ONONDAGA COUNTY RESOURCE RECOVERY AGENCY
BOARD OF DIRECTORS
100 Elwood Davis Rd., N. Syracuse NY 13212 - OFFICE CONFERENCE ROOM

BOARD MEETING AGENDA

July 17, 2024 – 4:00 p.m.

I. ATTENDANCE/INTRODUCTION OF BOARD MEMBERS
   a. PUBLIC PARTICIPATION

II. APPROVAL/CORRECTION of June 12, 2024 Board Meeting Minutes

III. REPORT OF THE EXECUTIVE DIRECTOR

IV. REPORT OF THE TREASURER

Reports-Committees & Resolutions: Chair of Committee

A. Recycling and Operations Committee  D. Daley
   June 18, 2024 – Report

   a. Resolution Authorizing Executive Director to Enter into Contract for Fuel Tank Removal

   b. Resolution Authorizing Executive Director to Proceed with Contract for Paving at Rock Cut Road Facility

   c. Resolution Authorizing Executive Director to Purchase Transfer Trailers from Spector Manufacturing

B. Administration Committee  B. Page
   June 25, 2024 – Report

   a. Resolution Authorizing Hiring Outside Counsel to Assist in Personnel Investigation

   b. Resolution Authorizing and Affirming Executive Director’s Continuing Purchase of All Risk Property Insurance Policies for Waste to Energy Facility

Miscellaneous:

I. UNFINISHED BUSINESS  II. NEW BUSINESS

III. ADJOURNMENT
The June 12, 2024, Board meeting was called to order at 4:04 p.m.

Roll was taken. Quorum is present.

D. Daley motioned and G. Popps seconded to approve both the March 13th and May 8th Board meeting minutes.

Roll was called and the minutes were approved as submitted.

K. Spillane gave an update on OCRRA’s Strategic Plan. The Strategic Plan, as it develops, will be presented to each committee for comment and slowly moved to the Board for approval.

The Board would like a strategic plan covering the next 2 years to be completed sometime this fall, and the Board agreed to keep the same format as the 2022 plan using a SWOT analysis.

K. Spillane presented the Executive Director’s report.

Engineering:
- Modification of the wastewater conveyance system continues at Amboy.
- And RFP has been issued for paving at RCR.
- Demolition of the fuel tank at Ley Creek has begun.
- The NYSDEC continues to review the Ley Creek Transfer Station’s 2023 permit/modification submittal.

Transfer and Compost:
- The process of purchasing a roll-off truck to replace the one that had been approved for purchase in 2022 is concluding. The vendor, approved in 2022, was not able to meet the contract requirements. This new truck, although also purchased from the County contract will be slightly more expensive because of the updated model year.
- Driver and operator positions are being interviewed and filled.

Recycling:
- School education is very busy.
- The Spring MRF Audit was completed on May 4th.
- The Recycling Team and other staff members were in Lake George for the Federation Conference.

Public Information:
- The summer newsletter is nearly complete.
Wrapping up Earth Day – the PIO produced a recap video for social media summarizing the results and thanking volunteers.

The PIO is also beginning work on getting condensed photo-focused recycling guides translated into a couple extra languages.

Engagement, Outreach and New Opportunities:
- M. Mokrzycki has been directing the Agency’s efforts with LSI, our consultant, to assist us to find funding sources for the Ley Creek development project.
- K. Spillane and several staff members participated in the City of Syracuse Mayor’s annual Adopt a Block campaign collecting litter in local neighborhoods.

K. Spillane mentioned that the Waste-To-Energy Coalition, which began with OCRRA now has three other communities committed to the movement.

A brief discussion followed.

The TREASURER REPORT was presented by J. McMahon
- This report reflects data from April 2024.
- April tipping revenues were approximately 3% ahead of budget.
- The electricity rate was 1.9c/kWh.
- Compost revenues also continue to be strong.
- Expenses were above budget due to landfilling and maintenance costs.
- The Agency’s cash balance at the end of April was $22.9M.
- The Agency began the year with $21.9M in cash revenues.
- To date, $1M has been transferred into the Board approved Capital Reserve Account.
- The Agency has billed haulers approximately $251,000 in recycling fees.
- The Agency has paid $195,209 in recycling fees.

G. Popps motioned and J. Driscoll seconded to approve the Treasure’s Report.

Roll was taken and the report was approved as submitted.

The RECYCLING AND OPERATIONS COMMITTEE report was presented by D. Daley
- The committee discussed a resolution authorizing the purchase of a roll-off truck and hoist.
- The committee discussed the 2024 Earth Day Litter Cleanup highlights.
- A quick edit to the amount of litter collected was made. It should read 107 thousand pounds of litter.
- The committee discussed amending resolution #2445 for the purchase of transfer trailers from STS Trailer and Truck Equipment.

There was mention that an amended resolution for purchase of transfer trailers has been pulled from this Board meeting and will be rebid and then the resolution redistributed to the Recycling committee in June. The Board will consider it in July.

Resolution #2448 – Resolution Authorizing Executive Director to Purchase a Roll Off Truck and Hoist was moved by D. Daley and seconded by L. Colon-Torres.

There will be a correction in the resolution to the spelling of ‘maintenance’.

The resolution was adopted 8 ayes, 0 nays, 0 abstain.
C. Dunham mentioned that she and the Agency have been discussing the Board quorum and ways to overcome the challenges with attendance.

A discussion followed.

T. Palmer:
- Social Media – since T. Palmer has been with OCRRA
  - Facebook followers up approximately 65%
  - Facebook visits are up approximately 565%
  - YouTube views from 958 hours watched to 2,860 hours watched
  - YouTube visits went from 80,000 to over 280,000
  - LinkedIn is up approximately 50%
- Film plastics will be the next recycling campaign focus.

M. Mokrzycki:
- M. Mokrzycki has been working with LSI and some avenues that could help mold Ley Creek.

C. Albunio:
- Ley Creek – Prebid meeting for demolition is this coming week.
- The crane at RCR is coming down and the site should be back to normal soon.
- There was a singular spike in HCL emissions which resulted in a warning letter from NYSDEC. This has not occurred since this one time. There was no violation.

D. Haas:
- Moving trash to ReWorld at higher rates than usual.
- Waste levels at the transfer facility are being kept lower.

K. Lawton:
- Negotiations continue with the Department of Energy for the battery grant.
- Two interns have started with OCRRA. They will be working with the Recycling Department.

M. Cirino:
- Audit committee will be meeting soon.
- An RFP will be issued regarding a new Audit firm for the upcoming year.

L. Colon-Torres moved, and J. Driscoll seconded to adjourn the meeting.
A unanimous aye voice vote was recorded.
The Board adjourned at 4:53 p.m.
Board Minutes were taken by R. Czerwiak
As we move into the second half of the year, we have a couple of exciting projects getting underway. First is the landfill feasibility study for Wastebed 12. We recently had a kickoff meeting for the project with the Town of Camillus, the County and Honeywell all in attendance. This is a potentially transformative project, but just as important is all the parties working on this project in concert to achieve greater waste disposal capacity in our community. As we all try to determine the impacts and potential changes to our community with the upcoming Micron project, developing a plan for greater waste disposal capacity in the long term is going to be critical. Working together like this, regardless of the outcome of the study, only portends a brighter future for solid waste management in Onondaga County.

The other project that is inching closer to fruition is the demolition of the Ley Creek Transfer Facility. This is the first step on a long journey to build a comprehensive solid waste campus at the Ley Creek site and it is an exciting opportunity to finally see one of the key steps necessary for us to put critical waste disposal infrastructure in place for our residents. I am excited to see what the final comprehensive plan will look like for what we affectionally refer to as Ley Creek North and for all the exciting changes we are making to help with our waste disposal capacity issues in the County.

As I have stated previously, many of these projects were envisioned in our 2022 Strategic Plan, and now the Board is moving forward with making updates to that plan. We have had robust discussions in each of the standing committees and I look forward to discussing the Ley Creek project with Ad-Hoc this month. Just like the budget, the strategic plan has been used as guideposts, and as we close out the last six months of this year and begin working on the fiscal plan for 2025, I believe that this is an opportunity for the Board to weigh in on the growth and direction of the Agency.

**Engineering**

In addition to spearheading the projects I just outlined, our Director of Engineering has coordinated our quarterly meeting with Reworld (Covanta) and we had a myriad of topics that we discussed including tipping floor conditions at the waste to energy facility, the emission exceedances and letter from the NYSDEC, the flue replacement insurance claim, service fee reviews, and a number of other important issues.

Also, Cristina has been working closely with Arcadis to close out the work with the contractor related to the modification of the wastewater conveyance system at Amboy and getting the demolition underway of the above ground fuel tank at Ley Creek.

