

**MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT AUTHORITY
BOARD MEETING #5**

DATE: March 19, 2009

LOCATION: Howes Cave Administrative Offices

Members Present

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

Members Absent

Others Present

Gilbert Chichester
Barbara Corrigan
Glenn Packard
Dennis Heaton
Steve Rothrock
Terry Bliss
Golder Engineers
Anthony Savino
Frank Adams
Gary Hurta

1. Opening

Chairman Wesnofske opened the meeting at 1:13 p.m.

2. Adoption of Agenda

Mr. Parker proposed an addition to the agenda after item 6; he would like to brief the Board his discussions with the Gristmill Associates and their proposed concept of a waste to energy facility on one of our sites. Chairman Wesnofske asked Mr. Parker to report on this during his Operations Committee Report.

Motion to adopt the agenda was made by Ms. Podmajersky and seconded by Mr. McNeil.

On voice vote all approved with the addition to the agenda.

3. Privilege of the Floor

Chairman Wesnofske offered privilege of the floor to members of the public who wish to question the Authority on its business. Terry Bliss advised that last Friday, the Otsego County Solid Waste Committee meeting heard from their consulting firm, Gerhardt & Associates, on their initial findings and recommendations. A copy of their report is on the Otsego County website for review. Chairman Wesnofske advised that he would address this issue in his report.

4. Adoption of Minutes of Prior Meetings January 27 and February 25, 2009

Chairman Wesnofske asked if there was a motion to accept the minutes of January 27, 2009.

Ms. Podmajersky made a motion to accept the minutes of January 27, 2009 as written. Ms. Clarvoe seconded the motion.

On voice call the motion was approved.

Chairman Wesnofske asked if there was a motion to accept the minutes of February 25, 2009.

Ms. Podmajersky made a motion to accept the minutes of February 25, 2009 as written. Mr. Thayer seconded the motion.

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On voice call the motion was approved.

5. Golder Associates Presentation

Mr. Chichester introduced Golder Associates representatives to the Board; Anthony (Tony) Savino, Project Manager, Frank Adams, Project Director and Gary Hurta, Project Engineer.

Mr. Savino handed out copies of his presentation, a copy of which will be attached to these minutes. He began the presentation with the history and experience of Golder Associates and continued with the following agenda items:

- Solid Waste Services
 - \$25 million in solid waste services last year
 - Full services with respect to solid waste services
- Representative Solid Waste Clients
 - MOSA
 - NYS Landfills – High Acres, Mill Seat, Chaffee, Hyland & Model City
 - Other municipalities – Cecil County Central Landfill, Delaware Solid Waste Authority, Anne Arundel County
 - Privately owned companies - Allied, Waste Management, Republic
- MOSA Projects – Past, Current & Pending (reviewed projects)
 - Completed Projects – OTS Systems Review & Expansion Conceptual Design, Tipping Floor Repair Design & Construction, Environmental Improvements Design & Constructions and Closed Landfill Post-Closure Cost Estimates
 - Current Projects – Western & Amsterdam Tarping Station Design & Construction
 - Pending Projects – Eastern & Central Closed Landfill Improvements and Eastern Landfill Gas System Evaluation

Mr. Savino advised that Golder tries to be efficient and provide the least costly solutions to each issue; managing projects from the office rather than sending out engineers to the sites to reduce costs.

- Project Team – Mr. Savino introduced Frank Adams and Gary Hurta who each spoke a little about themselves and their professional experience. Mr. Savino then spoke about other members of the Golder team and their backgrounds and experience.
- Why Golder? – In summary, Mr. Savino pointed out the experience, expertise, innovation, client & project diversity, value and local resources that make Golder a good choice.
- Q&A Session – Mr. Savino asked the Board if there were any questions; the following questions were brought forth:
 - Ms. Clarvoe asked about the state of the closed landfills. Mr. Savino advised that he had gone on a walk about of the landfills with MOSA staff and reviewed their findings, which include subsidence, vegetation, water settling, potential for washouts and ponding and stated that is was more a storm water runoff issue than a landfill cap problem; however, this may erode the cap overtime unless addressed. He further advised that some temporary repairs have been made at Eastern but that more permanent repairs are necessary in order to keep the cap from failing. Further mapping (contour mapping) of the area is also needed in order to evaluate the options. We only have design plan drawings from the original engineers to go by. Mr. Parker noted that the post closure numbers for Central seem low when compared to Eastern and asked why. Mr. Savino advised that there are different factors involved at each site. Mr. Chichester further explained that at Eastern there are manholes and pumps but at Central it is gravity leachate and no storm water pond to clean out. There is more infrastructure to consider at Eastern. Chairman Wesnofske asked about a leachate escape from the west side of Eastern; if left as is will the situation continue to deteriorate. Also, is

