmajersky indicated that she did not want to have the report reworked.

Mr. Wesnofske indicated that there seemed to be agreement on deferring judgment on the report until the next meeting.

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David Parker indicated that he would check on any added cost to expand the report. He further indicated that he would be sharing the report with other parties.

John Mattas asked if it was acceptable to distribute the report.

Mr. Wesnofske indicated that it was “foilable”.

**5. Personnel related matters**

Mr. Parker made a motion to enter into executive session to relate to pending litigation as well as the employment agreement with the Executive Director. The motion was seconded by John Mattas. All agreed and the board entered executive session at 1:25 p.m.

The board came out of executive session at 2:38 p.m. and the board reconvened the regular session at 2:40 p.m.

It was reported that the board had approved entering into a certain agreement and agreed to support meetings relating to the litigation at hand.

In addition, it was reported that the board had authorized John Thayer to pursue movement with regard to the employment agreement with the Executive Director with the assistance of William Wallens, MOSA’s labor counsel.

**6. Other Business**

Edward Wesnofske spoke with regard to a complaint that had been referred to him from Senator James Seward’s office. The complaint centered around MOSA’s policy to not accept third party checks in payment for waste disposal. Currently the Authority requires the signer of any check put forward for payment to match the customers name on the scale ticket.

It was explained that the individual was given an application to become a non-credit customer. The individual did not want to get involved with the paper work since he did not frequent the transfer station often.

The individual had several home based businesses. He delivered in the business name and the checks showed the business name but not the individual’s name.

Mr. Chichester indicated that Barbara Corrigan had handled the situation and that she would speak to the situation at a future meeting.

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**7. Closing**

The next meeting was scheduled to be on February 25, 2009 at 1 p.m.

Motion to adjourn the meeting was made by John Mattas and seconded by Meredith McNeil.. The meeting was adjourned at 2:47 p.m.

Respectfully Submitted,

Gilbert L. Chichester,  
Secretary