And in addition to all of these projects, engineering will also be focused on the upcoming Geotech design and pillar evaluation at Ley Creek, getting the Site 31 permit renewal underway, and will begin to work on the Agency’s changes to the PPA.
Transfer and Compost

The Transfer Director, Dan Haas, has been working to address continuity and accountability for time for all employees in Transfer and Compost across all shifts. Dan and Andy, the Assistant Transfer Director, have focused specifically on Rock Cut Transfer Station as it has the most employees and the greatest number of alternative shifts.

In addition, Dan and Andy have been evaluating processes at Rock Cut Road and emphasizing waste removal and meeting customer expectations. The improvements they have made have reduced the amount of waste at the transfer facility itself, decreased customer wait times, and improved output efficiencies. The Directors have concentrated on increasing the amount of ash that can be hauled by existing and new Agency equipment to reduce the number of drivers and deliveries necessary to maintain the flow of ash operations from Reworld (Covanta), allowing the team to focus on movement of material from the transfer station.

As they continue to evaluate current and future equipment needs, the Transfer team is also looking at some changes and new recommendations as part of the capital planning for 2025 and beyond.

Recycling

The Recycling Team is excited to welcome Paige Bell to Team OCRRA; Paige is the new Recycling Clerk who will be helping manage our programs, procurements, billing, data, and more. She joined us for day one on Monday, July 8. Welcome, Paige!

Lisa Piering recently submitted a NYSDEC Equipment Grant on OCRRA’s behalf for a shredder we purchased in 2023 for use at the Compost Site to make mulch. It is our hope that the equipment will be covered at 50% of the full cost, which equates to roughly $470,000.

Maria Bianchetti continues to manage our Household Hazardous Waste and Battery Recycling programs and recently issued new RFQs for management of these services. Resolutions will be discussed and reviewed at the Recycling Operations Committee.

ESF interns Emma Borys and Andrew Gill are providing much needed (and appreciated) assistance on various recycling projects including Household Hazardous Waste appointment management, recycling supply order fulfillment, Clearstream summer recycling event container loan program management, mailing of OCRRA newsletters to town/village clerks and DPWs, and contact database updating.

Public Information

The Public Information Officer returned to channel 9 again this month to focus on reducing food waste and the benefits of composting. She reviewed what can and cannot be added to a compost pile, with props and specific examples. She also reminded
Onondaga County residents who cannot compost on their own, that OCRRA has a large-scale compost operation that can accept food and yard waste for composting. Last month she focused on summer recycling reminders.

A social media series she created for Waste and Recycling Workers Week featured multiple OCRRA employees on all of our platforms, sharing their thoughts on working in waste management, what inspired them to follow that path or what they strive for as employees each day. I hope you all were able to view a few of these posts. The PIO visited each site to make sure we represented employees in compost and transfer operations, as well as recycling. The posts each had great engagement for the week.

The PIO connected with clerks in a dozen municipalities that already have recycling carts to update our records on their methods of communication with residents. The goal is to find semi-regular ways to share our information with limited cost. She also created a Ley Creek album to document the demolition and rebuilding of the site. Pictures/video of the current site are available, if needed.

**Engagement, Outreach and New Opportunities**

Mike Mokrzycki and I met with the County’s Economic Development Director, Bob Petrovich, and the attorney’s representing OCIDA in preparation for a discussion with Micron regarding their waste disposal needs as they develop their Environmental Impact Statement for the project. The Agency has been sensitive to ensuring that Micron receives the most accurate information regarding available disposal capacity in the County and region, while also not wanting to impede the progress of the project. We have emphasized the importance of the Ley Creek project and the challenges of waste disposal capacity in New York in general.

I continue to engage our local communities in New York that have waste to energy facilities to discuss the upcoming changes to emission standards in New York and in the country. We have focused on the most recent court decisions from the Supreme Court, that I have shared with the Board by email, and the potential upshot of these decisions and the short term and long-term impacts of this seemingly significant shift in regulatory responsibility as it will be defined by these decisions. We now have four communities participating in the newly formed Waste to Energy Coalition in New York and I have an upcoming meeting with the EPA on their most recent regulatory proposals.

Respectfully Submitted,
**Treasurer Report**  
**July 17, 2024**

**May 2024 Results:**

May tipping volumes were about 13% ahead of budget, continuing the trend of increasing tonnages, and approaching 2018 highs.

The electricity rate was 1.9c/kWh, roughly consistent with recent historical averages. Compost revenue remains strong, with combined Compost revenues 60% ahead of budget year-to-date.

On the expense side, the increased tonnages are resulting in significantly higher landfilling costs. Overall, our tipping fees remain adequate as the incremental revenue is sufficient to cover these costs.

**Cash Flow:**

The Agency’s cash balance at the end of May stood at **$21.7M**. The Agency began the year with **$21.9M** in cash reserves. At the start of July, the Agency fully funded the Board approved Capital Reserve Account. Reserve Funds are reported as “Assets Limited As to Use” in the financial statements, and the “Cash and cash equivalents” reported here will decrease.

**Recycling Revenues and Expenses:**

The Agency’s payments for and revenue from residential recycling are summarized below. The income statement includes these amounts in “Other” (revenue) and “Recycling” (expense).

<table>
<thead>
<tr>
<th>Month</th>
<th>Paid to MRF</th>
<th>Received From MRF</th>
<th>Cumulative</th>
</tr>
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<tbody>
<tr>
<td>January</td>
<td>$71,646</td>
<td>-</td>
<td>$71,646</td>
</tr>
<tr>
<td>February</td>
<td>$43,467</td>
<td>-</td>
<td>$115,113</td>
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<tr>
<td>March</td>
<td>$38,817</td>
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<td>$153,930</td>
</tr>
<tr>
<td>April</td>
<td>$41,279</td>
<td>-</td>
<td>$195,209</td>
</tr>
<tr>
<td>May</td>
<td>$30,183</td>
<td>-</td>
<td>$225,392</td>
</tr>
<tr>
<td>June</td>
<td>-</td>
<td>-</td>
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<tr>
<td>July</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td>August</td>
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<tr>
<td>September</td>
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<tr>
<td>October</td>
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<tr>
<td>November</td>
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</tr>
<tr>
<td>December</td>
<td>-</td>
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</tr>
<tr>
<td>Totals</td>
<td>$225,392</td>
<td>-</td>
<td>$225,392</td>
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The Agency has billed haulers approximately **$343,000** in recycling tipping fees.
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<thead>
<tr>
<th>Year</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>2023</th>
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</tr>
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<td></td>
<td>$0.01228</td>
<td>$0.01850</td>
<td>$0.07590</td>
<td>$0.02640</td>
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<td>1</td>
<td>$0.01103</td>
<td>$0.01270</td>
<td>$0.03090</td>
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<td>$0.01740</td>
<td>$0.01940</td>
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<td>3</td>
<td>$0.01386</td>
<td>$0.01360</td>
<td>$0.02630</td>
<td>$0.01310</td>
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<td>4</td>
<td>$0.01580</td>
<td>$0.02210</td>
<td>$0.04750</td>
<td>$0.01880</td>
<td>$0.01310</td>
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<td>5</td>
<td>$0.01904</td>
<td>$0.02230</td>
<td>$0.05470</td>
<td>$0.02540</td>
<td>$0.01940</td>
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<tr>
<td>6</td>
<td>$0.01790</td>
<td>$0.03130</td>
<td>$0.06980</td>
<td>$0.02010</td>
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<td>7</td>
<td>$0.01510</td>
<td>$0.02610</td>
<td>$0.04680</td>
<td>$0.02400</td>
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<td>8</td>
<td>$0.01546</td>
<td>$0.03240</td>
<td>$0.03100</td>
<td>$0.01940</td>
<td>$0.02090</td>
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<tr>
<td>9</td>
<td>$0.01580</td>
<td>$0.03390</td>
<td>$0.01810</td>
<td>$0.02090</td>
<td>$0.02150</td>
</tr>
<tr>
<td>10</td>
<td>$0.01510</td>
<td>$0.03200</td>
<td>$0.06310</td>
<td>$0.02150</td>
<td>$0.02150</td>
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<tr>
<td>11</td>
<td>$0.01546</td>
<td>$0.03390</td>
<td>$0.02700</td>
<td>$0.02150</td>
<td>$0.02150</td>
</tr>
<tr>
<td>12</td>
<td>$0.01710</td>
<td>$0.02700</td>
<td>$0.02700</td>
<td>$0.02150</td>
<td>$0.02150</td>
</tr>
</tbody>
</table>
Actual $ per kWh 2014 - 2024

Year

$ per kWh

- Current Month
- 2-year Average $/kWh
## ONONDAGA COUNTY RESOURCE RECOVERY AGENCY

