

ONONDAGA COUNTY RESOURCE RECOVERY AGENCY

February 08, 2017 BOARD MEETING MINUTES

Board Members Present:	John P. Copanas, Khristopher A. Dodson, Tony Geiss, Jonathan Y. Kelley, Lee Klosowski, P.E., Donald Lawless, Jessi Lyons, Jeanne Powers, Ravi Raman, P.E., Jeffrey T. Wright
Board Members Absent:	Andrew Maxwell, Michael J. Reilly
Also Present:	Dereth Glance, William J. Bulsiewicz, Esq., Mike Mokrzycki, Amy Miller, Kevin Spillane, Kristen Lawton, Andrew Radin, Maria Cirino, Marlene Rizzo
Guests:	

The February 8th Board Meeting was called to order at 4:04 p.m.

The January 11, 2017 Minutes of the Board were approved as presented and filed.

The EXECUTIVE DIRECTOR'S REPORT focused on safety and was presented by D. Glance, and copies of this report were distributed to the Board.

The Executive Director announced that the Transfer Director will now also serve as the OCRRA Safety Officer. The Executive Director stated that there has been some dumping during off hours at Rock Cut Road. It is posted as no trespassing. If the issue continues, the Sheriff's office will be notified of trespassing at the site.

The Executive Director attended a Highway Superintendent's luncheon with A. Fordock who has developed a good working relationship with the highway superintendents.

The TREASURER'S REPORT was presented by K. Dodson. Copies of the report were distributed to Board Members and discussed.

The Treasurer stated that there was limited activity to report since the Agency is currently undergoing its routine annual audit, which will be presented to the full board in March. The Board discussed December cash outflow of approximately \$870,000 and December MSW tonnage being 8% below last year.

Board Chair asked the Business Officer about use of reserves not reflected in the 2016 Operating Budget. Business Officer stated that this use of reserves is reflected in the \$6.7 million cash balance in the Treasurer's Report and that the Agency used reserves of \$350,000 for rebuilt loaders while most of the other substantial capital additions were lease financed during 2016.

The ADMINISTRATION COMMITTEE report was presented by R. Raman. The Turbine Generator Outage Agreement, Summary of the GHD Presentation and need to establish an Ad-Hoc Committee were discussed on 1-31-17.

Resolution # 2060 — **Resolution Creating an Ad-Hoc Committee to Study Agency Transfer Infrastructure Planning** was moved by R. Raman and seconded by J. Kelley. The Resolution was adopted: 9 ayes, 0 nays, 0 abstentions.

R. Raman stated that Agency Counsel will be looking into Real Estate.

The Committee discussed a possible new phone system. Management is currently seeking bid pricing.

There was some discussion about the two new M.O. positions which were included in the 2017 budget.

Resolution # 2061 — **Resolution Authorizing Creation of Two New Machine Operator II (MOII) Positions** was moved by R. Raman and seconded by J. Kelley. The Resolution was adopted: 9 ayes, 0 nays, 0 abstentions.

The Committee discussed the draft resolution to allow the Executive Director to join the Houston-Galveston purchasing group for the purpose of acquiring a shredder.

Resolution # 2062 — **Resolution Authorizing Agency's Executive director to Join Houston-Galveston Area Council of Governments Joint Purchasing Group** was moved by R. Raman and seconded by J. Kelley. The Resolution was adopted: 10 ayes, 0 nays, 0 abstentions.

The Executive Director provided an update on the Strategic Direction Touchstone.

Resolution # 2063 — **Resolution Approving Agency's Strategic Direction Touchstone** was moved by R. Raman and seconded by J. Kelley. The Resolution was adopted: 10 ayes, 0 nays, 0 abstentions.

The Committee briefly discussed Waste Stream Composition Analysis. Agency Engineer is exploring reimbursement by the State for Waste Stream Composition Analysis.

The damage to a steel beam at Ley Creek was discussed. The Administration Committee determined that an emergency repair is needed, so it is necessary to proceed at this time, and the Committee agreed to sponsor an affirming resolution if necessary to ensure timely repairs. Agency Engineer will inform the Committee on repairs as it is being worked on.

The Agency lease was briefly discussed. The lease ends on 6/30/18 and the Committee discussed a fall deadline for decisions on what happens when the lease expires.

The FINANCE COMMITTEE report was presented by D. Lawless. The primary issue discussed at the Finance Committee meeting on 1-31-17 was the financing of the shredder being considered should the WestRock contract be approved. Lease purchase financing of the shredder was discussed along with various options of renting the shredder for a couple of months. The Committee, by unanimous consent recommended that OCRRA, if it approves acquiring a shredder, should use the short term rental option, since most of the cost of the rental can be applied to the purchase. However, the cost of the rental is not refunded.