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this a possible DEC concern, and if so, what are the consequences. Mr. Savino advised that the situation bears watching and explained they need to be on the lookout for continued erosion, leachate settling and standing water. Over time, the cap settles over the landfill as the garbage compresses and depressions and/or sink holes may develop. He advised that if DEC sees an issue, you may receive a letter asking you to address the issue and as long as you take care of the issue that is as far as it would go. Mr. Mattas asked what the correct repair is for depressions and the failing stone aprons that were installed. Mr. Savino advised that if it is a small depression, some fill and re-seeding may be necessary. If it is a larger depression, you may need to do some re-grading and cap repair. In order to correctly repair the area around the stone aprons, the contour of the land needs to be corrected to eliminate the water erosion. It may be necessary to add filter fabric with different size or grade stone layer as well. There are many different techniques and options to repairing these problems. We plan on giving three options for each site. Mr. Thayer asked if 5 years is reasonable for a minimal repair schedule. Mr. Savino responded that 8 – 10 years is more likely, based on past performance. Mr. Parker asked if there was a formula to answer Mr. Thayer's question. After getting a topographical survey of the area we will be better able to see what spots need repair and as well as do some preventative maintenance. It is difficult to guarantee the repairs due to factors like compaction, Mother Nature's unpredictability; there is always the possibility of a heavy rainy season or a 500 year rain storm, etc. Mr. Skowfoe asked if this would be a second topographical study and if one was done prior to capping the landfill. Mr. Savino responded that it would be a second topographical but that the first one was a design topographical. Mr. Skowfoe then stated that we should have already seen peak settlement as this landfill has been closed for 15 years. Mr. Adams responded that this was possible. Mr. Skowfoe responded that he thinks we should only have to repair the small spots, which should not be costly and doesn't think we are gaining much from these repairs. Mr. Adams then spoke to the need for repairing the small spots and the need for preventative maintenance to prevent larger problems from occurring and that there are low cost options. Mr. Mattas asked what causes the loss of vegetation. Mr. Adams advised that it could be multiple factors such as gas and leachate. Leachate breakouts often result from water following layers of daily cover put in as the landfill is filled. This situation can be corrected by creating a drywell below leak. Mr. Wesnofske talked about a Schenectady landfill repair that cost the city \$6 million. The entire landfill had to be dug up due to a dangerous gas build-up. He asked about the situation at Eastern where the flare is out; it sits on a concrete pad and he is concerned about it sinking. Mr. Savino advised that it may be necessary to reconstruct the pad. Mr. Adams spoke to the methane content, volume and rate at the site and advised that we may need to go to a smaller flare as the gas decreases over time. This should be checked out so a determination can be made. Mr. Mattas asked what the cost was for replacing the flare. Mr. Adams did not know for sure. Mr. Chichester advised that this was discussed at the Operations Committee meeting and is on Resolution No. 20. Landfill Service Corporation will provide the flare and install it for around \$3,000.

Chairman Wesnofske asked if there were any more questions and spoke to the need for more frequent meetings with the engineers in order to keep newer Board members updated and informed on the issues and solutions. He thanked the engineers for coming and giving their presentation.

6. GBB Phase II Report Review

Chairman Wesnofske reminded the Board that at the February meeting the GBB planning report was delivered and asked if everyone had a chance to review the report and if there were any issues to discuss.

Mr. Parker responded that on the landfill option portion of the report, he sees value in it and in the entire report; however, he doesn't see any action required from an Authority standpoint. He suggested that the report be turned over to the County with an accompanying statement that it is "for your information" and to use the information as they see fit. In regard to Waste-To-Energy, he has done some calculations with