### 2024 MONTHLY INCOME STATEMENT (UNAUDITED)

<table>
<thead>
<tr>
<th>OPERATING REVENUES</th>
<th>ACTUAL May 2024</th>
<th>BUDGET May 2024</th>
<th>$ Var</th>
<th>%Var</th>
<th>Min</th>
<th>Max</th>
<th>Trendline</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tipping Fees</td>
<td>3,189,616</td>
<td>2,824,000</td>
<td>365,616</td>
<td>13%</td>
<td>2,447,443</td>
<td>3,189,616</td>
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</tr>
<tr>
<td>Electric Revenue</td>
<td>407,008</td>
<td>400,000</td>
<td>7,008</td>
<td>2%</td>
<td>208,066</td>
<td>567,157</td>
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<td>Recovered Material Revenue</td>
<td>159,669</td>
<td>124,500</td>
<td>35,169</td>
<td>28%</td>
<td>47,596</td>
<td>174,272</td>
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<tr>
<td>Grant Revenue</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0%</td>
<td>-</td>
<td>27,672</td>
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<tr>
<td>Compost Revenue</td>
<td>150,888</td>
<td>79,900</td>
<td>70,988</td>
<td>89%</td>
<td>66,855</td>
<td>150,888</td>
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<tr>
<td>Other</td>
<td>60,990</td>
<td>25,900</td>
<td>35,090</td>
<td>135%</td>
<td>26,582</td>
<td>60,990</td>
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<tr>
<td><strong>Total Operating Revenues</strong></td>
<td><strong>3,968,171</strong></td>
<td><strong>3,454,300</strong></td>
<td><strong>513,871</strong></td>
<td><strong>15%</strong></td>
<td><strong>2,447,443</strong></td>
<td><strong>3,189,616</strong></td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>OPERATING EXPENSES</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal Services</td>
<td>523,288</td>
<td>520,245</td>
<td>(3,043)</td>
<td>1%</td>
<td>421,411</td>
<td>523,288</td>
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<tr>
<td>Contractual Services:</td>
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<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Landfill Contracts</td>
<td>390,087</td>
<td>292,800</td>
<td>(97,287)</td>
<td>33%</td>
<td>127,162</td>
<td>390,087</td>
<td></td>
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<tr>
<td>Other Contractual Services</td>
<td>6,347</td>
<td>11,300</td>
<td>(4,953)</td>
<td>44%</td>
<td>6,046</td>
<td>15,032</td>
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<tr>
<td>Materials and Supplies</td>
<td>63,451</td>
<td>62,902</td>
<td>(549)</td>
<td>1%</td>
<td>30,018</td>
<td>72,462</td>
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<tr>
<td>Professional Fees</td>
<td>157,108</td>
<td>152,465</td>
<td>(4,643)</td>
<td>3%</td>
<td>12,972</td>
<td>157,108</td>
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<tr>
<td>Recycling</td>
<td>30,197</td>
<td>161,429</td>
<td>131,232</td>
<td>81%</td>
<td>450</td>
<td>160,754</td>
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<tr>
<td>Composting</td>
<td>42,817</td>
<td>34,850</td>
<td>(7,967)</td>
<td>23%</td>
<td>8,927</td>
<td>42,817</td>
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<tr>
<td>Hazardous Waste Disposal</td>
<td>20,434</td>
<td>16,700</td>
<td>(3,734)</td>
<td>22%</td>
<td>1,913</td>
<td>20,434</td>
<td></td>
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<tr>
<td>Utilities</td>
<td>14,523</td>
<td>11,315</td>
<td>(3,208)</td>
<td>28%</td>
<td>3,366</td>
<td>14,523</td>
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<tr>
<td>Insurance</td>
<td>45,310</td>
<td>53,865</td>
<td>8,555</td>
<td>16%</td>
<td>43,144</td>
<td>48,559</td>
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<tr>
<td>Operating Leases</td>
<td>31,323</td>
<td>60,981</td>
<td>(29,658)</td>
<td>72%</td>
<td>35,642</td>
<td>104,999</td>
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<tr>
<td>Depreciation and Amortization</td>
<td>122,044</td>
<td>135,350</td>
<td>13,306</td>
<td>10%</td>
<td>105,218</td>
<td>173,738</td>
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<tr>
<td>Payments to Host Communities</td>
<td>18,360</td>
<td>161,429</td>
<td>143,069</td>
<td>88%</td>
<td>16,550</td>
<td>18,360</td>
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<tr>
<td>Other</td>
<td>43,754</td>
<td>47,200</td>
<td>3,446</td>
<td>7%</td>
<td>8,653</td>
<td>76,243</td>
<td></td>
</tr>
<tr>
<td>Waste-to-Energy Operations Cost</td>
<td>1,996,805</td>
<td>2,043,800</td>
<td>46,995</td>
<td>2%</td>
<td>1,769,370</td>
<td>1,996,805</td>
<td></td>
</tr>
<tr>
<td><strong>Total Operating Expenses</strong></td>
<td><strong>3,610,847</strong></td>
<td><strong>3,635,552</strong></td>
<td><strong>24,705</strong></td>
<td><strong>0.7%</strong></td>
<td><strong>1,769,370</strong></td>
<td><strong>1,996,805</strong></td>
<td></td>
</tr>
</tbody>
</table>

### OPERATING INCOME (LOSS)

<table>
<thead>
<tr>
<th>OPERATING INCOME (LOSS)</th>
<th>ACTUAL May 2024</th>
<th>BUDGET May 2024</th>
<th>$ Var</th>
<th>%Var</th>
<th>Min</th>
<th>Max</th>
<th>Trendline</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>357,324</td>
<td>(181,252)</td>
<td>(538,576)</td>
<td>297%</td>
<td>(2,187)</td>
<td>485,743</td>
<td></td>
</tr>
</tbody>
</table>

### OTHER REVENUE (EXPENSE)

<table>
<thead>
<tr>
<th>OTHER REVENUE (EXPENSE)</th>
<th>ACTUAL May 2024</th>
<th>BUDGET May 2024</th>
<th>$ Var</th>
<th>%Var</th>
<th>Min</th>
<th>Max</th>
<th>Trendline</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest Income - cash</td>
<td>38,912</td>
<td>3,750</td>
<td>35,162</td>
<td>938%</td>
<td>(11,944)</td>
<td>79,011</td>
<td></td>
</tr>
<tr>
<td>Interest Income - non system</td>
<td>9,053</td>
<td>53,000</td>
<td>(43,947)</td>
<td>83%</td>
<td>635</td>
<td>23,482</td>
<td></td>
</tr>
<tr>
<td>Interest Income - lease receivable</td>
<td>115,743</td>
<td>116,000</td>
<td>(257)</td>
<td>0%</td>
<td>115,743</td>
<td>153,702</td>
<td></td>
</tr>
<tr>
<td>Interest Expense</td>
<td>(115,743)</td>
<td>(116,000)</td>
<td>257</td>
<td>0%</td>
<td>(153,702)</td>
<td>(115,743)</td>
<td></td>
</tr>
<tr>
<td>Capital Lease Interest Expense</td>
<td>-</td>
<td>-</td>
<td>0%</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>2019 Bond Interest Expense</td>
<td>(25,257)</td>
<td>(35,000)</td>
<td>9,743</td>
<td>28%</td>
<td>(35,499)</td>
<td>(25,257)</td>
<td></td>
</tr>
<tr>
<td>Gain on sale of PP&amp;E</td>
<td>-</td>
<td>-</td>
<td>0%</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Gain 2015 Deferred Inflow</td>
<td>5,869</td>
<td>5,800</td>
<td>69</td>
<td>1%</td>
<td>5,869</td>
<td>5,869</td>
<td></td>
</tr>
<tr>
<td><strong>Other Revenue - NET</strong></td>
<td><strong>28,577</strong></td>
<td><strong>27,550</strong></td>
<td><strong>1,027</strong></td>
<td><strong>4%</strong></td>
<td><strong>38,855</strong></td>
<td><strong>539,102</strong></td>
<td></td>
</tr>
</tbody>
</table>

### CHANGE IN NET POSITION

<table>
<thead>
<tr>
<th>CHANGE IN NET POSITION</th>
<th>ACTUAL May 2024</th>
<th>BUDGET May 2024</th>
<th>$ Var</th>
<th>%Var</th>
<th>Min</th>
<th>Max</th>
<th>Trendline</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>385,901</td>
<td>(153,702)</td>
<td>539,603</td>
<td>351%</td>
<td>(38,855)</td>
<td>539,102</td>
<td></td>
</tr>
</tbody>
</table>
## Operating Revenues

