

**MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT AUTHORITY
BOARD MEETING #02**

DATE: February 17, 2010
LOCATION: MOSA Administrative Complex, Howes Cave

Members Present:

John Mattas
David Parker
Olga Podmajersky
Alexander Shields
Philip Skowfoe
John Thayer
Edward Wesnofske

Members Absent:

Harold Vroman

Others Present:

Dennis Heaton
Barbara Corrigan
Sam Dubben, OC
Karen Sullivan, OC
Tim Steinhofner, OC
Jeri Murray, SC

1. Opening – Roll Call

Chairman Thayer called the meeting to order at 1:07 p.m.

2. Adoption of Agenda

Chairman Thayer asked if there were any additions to the agenda; as there were none, he asked for a motion to adopt the agenda. Mr. Skowfoe so moved and Mr. Wesnofske seconded; on voice call the agenda was unanimously adopted.

3. Privilege of the Floor

Chairman Thayer offered the privilege of the floor to members of the public. Mr. Dubben, Chairman of the Otsego County Board of Representatives, took the floor. He remarked that he had come to the meeting today to let the Board know he had not forgotten about MOSA and hoped to keep negotiating lines open in the future.

4. Adoption of Minutes of Prior Meeting – January 26, 2010

Chairman Thayer asked if there were any changes to the minutes; as there were none, he asked for a motion to approve the minutes of the January 26, 2010 meeting. Ms. Podmajersky so moved, Mr. Mattas seconded and on voice call the minutes were unanimously approved.

5. Reports

a. Chairman

Chairman Thayer reported that he had been in communication with the Executive Director on the following:

- ✓ The bag waste issue.
- ✓ Activities at and possible reopening of the Northern Transfer Station.

Mr. Parker asked if there was going to be discussion on, or a resolution presented today relative to the reopening of the Northern Transfer Station. Chairman Thayer remarked that he was sure it would be a discussion item and asked if a resolution was already prepared. Mr. Skowfoe advised it was not but noted that a resolution could be prepared during the meeting.

Chairman Thayer remarked that the agenda had already been adopted and asked for a motion to suspend the rules in order to amend the agenda. It was the consensus of the Board that suspension of the rules would not be necessary. Mr. Skowfoe made a motion to amend the agenda to include a resolution authorizing the reopening of the Northern Transfer Station to commercial haulers and extending the hours of operation, Mr. Parker seconded and on voice call, the motion was unanimously approved.

b. Finance

Mr. Heaton noted that the new abbreviated financial reports include the following:

- ✓ Year to Date GAT Tonnages by County 2009 vs. 2010
 - Montgomery County is making their GAT.
 - Otsego and Schoharie Counties are short on their GATs.
 - Last month's GAT reports to the Counties included a top 10 haulers list, comparing tonnages for January 2009 vs. January 2010 in each County. This list will show the Counties where they are losing tonnages.
- ✓ Actual vs. Budget Report for the Period Ending January 31, 2010
- ✓ Statements of Revenues, Expenses and Changes in Net Assets January 2010
- ✓ Balance Sheet for January 2010
- ✓ 2010 Reserve and Restricted Fund Payments through January 31, 2010

Mr. Wesnofske asked where the increased flow was coming from in Montgomery County. Mr. Heaton advised both County Waste and Waste Management were increasing tonnages.

Ms. Corrigan continued with the review of the financial reports:

- ✓ Actual vs. Budget Report for the Period Ending January 31, 2010
 - Depreciation/Amortization was added to this report because of the large loss shown on the Statements of Revenues, Expenses and Changes in Net Assets report.
 - Expenses are within the budget for the month.
 - Negative numbers are due to low tonnages at this time of the year.
- ✓ Statements of Revenues, Expenses and Changes in Net Assets January 2010
 - Explained what made up Operating Revenue and noted that two Counties owed Post Closure payments.
 - Explained what made up Operating Expenses and made note that Interest Expense has decreased because we no longer have bonds.

Mr. Parker asked if Post Closure payments were determined quarterly; Ms. Corrigan advised statements were sent out monthly.

Mr. Mattas asked if each County received a statement regardless of whether they were meeting their tonnage or had an overage; Ms. Corrigan advised that was the case.