The Finance Committee met ahead of the approval, which is different than the usual process, simply to move it along to ensure OCRRA is in a position to go forward as quickly as possible to order the shredder.

The Committee discussed two smaller pieces of equipment, a skidsteer and an excavator that were recommended by the Recycling/Operations Committee and included in the Capital Plan to either lease purchase or pay cash. The total cost of both is relatively small. The Committee determined that it would take the funds out of the reserves and pay cash for the skidsteer and the excavator.

The Resolution to consider financing of the telephone system was tabled until the bid process has been completed.

OCRRA's current Municipal Leasing Policy requires bank bids every six months, which was determined to be too frequent for OCRRA's financing needs. The Finance Committee recommends the Resolution to amend the policy to bid for this service on an annual basis. The Resolution also provides an option to extend the contract one or two years.

Resolution # 2064 — Resolution Amending the Procedure for Selecting a Financial Institution Under Lease Purchase Financing was moved by D. Lawless and seconded by R. Raman. The Resolution was adopted: 10 ayes, 0 nays, 0 abstentions.

The RECYCLING/OPERATIONS COMMITTEE report was presented by J. Wright. and copies of the report were distributed to the Board and discussed.

J. Wright stated that there was a full agenda at the 1-19-17 meeting and much was accomplished. There is a resolution for the printing of the OCRRA newsletter printing which was discussed and the Committee supported choosing the recommended vendor, which is the current vendor. J. Wright noted that in order to get a lower price there would have been a very high set up cost that would have made the overall cost higher, so it made sense to stay with the current vendor.

Transfer Director is continuing to work on reporting on the absence control policy. The Board discussed issues regarding safety and efficiencies.

The Committee supported the Transfer Director's request for the purchase of the skidsteer and swapping it out for the tires on the 2017 capital plan.

The Committee also supported the request for a new excavator which is part of the capital plan for 2017.

The Recycling/Operations Committee discussed purchasing a shredder. The Committee would support that acquisition whether it is through rent or purchase of the recommended shredder and move to Finance for the financing decision.

The Transfer Director held discussion on a Resolution to purchase a material handler with a grapppler for a future meeting to obtain additional information.

The Committee supports the addition of an MEO II position contingent upon the execution of the WestRock contract.

There was discussion on the option of a surplus truck #199 and requests made for information related to its replacement.

The Business Officer gave the Committee a brief financial update.

There was discussion on five items before the State Legislature that the Waste Reduction and Recycling Director brought to the Committee.

There was a long discussion on recycling and disposal options for batteries. OCRRA lost significant funding when the voluntary extended producer responsibility program abruptly ended. The Committee did not support at this time appropriating funds to recycle alkaline batteries. D. Glance shared that OCRRA already had an executed contract with the Fulton County landfill for battery disposal. Agency Counsel stated that because it was under \$20,000 it did not require a resolution to do be done. The Committee will revisit this issue in the future and as part of developing the 2018 fiscal year budget.

The Waste Reduction and Recycling Director provided a brief presentation on composting and mulch operations and a more comprehensive presentation will be forthcoming at the March meeting.

There was support for MO II positions, which were included the 2017 budget.

The Agency Engineer provided the engineering report which included an update on the GHD Feasibility Study Phase 1 project. The working group meeting which took place a few weeks ago was also discussed. J. Copanas advised that he would be creating an ad-hoc committee to support the project.

Agency Counsel updated the Committee on the Power Purchase Agreement and will provide a report to L. Klosowski, M. Reilly and J. Copanas.

The Executive Director mentioned that all of the legislative pieces that the Committee advanced are included as resolutions, save for the Organics legislation since specific language became available following the meeting. The Resolution supporting the state food waste and recovery effort will be presented at a future meeting.

The Executive Director and Chair Copanas agreed to hold a special meeting dedicated to WestRock when the contract is complete.

Resolution # 2065 — **Resolution Authorizing Contract for Newsletter Printing** was moved by J. Wright and seconded by R. Raman. The Resolution was adopted: 10 ayes, 0 nays, 0 abstentions.

Resolution # 2066 — **Resolution Authorizing Executive Director to Enter Into Contract to Purchase Skidsteer** was moved by J. Wright and seconded by K. Dodson. The Resolution was adopted: 10 ayes, 0 nays, 0 abstentions.

Resolution # 2067 — **Resolution Authorizing Executive Director to Enter Into Contract to Purchase Excavator** was moved by J. Wright and seconded by J. Lyons. The Resolution was adopted: 10 ayes, 0 nays, 0 abstentions.