<table>
<thead>
<tr>
<th>Item</th>
<th>YTD ACTUAL</th>
<th>BUDGET</th>
<th>TOTAL BUDGET</th>
<th>$ Var</th>
<th>%Var</th>
<th>5-Year Trends</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tipping Fees</td>
<td>14,117,737</td>
<td>13,285,000</td>
<td>34,494,000</td>
<td>832,737</td>
<td>6%</td>
<td>11,665,239</td>
</tr>
<tr>
<td>Electric Revenue</td>
<td>1,857,150</td>
<td>2,000,000</td>
<td>4,750,000</td>
<td>(142,850)</td>
<td>7%</td>
<td>896,741</td>
</tr>
<tr>
<td>Recovered Material Revenue</td>
<td>698,508</td>
<td>622,500</td>
<td>1,500,000</td>
<td>76,008</td>
<td>12%</td>
<td>428,996</td>
</tr>
<tr>
<td>Grant Revenue</td>
<td>435,977</td>
<td>220,000</td>
<td>220,000</td>
<td>215,977</td>
<td>0%</td>
<td>-</td>
</tr>
<tr>
<td>Compost Revenue</td>
<td>380,701</td>
<td>236,500</td>
<td>474,000</td>
<td>144,201</td>
<td>61%</td>
<td>246,574</td>
</tr>
<tr>
<td>Other</td>
<td>271,252</td>
<td>190,000</td>
<td>416,500</td>
<td>81,252</td>
<td>43%</td>
<td>117,123</td>
</tr>
<tr>
<td><strong>Total Operating Revenues</strong></td>
<td>17,761,324</td>
<td>16,554,000</td>
<td>41,854,500</td>
<td>1,207,324</td>
<td>7%</td>
<td>117,123</td>
</tr>
</tbody>
</table>

## Operating Expenses

<table>
<thead>
<tr>
<th>Item</th>
<th>YTD ACTUAL</th>
<th>BUDGET</th>
<th>TOTAL BUDGET</th>
<th>$ Var</th>
<th>%Var</th>
<th>5-Year Trends</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal Services</td>
<td>2,552,148</td>
<td>2,681,585</td>
<td>7,034,000</td>
<td>129,437</td>
<td>5%</td>
<td>2,147,973</td>
</tr>
<tr>
<td>Contractual Services:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Landfill Contracts</td>
<td>1,577,691</td>
<td>1,077,000</td>
<td>3,085,000</td>
<td>(500,691)</td>
<td>46%</td>
<td>673,945</td>
</tr>
<tr>
<td>Other Contractual Services</td>
<td>38,262</td>
<td>46,500</td>
<td>109,500</td>
<td>8,238</td>
<td>18%</td>
<td>29,223</td>
</tr>
<tr>
<td>Materials and Supplies</td>
<td>322,486</td>
<td>314,900</td>
<td>760,000</td>
<td>(7,586 )</td>
<td>2%</td>
<td>192,062</td>
</tr>
<tr>
<td>Professional Fees</td>
<td>420,011</td>
<td>364,708</td>
<td>843,000</td>
<td>(55,303)</td>
<td>15%</td>
<td>132,239</td>
</tr>
<tr>
<td>Recycling</td>
<td>241,627</td>
<td>787,606</td>
<td>1,944,500</td>
<td>545,979</td>
<td>69%</td>
<td>64,459</td>
</tr>
<tr>
<td>Composting</td>
<td>193,928</td>
<td>178,450</td>
<td>285,600</td>
<td>(15,478 )</td>
<td>9%</td>
<td>88,212</td>
</tr>
<tr>
<td>Hazardous Waste Disposal</td>
<td>59,427</td>
<td>74,332</td>
<td>200,000</td>
<td>14,905</td>
<td>20%</td>
<td>17,708</td>
</tr>
<tr>
<td>Repairs and Maintenance</td>
<td>482,142</td>
<td>267,006</td>
<td>774,000</td>
<td>(215,136)</td>
<td>81%</td>
<td>253,047</td>
</tr>
<tr>
<td>Utilities</td>
<td>59,094</td>
<td>80,825</td>
<td>166,000</td>
<td>21,731</td>
<td>27%</td>
<td>56,436</td>
</tr>
<tr>
<td>Insurance</td>
<td>220,496</td>
<td>269,325</td>
<td>644,400</td>
<td>48,829</td>
<td>18%</td>
<td>207,912</td>
</tr>
<tr>
<td>Operating Leases</td>
<td>72,337</td>
<td>61,500</td>
<td>146,800</td>
<td>(10,837)</td>
<td>18%</td>
<td>42,925</td>
</tr>
<tr>
<td>Depreciation and Amortization</td>
<td>573,709</td>
<td>676,750</td>
<td>1,282,300</td>
<td>103,041</td>
<td>15%</td>
<td>527,011</td>
</tr>
<tr>
<td>Payments to Host Communities</td>
<td>70,390</td>
<td>90,250</td>
<td>266,300</td>
<td>19,860</td>
<td>22%</td>
<td>70,390</td>
</tr>
<tr>
<td>Other</td>
<td>227,478</td>
<td>205,800</td>
<td>433,278</td>
<td>(21,678 )</td>
<td>11%</td>
<td>123,573</td>
</tr>
<tr>
<td>Waste-to-Energy Operations</td>
<td>10,065,983</td>
<td>10,167,600</td>
<td>24,233,600</td>
<td>101,617</td>
<td>1%</td>
<td>8,810,734</td>
</tr>
<tr>
<td><strong>Total Operating Expenses</strong></td>
<td>17,177,209</td>
<td>17,344,137</td>
<td>43,240,500</td>
<td>166,928</td>
<td>1.0%</td>
<td>117,123</td>
</tr>
</tbody>
</table>

## Operating Income (Loss)

<table>
<thead>
<tr>
<th>Item</th>
<th>YTD ACTUAL</th>
<th>BUDGET</th>
<th>TOTAL BUDGET</th>
<th>$ Var</th>
<th>%Var</th>
<th>5-Year Trends</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Interest Income - cash</strong></td>
<td>148,909</td>
<td>58,750</td>
<td>115,000</td>
<td>90,159</td>
<td>153%</td>
<td>562</td>
</tr>
<tr>
<td><strong>Interest Income - non system</strong></td>
<td>(21,859)</td>
<td>265,000</td>
<td>630,000</td>
<td>(286,859)</td>
<td>100%</td>
<td>(21,859)</td>
</tr>
<tr>
<td><strong>Interest Income - lease receivable</strong></td>
<td>619,466</td>
<td>620,000</td>
<td>1,430,000</td>
<td>(534)</td>
<td>0%</td>
<td>619,466</td>
</tr>
<tr>
<td><strong>Interest Expense</strong></td>
<td>(619,466)</td>
<td>(620,000)</td>
<td>(1,430,000)</td>
<td>534</td>
<td>0%</td>
<td>(619,466)</td>
</tr>
<tr>
<td><strong>Capital Lease Interest Expense</strong></td>
<td>(3,514)</td>
<td>(3,515)</td>
<td>(9,000)</td>
<td>1</td>
<td>0%</td>
<td>(3,514)</td>
</tr>
<tr>
<td>2019 Bond Interest Expense</td>
<td>(136,370)</td>
<td>(175,000)</td>
<td>(420,000)</td>
<td>38,630</td>
<td>0%</td>
<td>(160,141)</td>
</tr>
<tr>
<td>Gain on sale of PP&amp;E</td>
<td>-</td>
<td>-</td>
<td>100,000</td>
<td>-</td>
<td>0%</td>
<td>(176,233)</td>
</tr>
<tr>
<td>Gain 2015 Deferred Inflow</td>
<td>29,345</td>
<td>29,000</td>
<td>70,000</td>
<td>345</td>
<td>1%</td>
<td>29,345</td>
</tr>
<tr>
<td><strong>Other Revenue - NET</strong></td>
<td>16,511</td>
<td>174,235</td>
<td>486,000</td>
<td>(157,724)</td>
<td>91%</td>
<td></td>
</tr>
</tbody>
</table>

## Change in Net Position

<table>
<thead>
<tr>
<th>Item</th>
<th>YTD ACTUAL</th>
<th>BUDGET</th>
<th>TOTAL BUDGET</th>
<th>$ Var</th>
<th>%Var</th>
<th>5-Year Trends</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Net Position - BOY</strong></td>
<td>26,998,769</td>
<td>26,998,769</td>
<td>35,841,567</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Net Position - EOY</strong></td>
<td>$27,599,395</td>
<td>$26,382,867</td>
<td>$34,941,567</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## ONONDAGA COUNTY RESOURCE RECOVERY AGENCY
### 2024 STATEMENT OF NET POSITION (UNAUDITED)

**5/31/2024**

### ASSETS

#### CURRENT ASSETS:
- Cash and cash equivalents: 21,771,846
- Accounts receivable (net of an allowance for bad debts of $50,000): 3,459,190
- Electric Revenue Receivable: 452,231
- Metal Revenue Receivable: 35,072
- Prepaid expenses and other receivables: 1,159,113
- Facility lease, current portion: 2,445,000