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small changes in assumptions, the concept of which was verified by Tim, and thinks that the facility could handle as much as 450,000 tons per year. Using his figures, there could be a tremendous impact on reducing the tip fee by \$5.00 a shot. This is meant to be a self-sustaining operation and that will be difficult without reducing the tip fee. In order to get bond funding, you will need a partner whether it is public or private. The report states the conservative kilowatt hour amount of \$0.07. ½ cent increments can positively impact the tip fee. Another way would be to amortize the loans over a longer period of time in order to help the facility be self-sustaining. Mr. Parker advised that he has calculated this in one and two-year increments to great savings to the Authority. He suggested that with the right combination of variables the tip fee may be able to be reduced to \$50 or \$60. It appears to be a daunting task but under different circumstances it is possible. If you project into the future 20 years from now you have either a capped landfill as opposed to an operating waste-to-energy facility, which is designed to last for 40 years with proper maintenance. You have an opportunity to look at a liability in 20 years versus a functioning facility for 40 years. Chairman Wesnofske advised that in New York State with public sponsorship, he thought that bonds can only go out 25 years. Mr. Parker remarked that he thought it was now extended out to 30 years per a recent conversation with Tim. Chairman Wesnofske asked if his point was to suggest scaling up volume for more reasonable tip fee. Mr. Parker advised that it was one possible solution and that the number in the report, \$119 per ton, was only one scenario and that nobody would be interested in a tipping fee that high.

Chairman Wesnofske told the Board about a facility in the Western part of the state where it cost approximately \$2.5 million to hook up a power line from the facility to National Grid. His point is that there are other costs involved in getting a waste-to-energy facility up and going.

Mr. Parker advised that it would take a Paul Tonko type person to spearhead something like this and that he and Mr. Mattas would like to speak with Mr. Tonko about the need and possibility of a regional waste disposal facility.

Mr. Skowfoe asked if MOSA had applied for stimulus money. Chairman Wesnofske responded that Mr. Chichester had and would follow-up on the application.

Mr. McNeil inquired if the original purpose of the report was to obtain information for the Counties as to what the options might be and asked if copies of the report would be sent to each County's Solid Waste Management Committee. Chairman Wesnofske advised that copies should be sent to the Counties as soon as possible. Mr. Mattas suggested that a copy be put on the MOSA website. Mr. Chichester will have the report added to the website.

Ms. Podmajersky thinks the numbers are low on the cost of building landfills. Chairman Wesnofske remarked that we are not ready to build a landfill or a waste-to-energy facility at this time. The Planning Committee will continue to discuss this with the purpose of starting a regional discussion about a facility. Mr. Parker has spoken with Mr. Lauber who has connections in Albany. He advised the Board of a New York City area proposed facility where they are receiving tremendous resistance because of DEC. There are a lot of obstacles but he is not ready to dismiss the possibility of such a facility.

Ms. Clarvoe asked if there are guidelines in place before considering a waste-to-energy facility such as recycling or composting programs. Mr. Thayer responded that the waste stream already has restrictions on it; recycling, that sort of thing, but DEC doesn't enforce it and he doesn't believe it involves composting at this time. Chairman Wesnofske stated that a facility like this would need a permit and that you would need to define the waste, characterize the waste stream, recycling and enforce DEC regulations.

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Mr. Thayer remarked that this report is beyond MOSA's scope without bonding, which he doesn't feel it can get as there are only 5 years to the end of the Service Agreement. We have no ability at all to come up with 250,000 tons per year and no time in MOSA to build a landfill either. A lot in this report is beyond the capabilities of the Authority and looking at Tonko is probably the only opportunity to do anything in the report. We need a regional approach to this in order to have enough waste to support it. Chairman Wesnofske stated that we may be able to do get bonding if a new Service Agreement is in place. There was no interest or motivation to do rail hauling. We will get the report to County Legislators for framing their discussions for their own destinies.

Mr. Thayer advised that there are waste-to-energy plants that already exist and that with the downturn in the economy they may be looking for extra waste in the future. There may be an opportunity for us to use one of these facilities instead of hauling to a landfill; instead of building mountains, we may be able to get some electricity out of it. Also, 2010 is coming fast and it will be time for another T&D contract. Chairman Wesnofske remarked that it echoes a quote from a Schoharie County legislator at the time GBB did a presentation. Mr. Mattas stated that was a good point. What is missing in the report is that we could make do with what we have; there are other options. There are landfills in the State that still have plenty of capacity. Our biggest problem at the moment is our T&D contract; we could sharpen our pencils and do better at negotiating a new contract either to a landfill or waste-to-energy facility. He felt options need to be available to reduce our own yard waste by composting. Chairman Wesnofske asked if this was for the City of Amsterdam; Mr. Mattas advised that it was. Chairman Wesnofske advised that the City of Oneonta has a composting program outside of the City and wondered if it was feasible to establish an area for composting in Amsterdam seeing that they have been tearing down buildings. Mr. Thayer responded that we should let the City of Amsterdam figure that out for themselves. It is not our place to do that. Ms. Clarvoe suggested making composting part of their recycling goals and therefore reducing their GAT. Mr. Mattas remarked that we should just get rid of the GAT.

