

## ONONDAGA COUNTY RESOURCE RECOVERY AGENCY

March 08, 2017 BOARD MEETING MINUTES

<b>Board Members Present:</b>	<b>John P. Copanas, Khristopher A. Dodson, Tony Geiss, Jonathan Y. Kelley, Lee Klosowski, P.E., Donald Lawless, Jessi Lyons, Andrew Maxwell, Jeanne Powers, Ravi Raman, P.E., Michael J. Reilly, CPA, Jeffrey T. Wright</b>
<b>Board Members Absent:</b>	<b>Travis Glazier</b>
<b>Also Present:</b>	<b>Dereth Glance, William J. Bulsiewicz, Esq., Kristen Lawton, Amy Miller, Mike Mokrzycki, Marlene Rizzo, Kevin Spillane, Andrew Radin, Greg Gelewski, Maria Cirino</b>
<b>Guests:</b>	<b>Mike Lisson and Mark Ciaralli from Grossman St. Amour</b>

The March 8th Board Meeting was called to order at 4:01 p.m.

The February 8, 2017 Minutes of the Board were approved with one correction on page 4. Change "Agency Counsel updated the Committee on *electric rates*" to "Agency Counsel updated the Committee on *the power purchase agreement*."

The EXECUTIVE DIRECTOR'S REPORT was presented by D. Glance, and copies of this report were distributed to the Board. D. Glance announced that the WestRock agreement has been signed by West Rock and thanked everyone who worked on getting this done. A shredder is available locally and is waiting for OCRRA's final procurement process. A Special Administration Committee Meeting and Board Meeting are in the process of being scheduled to review and approve the contract, the new position, and acquisition of the shredder. Form 47 for the DEC in relation to the waste stream has been finalized. By processing the West Rock stream, approximately 3,000 tons of metal will be recycled annually, and an additional 25 million kilowatt hours of electricity will be generated. Madison County is unable to accept as much ash as they have in the past. OCRRA is able to dispose of everything, it is just taking more time. A trip to Oswego is planned for next week. Today, we hosted the NYSA SWM landfill operators at the compost facility and G. Gelewski gave a tour. Some time was spent with the Development Authority of the North Country which has some interest in ash disposal and we plan to reach out to Oneida-Herkimer so we can have as much redundancy as possible. D. Glance presented J. Copanas with his new gavel. D. Glance announced that Andrew Maxwell is resigning from the Board and will be moving on to full time campaigning.

The TREASURER'S REPORT was presented by K. Dodson. Copies of the report were distributed to Board Members and discussed. K. Dodson indicated that there was an increase in January revenues compared to last year at this time. It is, in large part, due to the Tip Fee increase that we passed in our budget this past fall. The electricity rate for January is weaker than expected but there are implications to our mild weather relative to that rate. Metal prices have shown significant growth over the last couple of months. Overall the Agency posted an increase in net position of approximately \$65,000 for January. The Agency had a decrease in net position of approximately \$434,000 for the same period last year.

The AUDIT COMMITTEE report was presented by J. Kelley and copies of this report were distributed to the Board and discussed. J. Kelley stated that the Audit Committee Report is primarily an overview of the exit meeting with the Auditors and provided an opportunity for a question and answer session with the people involved in the agency, management, the audit committee, and the internal control auditor. J. Kelley introduced the auditors from Grossman & St. Amour, Mike Lisson and Mark Ciaralli.

The Public Authority Accountability Act requires an external audit annually and the auditors are here to provide an opinion on the financial statements provided by management and the trending of the Agency from the previous years' operations.

The auditors provided copies of the report and discussed their findings. The auditors stated that there were no difficulties encountered in performing the audit. The auditors also stated that there were no material instances of non-compliance or contract violations noted and there were no material weaknesses.

**Resolution # 2059** — **Resolution to Go Into Executive Session for the Purpose of** discussing audit details was moved by R. Raman and seconded by J.Kelley. The Resolution was adopted by unanimous consent.

Executive Session Commenced at 4:40 p.m.

Executive Session Adjourned at 5:06 p.m.

**Resolution #2073** — **Resolution Approving Audit of Onondaga County Resource Recovery Agency for Calendar Year 2016** was moved by J. Kelley and seconded by M. Reilly. The Resolution was adopted: 10 ayes, 0 nays, 0 abstentions.