**TOTAL CURRENT ASSETS: 29,322,452**

#### ASSETS LIMITED AS TO USE:
- Investments held by trustee under indenture and board restricted funds: 7,972,861

#### PROPERTY, PLANT and EQUIPMENT, net: 21,061,562

#### NET PENSION ASSET: -

#### DEFERRED OUTFLOW: 1,846,118

#### FACILITY LEASE, net of current portion: 35,955,867

**TOTAL ASSETS: 96,158,860**

### LIABILITIES AND NET POSITION

#### CURRENT LIABILITIES:
- Accounts Payable: 3,638,413
- Accrued Interest: 1,255,954
- Accrued Expenses and other current liabilities: 160,397
- 2015 Bond Payable - Current: 2,445,000
- 2019 Bond Payable - Current: 605,000
- Capital Lease Liability - Current: 73,678

**TOTAL CURRENT LIABILITIES: 8,178,442**

#### LONG-TERM LIABILITIES:
- Capital Lease Liability - Long Term: 227,329
- Other Post Employment Benefits: 172,994
- Net Pension Liability: 2,280,946
- 2015 Deferred Inflow: 925,595
- 2015 Series A Bond Payable, net of current portion: 36,105,000
- 2015 Bond Premium: 2,510,034
- 2015 Capital Fund Liability: 250,573
- 2019 Bond Payable: 8,070,000
- 2019 Bond Premium: 995,753

**TOTAL LIABILITIES: 59,716,666**

### NET POSITION
- Invested in capital assets: 10,659,941
- Unrestricted: 18,071,006
- Restricted: 7,711,247

**TOTAL NET POSITION YTD: 36,442,194**

**TOTAL: 96,158,860**
## STATEMENT OF CASH FLOWS OCRRA (UNAUDITED)

**CASH FLOWS FROM OPERATING ACTIVITIES:**

<table>
<thead>
<tr>
<th>Source/Expense</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Receipts from tipping fees</td>
<td>$14,043,005</td>
</tr>
<tr>
<td>Receipts from electric revenue</td>
<td>1,858,221</td>
</tr>
<tr>
<td>Other operating receipts</td>
<td>1,772,261</td>
</tr>
<tr>
<td>Payments to vendors and suppliers</td>
<td>(4,019,970)</td>
</tr>
<tr>
<td>Payments to employees</td>
<td>(2,045,503)</td>
</tr>
<tr>
<td>Payments for Waste-to-Energy Operations</td>
<td>(8,321,546)</td>
</tr>
<tr>
<td>Payments for insurance and employee benefits</td>
<td>(858,252)</td>
</tr>
</tbody>
</table>

**Net cash flow from operating activities**  
$2,428,217

## CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payments on bonds outstanding</td>
<td>-</td>
</tr>
<tr>
<td>Proceeds from the issuance of bonds</td>
<td>-</td>
</tr>
<tr>
<td>Payments on Capital Leases</td>
<td>(72,653)</td>
</tr>
<tr>
<td>Proceeds from the sale of machinery and equipment</td>
<td>-</td>
</tr>
<tr>
<td>Purchase of property, plant and equipment</td>
<td>(979,749)</td>
</tr>
<tr>
<td>Payments for interest on bonds outstanding</td>
<td>(5,271)</td>
</tr>
</tbody>
</table>

**Net cash flow from capital and related financing activities**  
$(1,057,673)

## CASH FLOWS FROM INVESTING ACTIVITIES:

<table>
<thead>
<tr>
<th>Activity</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Net change in investments</td>
<td>(1,614,788)</td>
</tr>
<tr>
<td>Proceeds from interest on invested funds</td>
<td>127,050</td>
</tr>
</tbody>
</table>

**Net cash flow from investing activities**  
$(1,487,738)

## NET INCREASE (DECREASE) IN CASH AND CASH EQUIVALENTS

$(117,194)$

**CASH AND CASH EQUIVALENTS - BEGINNING OF YEAR**  
$21,889,040$

**CASH AND CASH EQUIVALENTS - YEAR-TO-DATE**  
$21,771,846$
STATEMENT OF CASH FLOWS OCRRA (UNAUDITED)

YTD Through
5/31/2024

RECONCILIATION OF OPERATING INCOME (LOSS) TO NET CASH FLOW FROM OPERATING ACTIVITIES

Operating Income/(Loss) 584,115

Adjustments to reconcile operating income to net cash flow from operating activities:
- Depreciation and amortization 573,709
- Change in provision for bad debt expense -
- WTE operations used to reduce lease costs 1,744,438
- Other Post -Employment Benefits Expense less LT liability adj. -
- 2015 Bond Insurance Expense (no cash amortization expense) 16,247
- Change in Prepaid Pension Expense 123,913
- Change in NYSRS Retirement expense assoc. with GASB 68 -

Changes in operating assets and liabilities:
- Accounts receivable (74,732)
- Other Receivables (13,105)
- Prepaid expenses 254,717
- Accounts payable and accrued expenses (781,084)

Total Adjustments 1,844,103

NET CASH FLOW FROM OPERATING ACTIVITIES 2,428,217
### Finance Lease Balances as of July 17, 2024:

<table>
<thead>
<tr>
<th>Equipment Schedule</th>
<th>Initial Principal</th>
<th>Total Interest</th>
<th>Balance (Prin. + Int.)</th>
<th>Payment Amount</th>
<th>Payments Left</th>
<th>Lease Beg / End</th>
<th>Int. Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>#1 – 5 Tractors and Trailers</td>
<td>$1,050,398</td>
<td>$51,400</td>
<td>Paid off 03/31/2021</td>
<td>1.75%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>#2 - 2 Tractors and 1 Loader</td>
<td>$554,288</td>
<td>$28,117</td>
<td>Paid off 08/31/2021</td>
<td>1.81%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>#3 - Grinder and Roll-Off</td>
<td>$903,471</td>
<td>$52,115</td>
<td>Paid off 08/31/2021</td>
<td>2.28%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>#4 – Shredder, Mat. Handler, and Dump Truck</td>
<td>$1,089,510</td>
<td>$61,295</td>
<td>Paid off 03/31/2021</td>
<td>2.20%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>#5 – 2 Dumps, 4 Trailers</td>
<td>$577,983</td>
<td>$35,096</td>
<td>Paid off 09/15/2022</td>
<td>2.5%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>#6 – 1 Loader</td>
<td>$476,095</td>
<td>$52,087</td>
<td>Paid off 04/05/2023</td>
<td>3.38%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>#7 – 1 Loader, 3 Dumps</td>
<td>$968,207</td>
<td>$81,935</td>
<td>Paid off 08/31/2023</td>
<td>3.31%</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>#8 – 1 Loader, 2 Dumps</td>
<td>$722,043</td>
<td>$57,200</td>
<td>$311,300</td>
<td>$77,825</td>
<td>4/10</td>
<td>4/2021 – 4/2026</td>
<td>2.80%</td>
</tr>
<tr>
<td>Total Balance</td>
<td>$6,341,995</td>
<td>$419,244</td>
<td>$311,300</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
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The meeting was called to order at 4:20 PM

A quorum is not present. The meeting will begin with discussion items and upon the arrival of N. Jankowski (which will make quorum) the proposed resolutions will be discussed and voted on.

M. Bianchetti presented the MRF November Audit Overview.

- On May 3, 2024, OCRRA and WM-RA completed an audit of the Material Recovery Facility (MRF) system.
- Per the contract, two audits will be done each year.
- In the Audit, 67 tons of OCRRA residential curbside material was run through the MRF as normal and was then sorted into specific commodity types.
- The results of the audit are in line with OCRRA’s expectations.
- Results:
  - 28.94% Mixed Paper
  - 32.54% OCC
  - 18.14% Glass
  - .78% Rigid Plastics
  - .47% Aluminum
  - 4.4% PET
  - .72% Natural HDPE
  - 1.48% Color HDPE
  - 1.03% #5
  - 3.16% Mixed Tin
  - 8.33% Residue

- The next audit is expected to be in October 2024.

N. Jankowski has arrived. Quorum is present.

K. Spillane presented the Draft Strategic Planning Process Outline.

- At the Board meeting on June 12, 2024, in preparation for the Agency’s upcoming Strategic Planning efforts, there was a discussion on:
- How to style/model the Strategic Plan.
- The number of years that should be covered in the next plan.

- At the committee meeting this summer, the discussions will include:
  - An agreement on the big picture agenda/model for the planning sessions to follow.
  - Discussing and agreeing on strategic objectives for the OCRRA system.
  - Setting and prioritizing the strategic initiatives, for the planning period.
  - At the end of this process, the Board will convene a one-day retreat in the fall with Committee Chairs and staff to report the findings from the summer meetings and draft a strategic plan for the Board to consider at a future meeting.

A discussion on the language contained in OCRRA’s ‘Vision’, ‘Mission’ and ‘Core Values’ followed.