Ms. Podmajersky noted that Operating Expenses were about \$100,000 more than Operating Revenues. Ms. Corrigan explained it was due to non-cash expenditure for depreciation/amortization on a capital budget.

Mr. Shields remarked that the report shows MOSA losing money and there is a lot of money in the bank at the same time. He asked if the methodology she was using, which was based on servicing the bonds, skews this to a negative number. Ms. Corrigan replied that the practice of accrual accounting had been requested by the auditors. Mr. Shields remarked on conversations he had with Ms. Corrigan about private vs. public sector accounting and noted that the Authority doesn't pay taxes. He remarked that he had asked last month what the amount of money left over after defeasance was and where it was, and received two different answers from \$1.4 million to \$4.25 million. He went on to say he had asked Mr.

Heaton what the monthly operational expenses were and was told \$1.5 to \$1.7 million; Ms. Corrigan sent him a breakdown of positions/pay per his request, and he noted that a little over \$1.7 million was paid out monthly just in wages and benefits. Mr. Shields remarked that this report was not reflective of all the actual operating expenses.

Ms. Corrigan explained the differences in the reports and noted that Actual vs. Budget numbers were on a separate report; the major difference being accruals of depreciation/amortization. Although this is not a cash expenditure; it is a consideration that the Board should address.

Mr. Shields remarked that he had looked at MOSA policies and noted that there are two policies for what needs to be done for end of the year reconciliation. He went on to say in his experience with his County Board, at the end of the year money in certain accounts needs to be transferred out by the Board to the Treasurer's request for specific amounts to specific areas. He noted that here it is done differently, on a past practice basis, and as part of a policy. He interprets it as being done so enough funds were available to cover servicing the bonds and other Authority expenses and asked Ms. Corrigan if that was accurate. Ms. Corrigan responded that it had been to service the bonds and cover other operating expenses. Mr. Shields noted that technically, there were no more bonds, and he does not see where the system has been adjusted taking that into account. He went on to say that relabeling of the funds and the designation of signatories allowed to disburse the funds concerned him in that he wanted to be sure there was appropriate Board oversight. Ms. Corrigan noted that the Finance Committee had begun looking at the policies and a plan for yearend reconciliation and would continue working on them at their next meeting as well.

Chairman Thayer asked if he heard correctly that Mr. Shields had figured the operating expenses of the Authority at \$1.7 million a month. Ms. Corrigan stated that she believed he was talking about salaries and benefits specifically; Mr. Shields responded that she was correct and that figure was "in total" (annually) for salaries, benefits, pension funds and overtime. Mr. Shields pointed out that there is over \$90,000 for overtime costs included in that amount and noted that some part time employees have pension funds and believes it should be looked into.

Ms. Corrigan continued with review of the financial reports:

✓ Balance Sheet

- Relabeled asset accounts with more descriptive names.
- Restricted Assets represents two accounts for rebate; once the calculations have been completed, the money will transfer out of restricted into accounts of the Board's choosing. Mr. Skowfoe asked what the rebate calculations were for. Ms. Corrigan advised that the interest calculation is based on what we may have earned compared to what we paid on the bonds.
- The Operating Cash is at \$2,965,091.40.
- Reserve Cash is currently \$1,572,582.10; \$1 million will be transferred out of this account once the Counties have opened up an account for Post Closure.
- Other Assets (intangibles) include the amortization of the Service Agreement and the SWAMP
- Long Term Liabilities - with the exception of Post Closure, there are no long term liabilities.

Mr. Parker asked if the money that remains in the Reserve Cash account after the \$1 million is removed for Post Closure will be transferred to the Asset Management Fund to be used for facilities; Ms. Corrigan advised that it would be moved once the Finance Committee has completed its changes to the policies.

Mr. Shields asked if the \$1 million for Post Closure was to be kept in a dedicated fund. Ms. Corrigan advised that the three Counties' treasurers need to open an account for Post Closure and when that occurs, the \$1 million will be transferred into the account. Mr. Wesnofske noted that MOSA will not have access to those funds. Chairman Thayer added the Counties can only use the money for Post Closure related costs. Mr. Shields asked if the funds were to be distributed amongst the Counties in the usual split of 42, 40 18. Mr. Skowfoe advised that the funds were not to be split between the Counties; the funds are for emergency or major repair use only.