The ADMINISTRATION COMMITTEE report was presented by R. Raman and copies of this report were distributed to the Board and discussed. The Committee discussed the proposal from Brown and Brown, Broker of Record for the Agency. The new proposal is relatively lower. The Committee discussed professional liability coverage for in-house Counsel and for the Agency Engineer. The minutes of the meeting do not reflect the discussion that was had by R. Raman and the Business Officer. Agency Engineer is satisfied with the coverage that she has. The cost for coverage of Agency Counsel last year was approximately \$6,000 and this year it is down to about \$2,000. R. Raman indicated that when the resolution comes up, he is recommending coverage for Agency Counsel for this year while we have time for review. R. Raman also requested that M. Mokrzycki look into coverage for the Agency Engineer. Brown and Brown was very comfortable using Houston Casualty. R. Raman asked Brown & Brown which structures are not covered by insurance. Brown and Brown indicated that Business Officer, M. Mokrzycki has taken on the responsibility to make sure the covered building structures are in the list and he has agreed to come back and present it to the next Administration Committee meeting on any structure that is not covered. If it not covered, the Agency administration has made the decision for a reason and we will hear about it at the next meeting.

The Committee unanimously supported the Resolution Authorizing the Executive Director to Purchase Insurance Policies for the Agency for the Period Beginning April 1, 2017. The Business Officer described the changes since the last meeting.

Agency Engineer presented a letter that will be sent to Covanta regarding the Turbine Generator Outage. The Committee unanimously supported the Resolution Authorizing Further Amendment to the Second Amended and Restated Solid Waste Disposal Service Agreement between Onondaga County Resource Recovery Agency and Covanta Onondaga L.P.

The Committee discussed the Resolution Adopting Salary Adjustments for Non-Represented Employees for Year 2017. The Committee agreed upon a 2% salary adjustment for all non-represented employees and it is included in the budget. It will be retroactive from January 1 of 2017 and represents 2016's service to the agency.

The Executive Director mentioned a possible employee appreciation event. The Committee had some discussion about it. The Executive Director will come back to the Committee with further information at a future meeting.

The Committee also discussed the resolution approving the investment guidelines. The Committee gave their unanimous consent to support the Resolution Approving Investment Guidelines and Investment Report of OCRRA for Calendar Year 2016.

Executive Director and Agency Counsel met with Kerry Mannion, a real estate broker who represents this building owner. He does not represent OCRRA. Mr. Mannion is going to speak with the landlord and come back to OCRRA with a proposal for a lease extension. The Committee also discussed exploring the possible purchase of a building.

The Business Officer informed the Committee that Truck #199 auction was completed

The Committee discussed the changes from the original insurance proposal and the Business Officer provided information to clarify what was changed. The Business Officer spoke with Dan from Brown and Brown and put together a summary of what is different between the two.

R. Raman asked the Business Officer to look at the insurance for CPA and Agency Engineer. If determined that additional coverage is necessary, there will be a new resolution for a separate line with a separate company for the coverage for the Business Officer (CPA) and Agency Engineer. J. Copanas asked about the coverage that was for Board Members. Business Officer stated that this was Public Entity Management Liability. What is being considered with the employed professionals is, since they are public licenses, there are more opportunities for the professionals to do something outside the policy, so those specific technical questions are what are being looked at.

**Resolution #2074** — **Resolution Authorizing Executive Director to Purchase Insurance Policies for the Agency for the Period Beginning April 1, 2017** was moved by R. Raman and seconded by D. Lawless. The Resolution was adopted: 10 ayes, 0 nays, 0 abstentions.

The ADMINISTRATION COMMITTEE report was presented by R. Raman and copies of this report were distributed to the Board and discussed.

**Resolution #2075** — **Resolution Authorizing Further Amendment to the Second Amended and Restated Solid Waste Disposal Service Agreement between Onondaga County Resource Recovery Agency and Covanta Onondaga L.P.** was moved by R. Raman and seconded by J. Kelley. The Resolution was adopted: 10 ayes, 0 nays, 0 abstentions.

The Committee discussed how employees are compensated once they have completed their probationary period. There was some discussion about when the resolution to adopt salary adjustments should be completed.

**Resolution #2076** — **Resolution Adopting Salary Adjustments for Non-Represented Employees for Year 2017** was moved by R. Raman and seconded by J. Wright. The Resolution was adopted: 10 ayes, 0 nays, 0 abstentions.

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

**Resolution #2077** — **Resolution Approving Investment Guidelines and Investment Report of OCRRA for Calendar Year 2016** was moved by R. Raman and seconded by M. Reilly. The Resolution was adopted: 10 ayes, 0 nays, 0 abstentions.