The committee will be given the opportunity before the next meeting to develop categories and language that will be used moving forward with the Strategic Plan.

C. Albunio presented a resolution for fuel tank removal.
- The existing fuel tank at Ley Creek will not be reused for the modified site.
- The project was budgeted as part of capital projects.
- In April, Barton & Loguidice completed the final design documents for this project.
- OCRRA prepared bid/contract documents for this project.
- On June 7th, four bids were received.
- The lowest responsible bidder was determined to be NW Contracting for $52,350.
- Management recommends that the Board authorize a contract with NW Contracting for an amount not to exceed $52,350.

There was no further discussion.

N. Jankowski motioned and N. Zaccaria seconded to move the resolution to the full Board for approval.

A collective ‘aye’ was recorded.

C. Albunio presented a resolution to proceed with the contract for paving at the Rock Cut Road Facility.
- In April a Request for Bids (RFB) was prepared to address deteriorated asphalt pavement on the south side of the Rock Cut Road (RCR) Transfer Station, between the inbound and outbound scales.
- This area was newly paved in 2020.
- Repaving is now necessary due to the high-volume traffic of this area.
- The RFB also included some smaller pavement improvement areas on the north side of RCR, including replacement of a vault cover to meet National Grid’s requirements.
- This project was budgeted as part of capital projects.
- Due to the continual deterioration of the asphalt, the condition of the asphalt pavement on the south side has changed since the RFB was issued.
- The Agency is asking that a contingency factor be considered for any reasonable changes in the project’s scope.
• Bids were received in May and the lowest responsible bidder was Casinella Excavating for $175,000.
• Management recommends contracting with Casinella Excavating for an amount not to exceed $201,250 which includes a 15% contingency.

There was a brief discussion on what the cost had been the last time paving was completed.

N. Zaccaria motioned and N. Jankowski seconded to move the resolution to the full Board.

The next resolution was presented to purchase trailers from Spector Manufacturing by Dan Haas
• The previous resolution awarding the purchase of transfer trailers from STS Trailer and Truck will need to be rescinded as the trailers did not meet DOT permitting specifications
• A new bid was issued with a new specification that would meet DOT permitting conditions.

Discussion by Committee Chair Dailey that the resolution to award the newly bid trailers needed to contain a 'rescindment' of the previously approved resolution.

Language will be added to reflect the rescindment of resolution #2445. The specific language was discussed as an amendment to the draft resolution presented to the committee.

N. Jankowski motioned and N. Zaccaria seconded to move the resolution as amended and updated to the full Board.

M. Bianchetti introduced one of the two Recycling Interns that will be with OCRRA for the summer.

Each committee member introduced themselves.

K. Spillane explained how The OCRRA Board works with the Agency.

T. Palmer updated the committee on current events.
• This is Waste and Recycling Workers Week. OCRRA will be highlighting some of our employees each day on all of our social media accounts.

N. Zaccaria motioned, and N. Jankowski seconded to adjourn the meeting.
A collective ‘aye’ was recorded.
The meeting was adjourned at 5:03 pm.
Meeting minutes were taken by R. Czerwiak
RESOLUTION AUTHORIZING EXECUTIVE DIRECTOR TO ENTER INTO CONTRACT FOR FUEL TANK REMOVAL

WHEREAS, the Ley Creek Ad-Hoc Committee has been reviewing plans to revitalize the Ley Creek Facility; and

WHEREAS, the Onondaga County Resource Recovery Agency desires to remove all equipment and structures associated with the current transfer station prior to the start of any new construction; and

WHEREAS, Barton and Loguidice, D.P.C. has prepared a demolition and removal design to ensure proper removal of the existing fuel tank; and

WHEREAS, the Onondaga County Resource Recovery Agency, pursuant to its procurement policy, put out a bid for the removal and disposal of the above ground fuel tank; and

WHEREAS, the Agency received competitive bids and has determined that the rates of the lowest bidder are competitive, and the Recycling and Operations Committee has recommended that the Agency authorize its Executive Director to execute a contract with the lowest responsible bidder, NW Contracting, of Alden, NY, at a cost not to exceed $52,350; now therefore be it

RESOLVED, that the Onondaga County Resource Recovery Agency hereby authorizes its Executive Director to enter into a contract with NW Contracting, of Alden, NY for the removal of the fuel tank at its Ley Creek Transfer Station for a cost not to exceed $52,350. This Resolution shall take effect immediately.

Resolution Adopted Date: ________________________________

Vote: Ayes: ________ Nays: ________ Abstentions: ________

Signed: ________________________________
RESOLUTION BRIEF
Ley Creek Fuel Tank Demolition (Construction)
July 17, 2024

The existing Ley Creek fuel tank will not be reused for the modified Ley Creek Transfer Station and its location should be cleared for future redevelopment. This project was budgeted as part of capital projects. As discussed with the committee in April 2024, Barton & Loguidice completed the final design documents for this project. OCRRA prepared the bid and contract documents. The bid/contract documents included provisions for the proper removal and decommissioning of the diesel fuel tank at the Ley Creek Transfer Station.

The bid/contract documents were publicly advertised in accordance with OCRRA’s procurement policy and advertised on Syracuse Builder’s Exchange. In addition, OCRRA sent the bid/contract documents to 9 contractors. Contractors had the opportunity to visit the site and ask questions. An Addendum was issued on May 31, 2024. On June 7, 2024, four bids were received and opened at 2 pm. The lowest responsible bidder for the RFB was determined to be NW Contracting for a bid amount of $52,350.

OCRRA management recommends that the Board authorize a contract with NW Contracting for an amount not to exceed $52,350.
RESOLUTION AUTHORIZING EXECUTIVE DIRECTOR
TO PROCEED WITH CONTRACT FOR PAVING AT ROCK CUT ROAD FACILITY

WHEREAS, the Onondaga County Resource Recovery Agency presently operates a facility at Rock Cut Road; and

WHEREAS, the Recycling and Operations Committee determined that additional asphalt paving needs to be provided at the Rock Cut Road facility; and

WHEREAS, the Agency received competitive bids pursuant to the Agencies procurement policy, and has determined that the rates of the lowest bidder are competitive, and the Agency has decided to have that firm perform the necessary paving at the Rock Cut Road facility; and

WHEREAS The Agency wishes to authorize its Executive Director to enter into a contract with Casinella Excavating, LLC. of Warners, NY, at a cost not to exceed $201,250, which includes a fifteen percent (15%) contingency over the base bid for additional work that may be identified during the project; now, therefore be it

RESOLVED, that the Onondaga County Resource Recovery Agency hereby authorizes its Executive Director to enter into a contract for asphalt paving services with Casinella Excavating, LLC of Warners, NY, for necessary paving at the Rock Cut Road facility at a cost not to exceed $201,250, which incorporates a fifteen percent (15%) contingency. This Resolution shall take effect immediately.

Resolution Adopted Date: ________________________________

Vote:  Ayes: _______  Nays: _______  Abstentions: _______

Signed:  _______________________________________________
RESOLUTION AUTHORIZING EXECUTIVE DIRECTOR
TO PURCHASE TRANSFER TRAILERS FROM SPECTOR MANUFACTURING

WHEREAS, the Onondaga County Resource Recovery Agency is anticipating the need for additional open top waste trailers for its Transfer Operations and included the cost of the trailers in its Capital Plan for 2024; and

WHEREAS, the Board previously approved Resolution #2445 of May 8, 2024, to purchase two trailers from STS Truck and Trailer, however the trailers as specified, could not be permitted, and whereas the Agency decided to rebid said trailers; and

WHEREAS, the Agency obtained pricing for these trailers through a bid pursuant to the Agency's Procurement Policy, and

WHEREAS, the Recycling and Operations Committee subsequently reviewed the bids, and pricing provided, and has recommended that the Agency purchase two (2) trailers from Spector Manufacturing at a price of $93,006 per trailer for a total cost of $186,012; now therefore, be it

RESOLVED, that the Onondaga County Resource Recovery Agency hereby rescinds Resolution #2445 of May 8, 2024, and authorizes its Executive Director to purchase two (2) transfer trailers from Spector Manufacturing Inc. of St. Clair, PA at a price not to exceed $186,012. This Resolution shall take effect immediately.

Resolution Adopted Date: _________________________________

Vote: Ayes ________ Nays ________ Abstentions _________

Signed: ______________________________________________
The RFB was publicly advertised in accordance with OCRRA’s procurement policy and advertised on Syracuse Builder’s Exchange. In addition, OCRRA sent the RFB to 11 contractors. Contractors had the opportunity to visit the site and ask questions. An Addendum to the RFB was issued on May 17, 2024. On May 30, 2024 bids were received and opened at 2 pm. The lowest responsible bidder for the RFB was determined to be Casinella Excavating for a bid amount of $175,000.