Mr. Parker asked if the Counties were waiting for MOSA or MOSA was waiting on the Counties. Ms. Corrigan remarked the Counties were probably waiting for MOSA. Chairman Thayer suggested the issue needed to be moved on sooner than later. Ms. Corrigan advised that she will contact the County treasurers and Ms. Chale and do what is necessary to get the account open and the funds transferred.

- Other Liabilities – Post Closure calculations are being reviewed by Golder and Associates and will be given to the Auditors.

Ms. Corrigan noted that these are unaudited Balance Sheets and financial reports and once the Auditors come in the numbers will probably change.

Mr. Shields inquired as to the method of the audit performed; Ms. Corrigan advised the Auditors use a sampling method in which they decide what records are to be reviewed and audited.

- ✓ 2010 Reserve and Restricted Fund Payments through 1/31/2010
 - Listed on the report are two items left over from 2009 resolutions that have not yet been acted upon; Gasboy and Recycling Roll-Off Containers.
 - This report is a tool for the Board to be sure we are staying within the limits set by the authorizing resolutions.

Mr. Skowfoe remarked that he wasn't sure he wanted to spend \$40,000 to replace the Gasboy system. He asked Mr. Heaton what he thought of the current system before purchasing another one. Mr. Heaton responded that he would look at the system and they could discuss it at the next Operations Committee meeting. Ms. Corrigan noted that approval would have to come from the Operations Committee prior to purchasing a new system.

Chairman Thayer noted that what was shown were resolutions where no money had been spent and requested that resolutions be shown where money had been spent. Ms. Corrigan stated that nothing has been spent to date in 2010; however, if he would like a summary of 2009, she can provide that information. Ms. Podmajersky remarked that was handed out at the Finance Committee meeting.

Ms. Podmajersky asked where the \$60,000 was coming out of; Ms. Corrigan advised the resolutions have funds coming from the Equipment Replacement Fund and noted the name of the fund will change once the new policies are approved by the Finance Committee.

Mr. Shields asked what the purpose was for the recycling roll-off containers. Ms. Corrigan advised that in 2008 permission was given to purchase two roll-off containers, one for ATS and one for WTS for recyclable collection. Mr. Heaton noted that he had been able to locate an old container in inventory that was currently being used at ATS and was working on making another one for WTS; at this time, there is no need to purchase these containers.

Mr. Shields inquired if there was a recycling container at the OTS. Mr. Heaton advised him that a private contractor has the recycling contract in Otsego County.

Mr. Heaton asked if it was the consensus of the Board to approve the new, condensed financial reports.

Mr. Mattas stated that he was satisfied with the new reports. Chairman Thayer noted that he was fine with the new reports as long as the more detailed report was still available online for those who wanted to review it.

Mr. Mattas made a motion to accept the new financial reports, Chairman Thayer seconded and on voice call, the motion carried unanimously.

c. Executive Director

Mr. Heaton ran through his report, a copy of which is attached to these minutes. Questions and discussion on his report as follows:

Mr. Parker asked if Otsego County needed to sign off on the repairs at the OTS. Mr. Heaton advised that was not necessary; Stopen Engineering had approved the work. Mr. Wesnofske inquired whether a building permit had been obtained; Mr. Heaton advised that it had.

Mr. Skowfoe asked if the other accountant was gone; Mr. Heaton responded that the department had been downsized by one.

Mr. Shields asked if Mr. Heaton had met with Hans Arnold; Mr. Heaton remarked that he had not, but was meeting with him tomorrow. He noted that he would like to get Mr. Arnold's take on Otsego County. Mr. Shields remarked that he was under the impression that all three Counties had signed on with Mr. Arnold to make changes to the Service Agreement. Chairman Thayer remarked that he did not believe Montgomery County had done so. Mr. Skowfoe remarked that he was unsure if Schoharie County had done so yet, but believed it was its intention to do so.