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

J. Wright stated that the Committee discussed hiring of temporary gatekeepers for the Jamesville Compost site and agreed to sponsor the resolution to the Board. The Committee also discussed a resolution expressing supporting the State

organics recovery legislation and unanimously supported moving the resolution to the Board. The Committee is anticipating information on the finances and where they stand for the compost operation. Andrew has asked that we wait until the May Board meeting so that a little more data can be collected, particularly since staff has been added to the operation. Greg Gelewski provided a sample of colored mulch for the Committee to take a look at. Dereth and Andrew informed the Committee that they plan to meet with the Town of Dewitt to discuss the Town's plan to include organic collection to their households. The Transfer Director reported his continued work on absenteeism. The Committee discussed overtime and this discussion will be continuing. The Committee discussed the material handler that will be used to handle WestRock material. The Business Officer reported to the Committee that January electric revenues were low and metal pricing is still strong.

The initial emergency column repairs at Ley Creek were discussed and the Board supported awarding work at that time to J.D. Taylor Construction Corp. with a 15% contingency. However, since then more work has been uncovered. Agency Engineer, Amy Miller reported that once all the metal panels were taken off, the adjacent column to the left of the original one that was going to have a section replaced, needed some reinforcement. The selected contractor gave OCRRA a change order request of about \$3,900 which was above the 15% contingency. It puts the repair amount at about \$21,000. The plan is to bring this information to the Recycling/Operations Committee meeting and request that they sponsor an affirming resolution. The work is continuing and OCRRA is keeping J. Wright, R. Raman and J. Copanas in the loop related to the progress on the emergency repair that needs to be completed a Ley Creek.

J. Wright also indicated that the Agency Engineer recommend to the Committee to issue an RFP for a comprehensive structural evaluation of the transfer station at Ley Creek. Agency Engineer indicated that the Storm Water Plan for Ley Creek was updated in 2016 and new sampling locations were used. There is no change to the results. There is no improvement.

The Rock Cut Road Consolidation Feasibility Study is on track with GHD with the preliminary feasibility determination to the Board in April. The next meeting of the Recycling/Operations Committee is scheduled for March 15 at 11:30 a.m. A. Miller stated that a meeting will be scheduled for the Transfer Infrastructure Planning group before the end of March.

**Resolution #2078** — **Resolution Authorizing Hiring of Temporary Gatekeepers for Jamesville Compost Site** was moved by J. Wright and seconded by J. Lyons. The Resolution was adopted: 9 ayes, 0 nays, 0 abstentions.

The Board discussed the potential impact that the legislation could have on OCRRA's current compost operations.

**Resolution #2079** — **Resolution Expressing Support for New York State Department of Environmental Conservation's Beyond Waste Plan for Mandatory Organics Recovery** was moved by J. Wright and seconded by T. Geiss. The Resolution was adopted: 8 ayes, 0 nays, 0 abstentions.

The Board decided to move ahead with the Finance Committee report to vote on the resolution, and continue the Recycling/Operations Committee report after the discussion and subsequent vote on the Finance Committee resolution.

The FINANCE COMMITTEE report was presented by M. Reilly and copies of this report were distributed to the Board and discussed.

The Committee discussed the resolution to select a financial institution for Agency lease purchase financing. Proposals were solicited from various banks for the ensuing year to determine who had the best terms. The resolution brief that listed the four banks was reviewed and discussed. US Bancorp was selected as the financial institution for Agency lease purchase financing.

**Resolution #2080** — **Resolution Selecting Financial Institution for Agency Lease Purchase Financing** was moved by M. Reilly and seconded by L. Klosowski. The Resolution was adopted: 8 ayes, 0 nays, 0 abstentions.

The Transfer Director discussed the rental of the shredder and then entering into a purchase of the shredder if everything is working properly. The Recycling/Operations Committee reviewed whether a material handler or an excavator were necessary. The Committee decided to move forward with the material handler. The Board asked at the time if it was possible to use existing equipment during the period of time while the shredder was being rented. The Transfer Director said yes it is still possible, but management discussed the risk associated with that including enhanced safety and providing redundancy with equipment to ensure processing of the material despite equipment breakdowns.

A decision was made to structure the RFP, which will be going out on March 9, and we OCRRA will be holding on to the price for the material handler for a period of months to allow us to execute the rental of shredder and to get into operations. OCRRA will also structure the RFP to ask for quotes for a rental. The rental for the material handler will not be able to be applied to the purchase price, like in the case of the shredder.

OCRRA will rent the shredder, and if there are no problems, OCRRA would own for that specific shredder. The material handler, like other heavy equipment, is not readily available. OCRRA will be getting quotes for a material handler of comparable value and it appears this equipment may be available to rent.

The Executive Director stressed that it is important to have the right equipment for safety reasons and efficiency. Having an elevated cab that goes up and down and the right kind of hydraulic lift is going to be essential for OCRRA to do a good job. Transfer Director spoke to the companies that have rental equipment available and they indicated if we use their rental and then decide to purchase the equipment that they would use that rental price against the bid.