Due to the continual deterioration of the asphalt, the condition of the asphalt pavement on the south side of the RCR Transfer Station has changed since the RFB was issued. It has been determined that at least one catch basin needs to be repaired. Engineering requests that a contingency factor be considered for any reasonable changes in the project’s scope. In May 2018, a 15% contingency factor was used for a similar paving contract and would result in a contract not to exceed value of $201,250.

OCRRA management recommends that the Board authorize a contract with Casinella Excavating for an amount not to exceed $201,250. Management will report back to the Committee the amount of any contingency funds actually utilized at contract completion.
RESOLUTION BRIEF
Resolution Authorizing Executive Director to Purchase
Two 48’ Aluminum Walking Floor Trailers from Spector Manufacturing Inc.

July 17, 2024

The Agency has utilized smaller 42’ steel trailers for transportation and disposal of solid waste from its facilities. The original intention of the 42’ trailers was to transfer waste to the WTE facility, but dump trucks are utilized for that process now and the 42’ trailers have been utilized for moving ash. Trailers are also being utilized for transporting waste to landfills, but we are not maximizing our opportunity.

As the Committee may recall, the Board already authorized the purchase of two transfer trailers, however, it was discovered that with the length of the trailer, and the specifications of their axles, the trailers could not be permitted in New York. With that in mind, and after trying to utilize the previous bids, it was decided to rebid the trailers at a length that was assured to be permissible while also making them a bit taller so that they retained the same cubic yardage as the trailers that had already been approved by the Board.

With the purchase of these new trailers, the Agency is recommending increasing the size of these trailers to 48’ trailers. The new trailers will be 13’6” tall and capable of carrying 116cy. The increase in height increases the overall cubic yardage the trailer can carry and maximizes each trip to a landfill. Increasing the volume of our loads by more than 9% and maximizing our equipment to the legal operating length within NYS. Aluminum trailers provide a lighter option which will help maximize fuel efficiency as well. OCRRA identified the need for four new trailers as part of the 2024 Capital Plan. These two trailers will be in addition to two that were already purchased for 2024 bringing the total to four trailers as planned.

Utilizing pricing provided through the bidding process, the Agency identified two 48’ aluminum transfer trailers. The most cost-efficient and lowest bid for 48’ aluminum walking floor trailers came from Spector Manufacturing of St. Clair, PA.

Facts at a Glance:

- 2024 48’ trailer
- Price: $93,006
- In Capital Plan: Yes
- Financing Options: Cash Purchase

Management Recommendation:

Management recommends authorizing the purchase of two 48’ aluminum walking floor trailers.
ADMINISTRATION COMMITTEE MEETING MINUTES

June 25, 2024

Time: 4:00 p.m. / Location: 100 Elwood Davis Rd., N. Syracuse NY 13212
Admin Members: B. Page (Chair), D. Lawless, J. Driscoll, J. McMahon, G. Popps

Attending: C. Dunham, D. Lawless, G. Popps, B. Page, J. Driscoll, J. McMahon
Absent: M. Cirino
Also Attending: M. Mokrzycki, J. Gascon, K. Spillane, C. Albunio, R. Czerwiak, D. Haas

The meeting was called to order by Chair B. Page at 4:05 PM.

Quorum was present.

The committee entered a meeting with Counsel to discuss a personnel matter at 4:06 and ended at 4:36.

A resolution was presented to hire outside Counsel to assist in a personnel investigation.

There was no further discussion.

D. Lawless motioned and J. McMahon seconded to move the resolution to the full Board for approval.

A collective ‘aye’ was recorded.

M. Mokrzycki presented a resolution to continue purchase of all risk property insurance policies for the WTE facility.

- In 2018 in response to a 40% increase in pass through costs for insurance, the Agency exercised its option to procure insurance on its own for the OCRRF.
- The Agency has procured its own insurance policy beginning July 1, 2028.
- The Agency has appointed Beecher Carlson as its Broker.
- The Agency saves approximately $100,000 per year through procuring its own coverage.
- Insurance requirements include, among other items, insuring the Facility at a total value of approximately $315,542,000.
- As of June 21\textsuperscript{st}, 2024, current indications are for a 15\%-20\% cost increase.
- Not all carriers’ quotes are in. a 20\% increase would equate to a premium of $1,188,000, and inclusive of a Broker fee, a total cost of $1,248,000.
- Management recommends continuing on the WTE facility in accordance with the requirements of the Service Agreement, at a total cost not to exceed (to be determined after all carrier quotes have been received) for the policy year July 1, 2024 – June 30, 2025.

There was no further discussion.

D. Lawless motioned and G. Popps seconded to move the resolution to the full Board for approval.

A collective ‘aye’ was recorded.
K. Spillane presented the Draft Strategic Planning Process.

- At the Board meeting on June 12, 2024, in preparation for the Agency’s upcoming Strategic Planning efforts, there was a discussion on:
  - How to style/model the Strategic Plan.
  - The number of years that should be covered in the next plan.
- At the committee meetings this summer, the discussions will include:
  - An agreement on the big picture agenda/model for the planning sessions to follow.
  - Discussing and agreeing on strategic objectives for the OCRRA system.
  - Setting and prioritizing the strategic initiatives, for the planning period.
  - At the end of this process, the Board will convene a one-day retreat in the fall with Committee Chairs and staff to report the findings from the summer meetings and draft a strategic plan for the Board to consider at a future meeting.

The committee discussed language and definitions of ‘Vision’, ‘Mission’, ‘Core Values’.

M. Mokrzycki presented the small contracts report. The report reflects data from April 15th – May 10th.

D. Haas gave a brief breakdown of some of the costs associated with truck repairs.

The committee discussed the truck fleet and the possibility of upgrading the tractors to haul larger trailers.

M. Mokrzycki gave a timeline update of OCRRA’s upcoming budget process.

K. Spillane reminded the committee that the July Board meeting on July 10th has been canceled and that a proposed date of July 17th is being considered.

G. Popps moved, and D. Lawless seconded to adjourn the meeting.
A collective ‘aye; was recorded.
The meeting was adjourned at 5:06 pm.
Meeting minutes taken by R. Czerwiak
RESOLUTION AUTHORIZING HIRING OUTSIDE COUNSEL TO ASSIST IN PERSONNEL INVESTIGATION

WHEREAS the Onondaga County Resource Recovery Agency did, by Resolution No. 436 of June 9, 1993, and Resolution No. 1469 of February 8, 2006, adopt policies and procedures for “Handling Agency Legal Matters” and for “Retention of Outside Legal Consultants”, and

WHEREAS, within those policies and procedures, Agency Counsel is tasked with recommending to the Agency Board instances where outside legal counsel is appropriate, and

WHEREAS, the Agency has an ongoing personnel matter that was initiated February 2024 where Agency Counsel has determined a third-party investigation is appropriate, and

WHEREAS, in accordance with the Agency's policies and procedures, Agency Counsel has recommended that the assistance of an outside Counsel to conduct this investigation is necessary and has recommended that the law firm of Bond, Schoeneck & King and, in particular, Colin M. Leonard, Esq., a member in said firm, be retained, now, therefore be it

RESOLVED, that the Onondaga County Resource Recovery Agency does hereby authorize its Board Chair to retain the law firm of Bond, Schoeneck & King to assist Agency Counsel in performing a personnel investigation on an hourly basis with a not to exceed amount of $40,000. Agency Counsel is directed to report monthly to the Agency's Administration Committee on the amount of such expenditures incurred during this engagement. This Resolution shall take effect immediately.

Resolution Adopted Date: __________________________

Vote: Ayes______ Nays______ Abstentions _________

Signed: __________________________________________
RESOLUTION AUTHORIZING AND AFFIRMING EXECUTIVE DIRECTOR’S CONTINUING PURCHASE OF ALL RISK PROPERTY INSURANCE POLICIES FOR WASTE TO ENERGY FACILITY

WHEREAS, the Onondaga County Resource Recovery Agency did, by Resolution No. 2139 of April 11, 2018, authorize its Executive Director to exercise its option under Appendix 6, Part 1 (d) (2) of the Service Agreement with Covanta Onondaga LLC to procure the necessary facility insurance for the Onondaga County Resource Recovery Facility, as delineated in Appendix 6, through the Agency’s broker, and

WHEREAS, the Agency’s insurance broker has secured competitive quotes for continuation of such all-risk property insurance for the period July 1, 2024 through June 30, 2025, and has recommended that the Agency purchase policies through Zurich and a consortium of other entities in the amounts attached and at a total premium, including broker fee and taxes, not to exceed $1,140,000 to fully comply with the insurance requirements set forth in Appendix 6, now, therefore be it

RESOLVED, that the Onondaga County Resource Recovery Agency does hereby authorize and affirm its Executive Director’s purchase of continuing all risk property insurance, for the period July 1, 2024 through June 30, 2025, for the Onondaga County Resource Recovery Facility at the coverages and rates attached and with the insurers set forth above at a total annual premium, broker fee and taxes, not to exceed $1,140,000 including $60,000 in a flat brokers fee. This Resolution to purchase this insurance shall take effect upon the commencement of the above referenced policies.