Mr. Shields asked Chairman Thayer if MOSA had pursued amending the Service Agreement. Chairman Thayer noted there was a three County meeting scheduled for February 25th to which the Board was invited; he suggested letting the Counties take the lead as changes to the Service Agreement are more beneficial to the Counties than MOSA. Mr. Shields remarked that Chairman Thayer had previously told him amending the Service Agreement would require sign off by both the Counties and the Authority.

He stated it was worth noting and indicated from high level staff that there are necessities to make some adjustments with our policies, which are fundamentally based on the Service Agreement itself. Chairman Thayer stated that he did not disagree with Mr. Shields and noted that part of the problem was a lack of clear communication with the Counties.

Mr. Skowfoe noted that Mr. Arnold had an outline of a new Service Agreement and a letter to all three Counties. Ms. Murray advised that Mr. Arnold told her he had been working steadily on the Service Agreement and was faxing an outline of it with a letter today to each County. He would like to get input on the outline from the Counties and would like to meet with them in March.

Ms. Podmajersky asked Mr. Wesnofske about his conversation with Ms. Chale regarding the Service Agreement. Mr. Wesnofske noted that Ms. Chale had asked if anything was going on with the Service Agreement and had suggested that perhaps the Authority should take the lead. Chairman Thayer remarked that he does not think MOSA should take the lead; he prefers the Counties do so and present something to MOSA.

Mr. Shields remarked that consideration needs to be given to all the options of what the future of MOSA could be, including winding down. In regards to the Service Agreement, policy changes, etc. need to be made and there is no need to wait for the Counties to make those changes. Chairman Thayer agreed.

Ms. Murray remarked that Mr. Arnold is looking for input and the worst thing we can do is fear what will happen; many of us have a lot invested in MOSA and don't want to see anything happen to it. Different Counties may have different goals but that doesn't mean that MOSA isn't part of it.

6. Committee Reports

a. Finance

Ms. Podmajersky reported on the February 8th committee meeting; a copy of her report is attached to these minutes.

✓ Fund Account Changes

- The Rate Stabilization fund was closed by resolution after defeasance.
- It has been recommended that the Equipment Replacement and Buildings and Grounds be combined into one fund, the Asset Management fund.
- The Operating Reserve fund was previously associated with the bonds; the name remains the same; however, it will be used to pay operating expenses if necessary.
- A Post Closure Reserve account will be established and controlled by the Counties; MOSA's contribution will be \$1 million.
- As of 12/31/2009 the total of these funds was \$4,255,934. The committee is recommending redistribution of the funds as follows:
 - \$500,000 in the Asset Management Fund
 - \$700,000 in the Operating Reserve Fund; approximately 1 months expenditures
 - \$2,055,934 in the Revenue Account
 - \$1,000,000 in the Post Closure Reserve Account
- Policies and guidelines are being drafted for the new funds

- ✓ Reviewed the revised monthly financial reports that Ms. Corrigan just presented. The detailed report will be available to anyone who wants a hard copy and it will be posted on the MOSA website.
- ✓ Resolutions 13, 15 and 16 were reviewed by the committee. Consensus of the committee was to bring before the full Board for further discussion.
 - Resolution 13 – HHW Funding
 - Resolution 15 – Transfer of Budget Funds for manpower from STS to NTS
 - Resolution 16 – Otsego County GAT shortfall reduction
- ✓ Bag fee reduction discussion.
 - Mr. Parker presented an analysis on current and lowered bag rate fees.
 - It was agreed that more information is needed before any decision is made.
 - Over the next few weeks, the sites will be gathering information to help in the decision making process.

Mr. Skowfoe remarked that the calculation on Resolution 16 was different than what was presented at the committee meeting. Ms. Podmajersky advised that Ms. Corrigan had recalculated it according to the Service Agreement.

- **Treasurer's Report**

Ms. Podmajersky advised the following from the report.