Resolution # 2068 — **Resolution Urging New York State Legislature to Include Full Funding for the Environmental Protection Fund** was moved by J. Wright and seconded by K. Dodson. The Resolution was adopted: 10 ayes, 0 nays, 0 abstentions.

Resolution # 2069 — **Resolution Supporting Extended Producer Responsibility** was moved by J. Wright and seconded by K. Dodson. The Resolution was adopted: 9 ayes, 0 nays, 1 abstentions.

Resolution # 2070 — **Resolution Supporting Product Stewardship Program for Paint** was moved by J. Wright and seconded by K. Dodson. The Resolution was adopted: 9 ayes, 0 nays, 1 abstentions.

A. Radin had a suggestion for a minor change to the resolution. It should be changed to indicate that the \$0.75/gallon fee is on "new paint sold". There was unanimous consent for a friendly amendment to the resolution.

R. Raman stated that it will be necessary to have an amended version included in the next Board packet.

Resolution # 2071 — **Resolution Supporting Extended Producer Responsibility for Household Batteries** was moved by J. Wright and seconded by J. Lyons. The Resolution was adopted: 9 ayes, 0 nays, 1 abstentions.

Chair Copanas asked that if OCRRA plans to meet with local legislators, he suggests it be done at their offices here. It is more effective than going down on lobbying day in Albany. Chair Copanas suggested setting up meetings with Senator DeFrancisco and Assemblyman Magnarelli and the others on these committees.

Executive Director stated that Assemblyman Stirpe is the sponsor of the paint legislation which has over 70 sponsors and that OCRRA is well served by A. Radin's strong relationships with local elected officials.

The AUDIT COMMITTEE report was presented by J. Kelley and copies of this report were distributed to the Board and discussed.

J. Kelley indicated that the Audit Committee had a fairly lengthy agenda. The Committee discussed bringing in a consultant to review the Agency for best practices.

The Committee met the two accountants from Grossman St. Amour who responded that they were getting complete cooperation from OCRRA staff and the audit was moving forward very smoothly. Committee members asked questions, specifically in terms of internal control and assessment, and fraud inquiries pertaining to procurement. The auditors answered their questions.

M. Reilly had some concerns about a synopsis of how the Agency compares on a best practice basis. The auditors agreed to report to us at the next meeting on some of the topics raised.

There was an update of Code of Ethics trainings. This annual staff training will be done in April. The Board training will be held in April or May, depending on which month works best due to other agenda items.

The Audit Committee reviewed the annual tonnage reports and there were some questions, but this was pertaining to software and it is in conjunction with C. Mickle's efforts. A question did arise in terms of discrete waste and supplemental waste quantities. The Executive Director will provide that information after this report.

The Agency's risk assessment is still in progress. It will be addressed at the next meeting. There was some discussion on contracts with contingencies. The recommendation is that OCRRA permits adding contingencies, but they will not be included in the contract. That is just a change that was recommended and I believe that is going to go on to the Administration Committee to make that change.

The Committee reviewed the LENS program, a service of the DMV that helps OCRRA verify driver records and driver appropriate licensing. An internal audit found a situation where a driver was identified as being out of class. It was a combination of events, and OCRRA's drivers are in compliance.

The scale certification inspection audit has since been completed and management's response was received, which raised some concerns about the condition of scales and an asset management system with a comprehensive assessment. The Transfer Director provided a fairly concise report on the condition of those scales. The Committee will be provided the final audit at the next meeting.

The next Audit Committee meeting will be on February 28 at 3:00 p.m. The Committee will be meeting with the auditors, so anyone who is interested is certainly more than welcome.

The Executive Director and Agency Engineer discussed discrete waste and supplemental waste, which are two categories of waste that must be reported to NYSDEC. They informed the Board of the difference between the two and the Agency Engineer further clarified that there is no limit on supplemental waste, but there is priority processing. Agency Engineer clarified that as long as there is capacity at the Waste to Energy facility there is no limit on the tons of supplemental.

J. Copanas asked that the meeting be moved to Executive Session to seek legal advice in contract negotiations.

Resolution # 2072 — **Resolution to Go into Executive Session for the Purpose of Obtaining Legal Advice from Agency Counsel Regarding Contract Negotiations** was moved by R. Raman and seconded by K. Dodson. 10 ayes, 0 nays, 0 abstentions.

There was unanimous consent to go into Executive Session.

The meeting ended at 5:07 p.m. Executive Session began at 5:08 p.m. and ended at 5:40 p.m.

Board Minutes were taken by Marlene Rizzo.