7. Committee Reports

Chairman Wesnofske advised the Board that the Audit Committee would be meeting on Thursday, March 26th to review a draft of the audit and that the Auditors would give their report at the full Board meeting in April.

Operations Committee

Mr. Parker began his report on the Operations Committee meeting held earlier in the day stating that most of the items he was going to report on have already been discussed. He then reported on the Gristmill Group, a well-financed private Canadian outfit that would like to introduce plasma arc processing of municipal solid waste; a process that was explained in the GBB report. The group contacted Mr. Chichester a couple months ago and Mr. Parker advised he has spoken to the group a half-dozen times since then. The group has approximately \$6 billion to work with and is looking for a landfill to mine. There is approximately one million tons at each landfill; this estimate was made by Tim Braden. One of the proposals from Gristmill is for 2500 tons per year. It is very expensive, \$650 million to build a plant, but totally privately funded on a small footprint, a 10-15 acre site, with no tipping fee as the fuel produced is an energy source. The mined landfill material doesn't have to be processed. In speaking to Tim about the proposal, he advised that plasma arc is usually done on a smaller scale at 150 ton per year but technology is changing so fast this may be possible. He did not discourage Mr. Parker from pursuing the idea.

Mr. Skowfoe asked what they wanted from us and what the benefit to MOSA was.

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Mr. Parker responded that they propose to lease our 10 acre landfill site with a zero tip fee as well as clean up the landfill plus process 100,000 ton of new waste per year. They would foot the bill, run the facility and be a partner in the liability of the landfill. It would take 2 ½ to 3 years to set up. He suggested inviting them to visit the landfills with the Planning Committee.

Mr. Skowfoe remarked that this would solve all of our problems.

Chairman Wesnofske supports the idea as well and asked that Mr. Parker contact them and arrange the visit.

Mr. Mattas agreed that this was a good idea and that it was alright to pursue. However, regarding the no tip fee – even if they could run the facility from the profit of electricity he still thinks they should charge a tip fee for extra revenue.

Ms. Clarvoe asked what if the concept of zero waste takes effect in the three Counties and everyone cuts back.

Mr. Mattas assured her that the City of Amsterdam had plenty of waste to keep them going.

After some discussion it was the consensus of the Board to set up a visit.

Mr. Parker reviewed the Operations Committee agenda items.

- OTS Structural Improvement Options – nothing substantial to report
- Tarping Specs – nothing substantial to report
- Closed Landfill Improvements – already discussed thoroughly earlier in the meeting
- Landfill Gas – already discussed thoroughly earlier in the meeting
- OTS Recycling Building Repair – as a committee decided to wait for site visit with Otsego Solid Waste Committee and then develop a strategy
- Equipment Replacement Fund – will review on Resolution #19
- Equipment/Materials Surplus Disposal – will review on Resolution #18

Chairman Wesnofske advised that the Audit Committee was going to meet on Thursday, March 26 at 3:00 p.m. to review a draft of the audit. Ms. Corrigan advised that she could e-mail out a copy. The auditors will come to the April Board meeting.

8. Resolutions

Resolution No. 16: Authorizing the Executive Director to Take the Necessary Steps to Facilitate Agreement with Golder Associates Relative to Landfill Repairs

Chairman Wesnofske introduced Resolution No.16 to the Board for consideration and asked for a motion. Mr. Parker made a motion, which was seconded by Mr. McNeil. The motion was discussed as follows.

Mr. Thayer asked what the ramifications to the payment of this are if the resolution fails.

Mr. Chichester advised that this resolution differs from Resolution No. 15 in language only. The new resolution is to clear up the nature of the work to be done in Phase I. He wanted to clarify that the amount

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of \$44,510 is for Phase I only and be sure that everyone understands this. If the resolution fails, he will not pursue Resolution No. 15 unless instructed to do so.

Mr. Skowfoe made a motion to rescind Resolution No. 15.

Chairman Wesnofske advised that there was already a motion on the table and that needed to be dealt with first, then he could continue with his motion. He suggested that by consent the Board with no objections could postpone adoption of Resolution No. 16 and then make a motion to rescind Resolution No. 15 pure and simple.

As there were no objections, Mr. Mattas seconded Mr. Skowfoe's motion to rescind Resolution No. 15.