- ✓ January disbursements totaled \$692,925.26.
- ✓ The T&D portion of the disbursements totaled \$462,840.11.

b. Operations

Mr. Skowfoe advised that an Operations meeting took place immediately prior to the Board meeting so there are no minutes available at this time; the following was discussed:

- ✓ Possible reopening the Northern Transfer Station to commercial haulers; a resolution authorizing this will be brought forth at today's meeting.
- ✓ Damage to the Oneonta recycling building and action to be taken to make the necessary repairs. Mr. Dubben, Chairman of the Otsego County Board of Representatives, has offered to take this back to their Solid Waste Committee for appropriate action.
- ✓ Reviewed the details of the equipment replacement schedule.

c. Personnel

As the Personnel chairman was not present at today's meeting, Chairman Thayer reported the following on the Personnel Committee meeting held on February 8, 2010:

- ✓ Discussed having a full time transfer station supervisor at the Amsterdam Transfer Station.
- ✓ Discussion of reduction of staffing by one accountant position. Committee approval was given to do so; backing up the Executive Director's decision with Board approval.
- ✓ Committee decision was made to put the Recycling Program Manager position on hold due to budgetary and monetary constraints.

Mr. Parker remarked that it was Committee approval not Board approval on the reduction of the accountant position, as it was done in committee, not at the Board meeting. Chairman Thayer agreed

and Ms. Podmajersky noted that there were five Board members present at the meeting, making it a quorum. Mr. Parker noted that he was not in attendance at that meeting.

d. Planning

Chairman Thayer reported on the Planning meeting as follows:

- ✓ There was discussion on the RFP for a new T&D contract, which is currently being worked on by staff. Mr. Heaton is in discussion with Ms. Chale regarding it.
- ✓ Household Hazardous Waste events were discussed. The committee is trying to find a way to make them happen this year from MOSA's end; this was also a major discussion in the Finance meeting.
- ✓ Mr. Heaton provided an outline of a five year plan to members for review and comments.

Mr. Parker noted he had the contact information for the Waste to Energy plant discussed at the meeting and asked Chairman Thayer if he would like him to arrange for them to make a presentation. Chairman Thayer asked him to arrange for an informational presentation at either a committee or Board meeting.

7. Resolutions

a. Rescinding previous resolutions

1) Resolution #71 of 1996 Authorizing the Ex. Dir. to give Notice to O.C. Relative to Converting the NTS to a Convenience Station

Chairman Thayer remarked that it was necessary to rescind this resolution in order to have the NTS revert back to a transfer station. He asked for a motion to rescind the resolution; Mr. Mattas so moved and Mr. Parker seconded.

Chairman Thayer asked for discussion. Mr. Shields remarked that he had discussed the reopening of the NTS with Mr. Heaton and was not clear as to what the net improvements would be in doing so. He noted that he had talked with haulers and they wanted the NTS to be open at least six days a week; the estimate of 10,000 tons/year at NTS would no longer be going to the Oneonta transfer station and as noted in the minutes, Mr. Heaton had remarked as a private business it was not advisable to do so. Mr. Shields stated that he is unsure where all the nickels and dimes are and thinks it is premature to change the status of this transfer station. At this time, without further information on what we are in fact planning to do, he has a problem supporting this.

Mr. Parker remarked that Mr. Shields had been given a detailed report containing all plans for the site as well as financial data with regard to reopening the site.

Mr. Heaton noted that the Authority is a quasi-governmental agency whose obligation is to serve the public, not a private business. From a purely business perspective it is not a good idea; however, as an opportunity to service a member County, it is a good idea.

Mr. Shields remarked that he disagrees with the timing, believes it is working as it is and does not think the haulers will be happy with less than six days.

Ms. Podmajersky remarked that she is not in favor of reopening the NTS purely from an economics standpoint. She noted that tonnage amounts were low, trailers had to be taken to the WTS to meet

minimum weight requirements and using Mr. Heaton's reported numbers it would be \$26/ ton, doubling the amount of money spent last year for the NTS and half the waste delivered to the WTS.

Mr. Wesnofske remarked that a lot of discussion had centered on operating in a purely economic way; if MOSA was operating in that mode, the STS and other facilities would be shut down as well. We have too many facilities for the volume of waste. He noted that there is a market area being served in Northern Otsego County and there has always been pressure to reopen the site to help prevent leakage of waste outside the system. He is not a great fan of the idea but is willing to try it for a few months and see what happens. If it proves to be too expensive, then we can write it off.