The Board Meeting adjourned at 5:56 p.m.

Board Minutes were taken by Marlene Rizzo.

## ONONDAGA COUNTY RESOURCE RECOVERY AGENCY

March 22, 2017 SPECIAL BOARD MEETING MINUTES

<b>Board Members Present:</b>	<b>John P. Copanas, Khristopher A. Dodson, Tony Geiss, Travis Glazier, Jonathan Y. Kelley, Lee Klosowski, P.E., Donald Lawless, Jessi Lyons, Ravi Raman, P.E., Michael J. Reilly, CPA, Jeffrey T. Wright</b>
<b>Board Members Absent:</b>	<b>Jeanne Powers</b>
<b>Also Present:</b>	<b>Dereth Glance, William J. Bulsiewicz, Esq., Kristen Lawton, Amy Miller, Mike Mokrzycki, Marlene Rizzo, Andrew Radin, Maria Cirino</b>
<b>Guests:</b>	<b>Matt Wadach and Scott Field from WestRock</b>

The March 22th Special Board Meeting was called to order at 4:30 p.m. and attendance was taken.

The Special Meeting of the Board was requested by R. Raman and J. Copanas in order to act on the WestRock contract.

The Executive Director gave a brief report on going forward with the WestRock agreement and provided a copy of the WestRock press release to be sent out and it was distributed.

The ADMINISTRATION COMMITTEE report was presented by R. Raman. The Committee discussed the resolution authorizing disposal contract with WestRock-Solvay, LLC for Light Industrial Waste and provided unanimous consent to move the resolution to the Board for approval. The Committee discussed the resolution authorizing addition of a motor equipment operator II (MEO II) position and provided unanimous consent to move the resolution to the Board for approval.

J. Kelley asked if the Administration Committee had anything that they would like to share with the rest of the Board as far as concerns or anything else. R. Raman responded that there was only one question, and it was to Agency Counsel, asking if there were any changes to the contract since we last reviewed it. The answer was no.

**Resolution #2081 – Resolution Authorizing Disposal Contract With WestRock-Solvay, LLC for Light Industrial Waste** was moved by R. Raman and seconded by J. Kelley. The Resolution was adopted: 10 ayes, 0 nays, 0 abstentions.

**Resolution #2082 – Resolution Authorizing Addition of a Motor Equipment Operator II (MEO II) Position** was moved by R. Raman and seconded by M. Reilly. The Resolution was adopted: 10 ayes, 0 nays, 0 abstentions.

The RECYCLING/OPERATIONS COMMITTEE report was presented by J. Wright. The Committee discussed the resolution authorizing executive director to enter into contract to rent/purchase shredder and provided unanimous consent to move the resolution to the Board for approval. M. Reilly asked about a maintenance agreement. Agency Counsel clarified that there is a rental contract and there is a maintenance contract during the rental.

**Resolution #2083 – Resolution Authorizing Executive Director to Enter Into Contract to Rent/Purchase Shredder** was moved by J. Wright and seconded by J. Kelley. The Resolution was adopted: 10 ayes, 0 nays, 0 abstentions.

The Board Meeting adjourned at 4:42 p.m.

Board Minutes were taken by Marlene Rizzo.

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J. Kelley asked if the Administration Committee had anything that they would like to share with the rest of the Board as far as concerns or anything else. R. Raman responded that there was only one question, and it was to Agency Counsel, asking if there were any changes to the contract since we last reviewed it. The answer was no.

**Resolution #2081** – **Resolution Authorizing Disposal Contract With WestRock-Solvay, LLC for Light Industrial Waste** was moved by R. Raman and seconded by J. Kelley. The Resolution was adopted: 10 ayes, 0 nays, 0 abstentions.

**Resolution #2082** – **Resolution Authorizing Addition of a Motor Equipment Operator II (MEO II) Position** was moved by R. Raman and seconded by M. Reilly. The Resolution was adopted: 10 ayes, 0 nays, 0 abstentions.

The RECYCLING/OPERATIONS COMMITTEE report was presented by J. Wright. The Committee discussed the resolution authorizing executive director to enter into contract to rent/purchase shredder and provided unanimous consent to move the resolution to the Board for approval. M. Reilly asked about a maintenance agreement. Agency Counsel clarified that there is a rental contract and there is a maintenance contract during the rental.

**Resolution #2083** – **Resolution Authorizing Executive Director to Enter Into Contract to Rent/Purchase Shredder** was moved by J. Wright and seconded by J. Kelley. The Resolution was adopted: 10 ayes, 0 nays, 0 abstentions.

The Board Meeting adjourned at 4:42 p.m.

Board Minutes were taken by Marlene Rizzo.