Ms. Podmajersky asked about the contents of Resolution No. 65 of 2008. Mr. Chichester and Mr. Skowfoe explained that it contained the same language as Resolution No. 15 except that the amount was not to exceed \$20,000; however, the estimate came back at \$44,510 and therefore the need for Resolution No. 15.

Mr. Parker further explained the language change in Resolution No. 16 was only to clarify that the \$44,510 cost was for Phase I only.

Chairman Wesnofske asked if there was any further discussion on Mr. Skowfoe's motion; as there was none, on voice call all agreed to rescind Resolution No. 15.

Chairman Wesnofske asked about Resolution No. 16, which was moved and seconded, but not voted on and asked if there was any discussion. He suggested amending the resolution to remove mention of Resolution No. 15 from 2009 (now rescinded) and keep Resolution No. 65 from 2008.

Mr. Mattas asked who invited Golder to the meeting and whether or not they were billing us for their presentation today. Mr. Chichester responded that he had invited them and that they were not billing us for their visit. Furthermore, they haven't billed for their proposal for landfill repair either.

Mr. Mattas advised that he wants to maintain all the landfills as they are good for the agency and the communities but would like to explore other possibilities. He suggested tabling the resolution and contacting DEC for further education on maintenance of the landfills. His thoughts are that we can do some things ourselves at the Eastern landfill like filling large holes, replacing missing shingles on the electrical shed and repairs to buildings before they deteriorate too far. The flare doesn't work and only one spark plug of the two required is there. He stated that we do a poor job of maintaining what we have and need to get on track with our maintenance. He stated that he is not comfortable with the \$300,000 cost per landfill or in getting the ball rolling in that direction. Floods, rainfall and Mother Nature are all unpredictable factors; there is a trade off with not doing anything and taking the risk or spending a lot of money in preventative maintenance. These landfills are 15 yrs old and have not fallen apart yet. He has looked for dips and depressions and found a few, but not many. He stated that he was born and raised on dairy farm and knows how to run a tractor and spread dirt. We can do these repairs ourselves; if there is a broken window, fix it, and if shingles fall off fix the roof before whole thing needs replacement. It is only a \$1000 project, but it is the idea of it. Let's maintain the landfills responsibly.

Mr. Chichester's responded that further discussion on maintenance activities should be referred to the Operations Committee. He has requested that DEC representatives be at the next meeting of the Board.

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Chairman Wesnofske remarked that Golder's inspection of the landfills should be first. The maintenance standards are a separate issue from the Golder inspection and evaluation.

Mr. Mattas responded that they are separate but connected as well.

Ms. Clarvoe noted that there have been times when there has been a major moving of soils and previous landfill repairs. They have not been fine for all 15 years and need to and have been maintained.

Mr. Parker remarked that this was discussed at length in the Operations Committee meeting and the conclusion was that he and Mr. Thayer were ok with the resolution and that Mr. Skowfoe was not. Mr. Thayer corrected him saying he was ok with bringing it to the full Board for a vote that he was not in favor of it.

Chairman Wesnofske noted that Mr. Mattas made a good point; there is another potential piece of information of value to Board and that it would be good to have a DEC representative educate and inform the Board about landfill closure and maintenance. After that the Board could decide on a reasonable course of action to take.

Mr. Thayer remarked that there were two things he would like to see happen. First, DEC was a good starting point and perhaps DEC could help direct some stimulus cash flow our way to address landfill issues. It may be possible to consider it as infrastructure and maybe with the right grant writer calling it infrastructure repair, apply for stimulus money to repair the landfills. Second, he mentioned Terry's request not do any Capital Improvements for a little while because of the situation with overpayment of the T&D portion of the GAT. Maybe we don't realize we are stepping on member County's toes in the way we are spending money. Money is an issue with legislators right now and the first step with Golder is \$45,000 and after that there are three more steps that will be a lot more. Legislators are having a tough time swallowing the bill. They are not incurring the costs, but have to be responsible and remember that folks that are paying bills day in and day out are feeling the pinch. The first thing is talk to DEC and understand where we need to be with capped landfills; not that Golder didn't do a good job with their presentation.

Mr. McNeil stated that he wanted to clarify that Golder is not doing the work; they are just putting a plan together and doing a survey so we know what we are dealing with. We don't have to do Phase II or Phase III.

Mr. Thayer responded that there was no point in doing Phase I if you do not plan on doing Phase II or III.