Mr. Mattas remarked that Ms. Podmajersky had brought up a lot of good points about the cost of reopening the site; however, MOSA is a service organization, like a fire department and there is cost associated with operating it whether or not there is a fire. He noted that Mr. Heaton had been attending Solid Waste meetings in Otsego County where they had made it known reopening the NTS would be very much appreciated. He stated that for the nominal fee of \$10,000 or less get the facility up and running; it is well worth doing it on a trial basis. He went on to say that he believes it is our job to provide service to Otsego County and he is happy to do so. He noted that MOSA is in an image building mode, trying to continue the organization; we are trying to do something beyond just providing solid waste services. He will vote yes on rescinding the resolution.

Mr. Parker noted that a cost benefit had been done at the Operations Committee meeting and the immediate and potential value outweighs the initial and operational costs.

Chairman Thayer noted that if there is a shift in deliveries to the NTS, manpower levels at the OTS may change. He agreed with Mr. Parker that the benefits outweigh the costs.

Mr. Skowfoe remarked that if MOSA wants to succeed, it will need to build its image, service all the member Counties and become cost effective. He believes lost tonnages in the area may return and that MOSA is heading in the right direction. He agrees with Mr. Wesnofske that the situation can be reassessed down the road and noted that he will support rescinding the resolution.

Mr. Shields remarked that he is pleased with the turnaround in thinking with regard to Otsego County; however, he does not believe the shortfalls in Otsego County, from Burlington and other areas would go to the NTS; he believes they would go to the OTS. He stated that a Unadilla hauler is not bringing in his solid waste and that other waste on the fringes is also being lost. He noted that flow control would help but enforcement is an issue for the Counties. He does not think reopening the NTS would help Otsego County's GAT.

Mr. Shields remarked to move the question. Chairman Thayer asked for a roll call vote. On roll call, the resolution was rescinded with John Mattas, David Parker, Philip Skowfoe, John Thayer and Edward Wesnofske voting aye and Olga Podmajersky and Alexander Shields voting nay. Harold Vroman was absent.

2) Resolution #36 of 2001 Clarifying the Operations of the Northern Transfer Station

Chairman Thayer asked for a sponsor and a second for rescinding the resolution. Mr. Wesnofske so moved and Mr. Parker seconded. Mr. Shields remarked to move the question.

Chairman Thayer asked for a roll call vote. On roll call, the resolution was rescinded with John Mattas, David Parker, Philip Skowfoe, John Thayer and Edward Wesnofske voting aye and Olga Podmajersky and Alexander Shields voting nay. Harold Vroman was absent.

3) Resolution #24 of 2008 Declaring Waste Compactor at the Northern Transfer Station Surplus and Authorizing Disposal

Chairman Thayer asked for a sponsor and a second for rescinding the resolution. Mr. Mattas so moved and Mr. Parker seconded. Chairman Thayer asked for discussion.

Mr. Wesnofske inquired as to the amount necessary for repairs; Mr. Heaton advised the estimated amount was \$6,800.

Chairman Thayer asked if there was any further discussion; as there was none, he asked for a roll call vote. On roll call, the resolution was rescinded with John Mattas, David Parker, Olga Podmajersky, Philip Skowfoe, John Thayer and Edward Wesnofske voting aye and Alexander Shields abstaining. Harold Vroman was absent.

After the vote, Mr. Wesnofske inquired whether Mr. Heaton had discussed the use of the compactor with Riccelli; Mr. Heaton responded that he had not as there would be no impact on Riccelli's trailers from use of the compactor.

b. Resolutions

1) Resolution #13 (previously tabled) Reinstating Partnership Funding to Each County for 2010 HHW Day Events

Chairman Thayer asked for a motion to bring the resolution to the floor; Mr. Parker so moved and Mr. Shields seconded.

Motion to amend the resolution made by Mr. Parker and seconded by Mr. Wesnofske. Chairman Thayer asked for discussion on the amended resolution.

Mr. Shields remarked the resolution was redundant to the current policy. Mr. Parker responded that his event, as outlined in the resolution, would be budgeted differently than prior years.

Mr. Skowfoe remarked that \$75,000 was a lot of money; he is afraid it will cut the Authority short.

Ms. Corrigan noted that the resolution calls for each County to run its own event and MOSA would pay them \$25,000; past events have cost \$25,000 - \$30,000 each and this year's events may be \$50,000 each.