Mr. Parker responded that he totally disagrees with the reasoning for not doing the project and that DEC will say yes you have to do a survey, develop an engineering plan and then specifications. The cost of the actual recapping or post closure efforts is where the big bucks come into play. Hans said he even recognizes this when he distributed the windfall money in the post closure fund. It is a given it has to be done.

Mr. Mattas noted that we could also avail ourselves of soil conservation experts and asked why we can't hire local surveyor to perform the survey for the topographical map.

Mr. Chichester advised that the surveying already went out to bid with three respondents that included Lawson Surveying in Oneonta.

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Ms. Podmajersky remarked that she thought you could get a local engineering firm cheaper than \$45,000 and would almost guarantee it.

Chairman Wesnofske responded that if she could guarantee it, that would be great, but he doubted it as Golder was not willing to guarantee it.

Mr. Chichester remarked that the chance of getting an engineering plan out of DEC was slim to none.

Mr. Wesnofske asked for a formal motion to postpone consideration of Resolution No. 16 until the Board meets with a DEC representative.

Mr. Thayer made the motion and Ms. Podmajersky seconded.

On voice call Ms. Clarvoe, Mr. McNeil and Mr. Parker voted nay; Mr. Mattas, Ms. Podmajersky, Mr. Skowfoe, Mr. Thayer and Mr. Wesnofske voted aye. The resolution was tabled by majority vote.

Resolution No. 17: Authorizing the Transfer of Budget Funds

Chairman Wesnofske asked for a motion. Mr. McNeil so moved; Mr. Mattas seconded. Discussion followed with Mr. Skowfoe asking what the purpose of the transfer was. Ms. Corrigan explained that it was her error in that she had overlooked the amount needed to cover the purchase of the scales; it was not an unexpected expense. She further explained that it could come out of the full time employee fund without an issue because Ms. Beeler did not join the staff directly after Ms. Loske's departure.

As there was no further discussion, on voice call the resolution was adopted.

Resolution No. 18: Declaring Equipment/Materials Surplus and Authorizing Disposal in Accordance with Established Policy

Chairman Wesnofske asked for a motion. A motion was made by Mr. McNeil and seconded by Mr. Thayer. Discussion followed with Mr. Mattas asking Mr. Rothrock if he was comfortable with the list. Mr. Rothrock replied that he was. Mr. Skowfoe inquired as to where we planned to sell the equipment. Mr. Packard responded that the Otego auction was coming up soon. Mr. Skowfoe advised the Schoharie County auction was also coming up. Mr. Chichester remarked that we get more exposure at the Otego auction.

As there was no further discussion, on voice call the resolution was adopted.

Resolution No. 19: Authorizing the Purchase of Equipment

Chairman Wesnofske asked for a motion. Mr. Thayer so moved and Mr. Parker seconded. Discussion followed with Mr. Mattas asking for an explanation about the computer equipment. Ms. Corrigan advised the need for the replacement of the server in the main office, which will be under \$5,000, as well as the need for the purchase of a connection box and possibly an accounts payable printer.

As there was no further discussion, on voice call the resolution was adopted.

Resolution No. 20: Authorizing Landfill Gas Activities at the Eastern Landfill

Chairman Wesnofske asked for a motion. Mr. Thayer so moved and Mr. Parker seconded. Discussion followed with Mr. Mattas asking if this will established base flow. Mr. Parker remarked that it would. Mr. Mattas asked if it had been done before. Mr. Chichester advised that it had not.

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As there was no further discussion, on voice call the resolution was adopted.

9. Reports

a) Chairman's Report

Chairman Wesnofske advised that he had received a persuasive e-mail from Mr. Parker requesting a seat on the Planning Committee so he is changing positions with him and will take his place on the Governance and Ethics Committee.

Chairman Wesnofske gave some background information about the policy of not taking business checks at sites unless the individual's name is on the check or you have a permit. He then reported on an issue that had arisen in early March regarding a business check being presented at one of the sites and being rejected by the site. The complaint involved former Board member, James Powers, who called Mr. Chichester to discuss the issue. Mr. Chichester was out of the office at the time; Mr. Powell then contacted Chairman Wesnofske as well as Ms. Clarvoe to discuss the issue. Chairman Wesnofske advised that he backed up the policy with Mr. Powell responding that the options of payment need to be clearer at the sites.

Mr. Thayer asked Ms. Corrigan to look into the cost of check readers. Ms. Corrigan will check with the bank on the cost of check readers.

Mr. Skowfoe advised that there is a cost to MOSA for the use of credit cards.