Mr. Skowfoe remarked that previously, MOSA paid for both Schoharie and Montgomery Counties' events and ran them as well. He will not support the resolution as he believes MOSA cannot afford the events at this time.

Mr. Mattas asked where the Otsego County event takes place; Ms. Sullivan advised the event is held in various communities within the County.

Mr. Wesnofkse questioned whether this resolution would affect DEC's matching funds to applicants.

Mr. Shields remarked that he was concerned that Otsego County and MOSA were at cross purposes in both applying for the DEC grant. He believes MOSA has a higher standing and would get more consideration than the County and doesn't want to risk not getting the grant.

Chairman Thayer asked Ms. Corrigan if MOSA has only applied for Montgomery and Schoharie Counties in the past because Otsego County applies on their own; Ms. Corrigan advised that he was correct.

Mr. Parker noted that DEC was not in the mix; this resolution is to encourage the Counties to have their own events.

Mr. Wesnofkse asked Ms. Corrigan to estimate the amount of MOSA staff time involved in setting up and running the HHW events. Ms. Corrigan estimated one week of dedicated time to set up the events and four to six hours for four or five staff members on the day of the event.

Chairman Thayer stated that he agreed with Mr. Skowfoe's earlier remarks and questioned where the funds would come from for the events.

Mr. Skowfoe asked if the adoption of the resolution was necessary to apply for the grant. Mr. Heaton advised that Resolution #11 already authorized him to apply for the grant. Mr. Skowfoe noted it is a great program that can be pursued at a later date, after the first quarter when we hope to have more funds available; Mr. Heaton agreed, noting that was the consensus of the Finance Committee at its last meeting.

Mr. Skowfoe made a motion to table the resolution until after the first quarter; Chairman Thayer seconded and asked for a roll call vote. On roll call vote, the motion to table failed with John Mattas, David Parker, Olga Podmajersky, Alexander Shields and Edward Wesnofske voting nay and Philip Skowfoe and John Thayer voting aye. Harold Vroman was absent.

Discussion continued on the resolution as amended.

Chairman Thayer stated that he feels the program is beneficial and well received; he is not sure how it will be funded, however, he is going to support it.

Mr. Skowfoe suggested reintroducing the resolution after the first quarter and applying for the DEC grant now.

Ms. Corrigan remarked that if the resolution is adopted as written, someone has to let the Counties know they will need to apply for the grant on their own in order to receive matching funds because they would be running the event, not MOSA.

Mr. Shields believes MOSA should provide funds to the Counties for the events and noted that Otsego County was the model for running its own event. He believes the money is there and is better spent on HHW events than the NTS.

Mr. Wesnofske suggested MOSA apply for the grant for the two Counties and subcontract its services to the Counties. Either the Counties or MOSA could manage the events; an inter municipal agreement could be drawn up.

Mr. Parker asked whose tickler file this would be in and stated that he did not want to wait to hear about DEC funding, in fact, he didn't believe there would be any DEC funding. He suggested dealing with this right now.

Chairman Thayer asked for a roll call vote on the resolution as amended. On roll call vote, the resolution as amended was defeated with David Parker, Alexander Shields, John Thayer and Edward Wesnofske voting aye and John Mattas, Olga Podmajersky and Philip Skowfoe voting nay. Harold Vroman was absent.

2) Resolution #15 Authorizing the Transfer of Budget Funds

Chairman Thayer asked for a sponsor and a second. Ms. Podmajersky so moved and Mr. Mattas seconded.

Ms. Podmajersky asked if the transfer was to cover Wednesdays only and had nothing to do with the NTS upgrade. Mr. Heaton advised that it was only to cover full time staff working on Wednesdays.

Chairman Thayer asked for a voice call vote. On voice call vote, the resolution was adopted with all members present voting aye. Harold Vroman was absent.

3) Resolution #16 (previously Res. #14, which was defeated) Reducing the Otsego County Shortfall Subsidy for 2009

Chairman Thayer asked for a sponsor and a second. Mr. Parker so moved and Chairman Thayer seconded. Chairman Thayer asked for discussion.

Mr. Shields remarked that in the Service Agreement, section 10.1.1, it states that exclusive of materials held for recycling and sewage sludge; you can't count these towards your GAT and in 10.1.2, materials held for recycling and sewage sludge shall not be credited against a County's GAT. His understanding of the formula is if you put in the recyclables, you skew the numbers. He believes the Service Agreement allows a reward for recycling and wants to follow the rules. He went on to say that Schoharie County paid its shortfall and is entitled to its proper relief from the GAT process itself for shortfalls. The question of recyclables, whether you approve the technology of how it got there or you approve of the concept, is irrelevant. He thinks it is fair to say that everyone wants Schoharie County and Otsego to be treated fairly on the adjustment of the GAT. His County has indicated, from his understanding, it wants to hold up paying its bill until there is a resolution to this second issue of recyclables.

Ms. Podmajersky remarked that she did not agree with the numbers used to calculate the reduction; in her opinion, the number to be used as Otsego County's goal should be closer to the delivered amount of 3600 tons, not the contractual amount of 3400 tons.

Chairman Thayer asked for a roll call vote. On roll call vote, the resolution was adopted with John Mattas, David Parker, Philip Skowfoe, John Thayer and Edward Wesnofske voting aye and Olga Podmajersky and Alexander Shields voting nay. Harold Vroman was absent.

8. Other Business

a. Resolution #17 Noting the Service and Contributions of Martha Clarvoe

Chairman Thayer read the resolution, which had been sponsored by John Mattas and Philip Skowfoe and seconded by Olga Podmajersky, noting the service and contributions of former Board member, Martha Clarvoe.

Mr. Wesnofske suggested an original copy of the resolution be framed and sent to Ms. Clarvoe.

Chairman Thayer asked for a full Board approval and suggested Mr. Heaton include a letter of thanks.

On voice call, the resolution was unanimously adopted by all members present. Harold Vroman was absent.

b. Resolution #18 Authorizing the Reopening of the Northern Transfer Station for Commercial Deliveries and Extending Hours of Operation

Chairman Thayer asked for a sponsor and a second. Mr. Mattas so moved and Mr. Parker seconded.

Chairman Thayer asked for discussion.

Mr. Shields stated that he was against reopening the NTS for commercial deliveries for reasons he stated earlier in the meeting.

Chairman Thayer asked for a roll call vote. On roll call vote, the resolution was adopted with John Mattas, David Parker, Philip Skowfoe, John Thayer and Edward Wesnofske voting aye and Olga Podmajersky and Alexander Shields voting nay. Harold Vroman was absent.

c. Bag Waste

Mr. Parker asked for clarification as to what was going on with the bag fee reduction. Mr. Heaton replied that the study was in process and he would report back on it to the Finance Committee.

Mr. Heaton noted that Ms. Sullivan had suggested considering the concept of one bag for \$4.00 and 2 bags for \$6.00.

Mr. Wesnofske asked if the roll-offs in which the bag waste was collected was weighed on the busiest residential days. Mr. Heaton replied that they were.

Ms. Podmajersky remarked that her recollection was the bag rate increase from \$3 to \$4 per bag was made as an impetus to help reduce residential traffic at the OTS. Mr. Wesnofkse noted that she was correct.

Chairman Thayer noted that another option would now be available to reduce traffic at the OTS.

Mr. Shields stated that he would like it noted on the record that this Authority is a governing body as set up by the State of New York's laws for Authorities that should be operating similar to the rest of the municipal rules on what constitutes a quorum and how many are at a particular meeting. He went on to say that it is good enough for the Counties and it should be good enough for us. He is not implying it was anything nefarious; however, if there are five or more people present you have a quorum and if you want to interpret the rules differently, it is up to you. He wants it to be officially known that he differs from that perspective of past practices.

Mr. Mattas stated that he would like to have a Governance and Ethics meeting one hour prior to the next Board meeting. As there were no objections, a Governance & Ethics Committee meeting will be held on Wednesday, April 21st at noon, one hour prior to the Board meeting scheduled for 1:00 p.m.

9. Closing

Mr. Wesnofske made a motion to adjourn, Mr. Mattas seconded and on voice call the meeting adjourned at 3:06 p.m.

Respectfully Submitted,

Judith Beeler,
Confidential Secretary