Chairman Wesnofske stated that we need a more customer friendly way to give information to customers like a brochure that explains the options to people.

The size of the application was discussed. Ms. Corrigan advised that it was a three-page application that contains the policy and that she had spoken to Mr. Powell in the past about the options available.

Ms. Corrigan advised that if a person's name is not on the check presented, there is no way to be sure if the business is his.

Mr. Chichester made the Board aware of an existing issue of a business check that was presented by an individual whose name was not on the check, he was a worker at the company who had presented his license, the check bounced and the Authority is now left chasing down \$1200 from a defunct business.

Mr. Mattas asked about using EZ pass. Mr. Chichester advised that this solution has a cost involved and that customers would have to buy a transmitter for their vehicles.

Mr. Skowfoe objects to viewing a business' checking account information when they have provided credit reference. Chairman Wesnofske remarked that a person can provide credit references and still not have the capacity to pay.

Chairman Wesnofske advised that he had attended a Montgomery County Board meeting on March 17th to deliver a memo concerning their payment, a copy of which was sent to the Board. Their full Board meets next on Tuesday, March 24th, at which time they will discuss the issue.

Also, there will be a meeting in Schoharie with the MOSA Board that needs to be noticed as an official meeting. Laura Child indicated that it will be an open public meeting with no executive session. The

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meeting is with MOSA and the County chairs to discuss the Gerhardt report on strategy options. Questions presented by the Board indicate what is on minds of chairs and other questions will come out of discussing them. We should have a discussion here of feasibility of defeasing the MOSA bonds as the proposal starts out as a financial sketch, but does not discuss how operations will be conducted after defeasement.

Ms. Corrigan stated that she is concerned that the operating reserves barely cover a month's payments, there is no post-closure consideration and that the calculations are not correct. The numbers for equipment replacement and grounds are also not realistic.

Mr. Thayer asked if that meant that Otsego County had just thrown \$60,000 away for a report where they just picked numbers out of the air.

Ms. Corrigan responded that she did not say that, just that they were not realistic and that not everything had been considered.

Mr. McNeil noted that the meeting included MOSA, the three County's Solid Waste Committees and Supervisors and that Mr. Chichester and Ms. Corrigan were not invited. He is concerned that they have a tremendous amount of valuable information that the Board does not. He does not feel comfortable that pointed questions may be asked that the MOSA Board will be unable to answer without them and believes they should be invited to the meeting for that reason. If you need to have conversations without them in the room you could do so but at least they would be there if you needed them.

Mr. Skowfoe advised that you would have to go into executive session if that was the case.

Ms. Podmajersky remarked that the report only recommended strategies, if people can agree on strategies; the numbers are subject to negotiation. She is a proponent of defeasing the bonds and the exact numbers can be worked out later. She believes it is possible to defease the bonds and use some of MOSA's reserves to reduce tip fees. She expects they will talk about other strategies for Otsego County for after 2010 and 2011. Also, that they might want to get agreement that the three Counties are willing to take on the bonds and the exact amount will have to be worked out.

Chairman Wesnofske and Mr. Parker both agreed to defeasement but how it is done is the question.

Mr. Parker stated that Mr. Powers presented the question as to whether the Board would agree to defease the bonds. The report says there is no other way than what is shown in the report; however, there is not enough money to run the transfer stations, for the post-closure account or to refurbish the Northern station.

Ms. Podmajersky noted that there is call for a cap on the tipping fee, which we can't guarantee because you have no idea what will happen the future.

Chairman Wesnofske noted that the proposal was extensively discussed and there are plans to expand services yet reduce costs. How can this be accomplished in the basic operation of a transfer station? There was a suggestion previously to reduce the hours of a transfer station to reduce costs and it was not accepted by anyone. I am for reducing services to reduce costs, by no one here is interested in this.

Chairman Wesnofske remarked that from his discussions with Laura Childs, this meeting is more of a brainstorming meeting on defeasement of the bonds than a particular proposal.

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Mr. Thayer speculated that a lot of this seems to be geared towards 2010 and that Mr. Powers had been very vocal about getting out of MOSA when the T&D contract expires with Otsego County in 2010. He indicated that he did not know if any other County legislators had any input in the report.

Mr. Bliss advised there were three of four committee members and about half of the County Board present at the meeting. However, to his knowledge, they did not have contact with Hans.

Mr. Thayer believes the report was tailored to Mr. Power's request, but the reality is they won't do anything before 2014.

Chairman Wesnofske advised that DEC approval was necessary before Otsego County can take over a transfer station.

Ms. Podmajersky thought it would take at least a year to change the Service Agreement and asked if DEC has a plan.

Mr. Chichester responded that they did not, but it could be part of our meeting with DEC.

As a final remark about the meeting, Chairman Wesnofske noted that the meeting is open to the public and that he and the Board have the authority to direct that Mr. Chichester and Ms. Corrigan not attend. However, he recognized that they could attend as private citizens. He indicated if they attend that they not be expected to participate. The meeting was addressed as coming from all three Counties and Laura was delegated responsibility by the chairs to call the meeting. The meeting has to be noticed by MOSA per the Open Meetings Law. Ms. Childs has communicated with Mr. Chichester in this regard.

Mr. Thayer noted that we need to honor their requests for the meeting as they called the meeting but Chairman Wesnofske said their requests are part of the agenda not the entire agenda.

Mr. Skowfoe thinks Chairman Wesnofske is correct and that it is a brainstorming session not meant to pin us down on any item.

Ms. Clarvoe asked if there is a general consensus of the Board on answers to the questions. Chairman Wesnofske responded that we should have the meeting at meeting not before. Chris Chale, Authority counsel, will be present to answer questions as well.

Mr. Parker inquired of Mr. Bliss on the status of the payment of the GAT shortfall. Mr. Bliss responded saying it was in the treasurer's office and should be written tomorrow.

b) Executive Director – Project Review

Mr. Chichester remarked that most of the items on his report had already been discussed earlier in the meeting and asked if anyone had any questions.

Ms. Podmajersky asked what project was submitted in regard to the stimulus funding.

Mr. Chichester responded that the Oneonta Transfer Station Project was submitted. She asked if that meant the whole project; he advised that it was.

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Chairman Wesnofske asked if there were any other questions, as there were none, he asked Ms. Corrigan to give the Financial Report.

c) Monthly Financials

Ms. Corrigan reported on the following:

- Bond Activity account - most of the disbursement of \$168,526.19 most of which relates to the Tioga payment (OTS)
- Account Analysis – shows what has been deposited and is available
- Reserve Account Activity – most of which is detailed on the side. She pointed out that she has added on the bottom the Eastern and Central landfill financial assurances and the C&D landfill financial assurance amounts for post 2014 from the new calculation.
- In the revenue account, the balance as of 2/28/09 was \$286,000. We have a Riccelli bill related to February of \$384,000. The balance as of 3/18/09 is \$763,000.
- We have not yet received the shortfall payments and we need them to pay bills. Ms. Podmajersky asked about the carryover from last year and why that wasn't enough to pay the bills. Mr. Chichester advised that we transfer enough for one month at a time and that the amount carried over was about \$150.00. Ms. Corrigan further explained that the numbers are from the budget, which makes the assumption that we will receive our receivables when in reality that doesn't always happen and hasn't happened in this instance. For example, she is still working on getting payment from a project completed last December. Chairman Wesnofske advised that Montgomery County didn't pay December, January, or February on time due to an administrative transition issue.
- T&D – Trailers were placed at project sites; the tonnages are higher for the projects than is shown, but that is what came in on the trailers. Trailers are still coming in and will for a few more weeks.
- Site deliveries – Regular report showing there is very little outside waste.
- GAT line added; shows ahead but not anticipated to stay at that level.
- Historical C&D page.
- Recycling – This information is the same as reported at the last meeting; recycles were shipped out in 2008 but shows in 2009. Ms. Clarvoe asked where the recyclables go. Ms. Corrigan advised Fuller Road and Ulster County. Chairman Wesnofske noted that Oneida/Herkimer charges \$40 per ton for recyclables.
- Financial Statements – These are summarized by departments and transfer stations; nothing notable except for one transfer.
- In reviewing the PARIS report, which is due by the end of the month, there is a question as to whether or not we have a “Management Salary Policy”; to her knowledge we do not have one. Chairman Wesnofske responded that what we have is a “Compensation Policy” for the Executive Director but not for all management and suggested the Personnel Committee should look into it.

Chairman Wesnofske inquired if there were any other questions regarding the finance report. None were brought forth.

10. Other Business

Chairman Wesnofske inquired if there was any other business to bring before the Board. None was brought forth.

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11. Closing

Motion to adjourn the meeting was made by Mr. Thayer and seconded by Ms. Podmajersky. The meeting was adjourned at 4:37 p.m.

Respectfully Submitted,

Judith Beeler,
Confidential Secretary