Resolution Adopted Date: ____________________________

Vote: Ayes: _______ Nays: _______ Abstentions: _______

Signed: ____________________________________________
RESOLUTION BRIEF
Renewal of WTE Insurance
July 17, 2024

In 2018, in response to a 40% increase in pass through costs for insurance, the Agency exercised its option procure insurance on its own for the OCRRF. The Agency has procured its own insurance policy began July 1, 2018, and the next policy period begins July 1, 2024.

In order to procure the specialized insurance, the Agency appointed Beecher Carlson as its broker. The premiums quoted below are inclusive of their commission amount, which is $60,000. The commission amount in the prior two years was $55,000.

Insurance required includes, among other items, insuring the Facility at a total value of approximately $315,542,000, inclusive of Business Interruption of approximately $30,684,000. The Agency’s expiring policy has a primary deductible of $1,000,000. With a specific waiting period related to Business Interruption. These terms are as similar to the ReWorld program as are available in the commercial market. Not all terms available to the ReWorld group are available to OCRRA in the commercial market.

Although specific data is not always publicly available, the Agency estimates it saves approximately $100,000 per year through procuring its own coverage.

The expiring premium and broker fee total is $1,045,000, and the renewal premium and broker fee total is approximately $1,136,203.

Premiums related to insuring waste to energy facilities have been particularly volatile over the past five years. In particular, the December 2016 fire at the Montogomery plant in MD, which has resulted in years of insurance litigation, and the recent February 2023 fire in Miami-Dade have had large impacts on the premium insurance carriers are seeking. Unfortunately, these large losses, although not a fault of OCRRA, are generally passed along throughout the industry.

Management Recommendation:

Management recommends continuing insurance on the WTE facility in accordance with the requirements of the Service Agreement, at a cost not to exceed $1,140,000 for the policy year July 1, 2024 – June 30, 2025.
BROKER SERVICES AGREEMENT

THIS BROKER SERVICES AGREEMENT (this “Agreement”), effective July 1, 2024 (the “Effective Date”), is made by and between ONONDAGA COUNTY RESOURCE RECOVERY AGENCY (“Company”), and the Syracuse office of BROWN & BROWN INSURANCE SERVICES, INC., (“Broker”).

Background

Company wishes to retain Broker to perform certain specified insurance services as described in this Agreement. Broker wishes to perform such services according to the terms and conditions in this Agreement for the compensation set forth in this Agreement. The parties agree as follows:

1. **Term.** The term of this Agreement shall commence on the Effective Date and continue for a period of one (1) year, unless sooner terminated as herein provided.

2. **Relationship of Parties.** Broker is an independent contractor and nothing in this Agreement is intended nor shall be construed to create an employer/employee relationship, a joint venture relationship or partnership relationship. In consideration of the compensation paid to the Broker by the Company, Broker will provide services to the Company as an insurance broker. Company acknowledges that Broker, or its parent company, Brown & Brown, Inc. (“Parent”), and related or affiliated companies (collectively with Parent, “B&B Affiliates”), may provide services as an insurance agent on behalf of certain insurance carriers or risk-bearing entities. Company expressly consents to such relationship, if applicable, in the rendition of services by Broker under this Agreement.

3. **Broker Services.** Broker, subject to the terms of this Agreement, shall provide certain services set forth in the attached Schedule A (the “Services”), but only in relation to the lines of insurance identified in Schedule A ("Lines of Insurance").

Nothing in this Agreement shall be construed to impose any obligations on Broker or limitations on Broker’s compensation, relative to any lines of insurance or coverages other than as specifically delineated in Schedule A.

4. **Company Responsibilities.** In consideration of the Services provided by Broker, Company agrees as follows:

   (a) Company shall cooperate fully with Broker and the insurance companies with whom Broker solicits in the performance of Broker’s obligations under this Agreement.

   (b) Company shall timely produce and complete accurate information including, but not limited to, current financial information, statements of values, loss information and any other information, necessary for the effectuation of insurance coverage at the request of Broker. Company further agrees to provide Broker with notice of any material changes in Company’s business operations, risk exposures or in any other material information provided under this Agreement. In addition, Company shall carefully read each insurance policy issued to Company in order to confirm the accuracy of the facts reflected therein and that the policy(ies) contain(s) the terms and coverages desired. Company is responsible for recommending any changes to insurance policies issued to Company.

   (c) Company shall timely pay all premiums and fees.

   (d) Company shall provide Broker with at least ninety (90) days notice in advance of any policy effective date in the event Company intends to allow competing agents or brokers to solicit or market insurance to Company.

5. **Compensation.** In consideration of the Services, Company shall compensate Broker as set forth in Schedule B (the “Broker Services Fee”). With regard to the Broker Services Fee, Company and Broker acknowledge and agree as follows:

   (a) The Broker Services Fee is not a part of, but rather is in addition to, any premium that may be paid by the Company for the Lines of Insurance.

   (b) It is understood and agreed that Broker, or B&B Affiliates, may receive contingent payments or allowances from insurers based on factors which are not client-specific, such as the performance and/or size of an overall book of business produced with an insurer. Such contingent payments or allowances are not subject to this Agreement, and will not be credited against the
balance of the Broker Services Fee owed to Broker pursuant to this Agreement or paid to Company.

(c) Broker may utilize insurance intermediaries (such as a wholesale insurance broker, managing general agent (MGA), managing general underwriter or reinsurance broker) for the placement of Company’s insurance. In addition to providing access to the insurance company, the intermediary may provide the following services: (i) risk placement; (ii) coverage review; (iii) claims liaison services with the insurance company; (iv) policy review; and (v) current market intelligence. The compensation received by the insurance intermediary for placements and, if applicable, the services above is typically in the range of 5% to 15% of policy premium. There may be an intermediary utilized in the placement of your insurance, which may or may not be a B&B Affiliate. Any payments or allowances paid to the intermediary are not subject to this Agreement, and will not be credited against the balance of the fee owed to Broker pursuant to this Agreement or paid to Company.

(d) If Company chooses to finance its premiums, Broker may assist Company in the arrangement of such financing. Any payments or allowances paid to Broker for arranging premium financing are not subject to this section, and will not be credited against the balance of the fee owed to Broker pursuant to this Agreement or paid to Company.

(e) Broker may, in the ordinary course of its business, receive and retain interest on premiums paid by the Company from the date received by Broker until the date the premiums are remitted to the insurance company or intermediary. Any interest income retained by Broker on these premiums are not subject to this section, and will not be credited against the balance of the fee owed to Broker pursuant to this Agreement or paid to Company.

(f) Compensation for the Services specified under this Agreement is exclusive of all federal, state and local sales, use, excise, receipts, gross income and other similar taxes and governmental charges and fees. Any such taxes, charges or fees for the Services under this Agreement, now imposed or hereafter imposed during the term of this Agreement, shall be in addition to the compensation, premiums and charges set forth in this Agreement and shall be paid by Company upon request.

(g) Company acknowledges and agrees that the Broker Services Fee is reasonable in relation to the Services to be provided by Broker hereunder.

6. Confidentiality. To the extent consistent with performances of Broker’s duties under this Agreement, Broker and Company agree to hold in confidence Confidential Information (defined below). Company acknowledges, however, that Broker will disclose Confidential Information as reasonably required in the ordinary course of performing the Services to insurance companies and other insurance intermediaries. “Confidential Information” means all nonpublic information and all documents and other tangible items (whether recorded information, on paper, in computer readable format or otherwise) relating to the disclosing party’s business (including without limitation business plans, manner of doing business, business results or prospects), proposals, recommendations, marketing plans, reports, any of which (i) at the time in question is either protectable as a trade secret or is otherwise of a confidential nature (and is known or should reasonably be known by receiving party as being of a confidential nature) and (ii) has been made known to or is otherwise learned by receiving party as a result of the relationship under this Agreement. Confidential Information should be protected with the same reasonable care as each party protects its own Confidential Information.

Confidential Information will not include any information, documents or tangible items which (i) are a matter of general public knowledge or which subsequently becomes publicly available (except to the extent such public availability is the result of a breach of this Agreement), (ii) were previously in possession of receiving party as evidenced by receiving party’s existing written records, or (iii) are hereafter received by receiving party on a non-confidential basis from another source who is not, to receiving party’s knowledge, bound by confidential or fiduciary obligations to disclosing party or otherwise prohibited from transmitting the same to receiving party. In the event that Broker or Company become legally compelled to disclose any of the Confidential Information, they shall provide the other party with prompt notice so that such party may seek a protective order or other appropriate remedy and/or waive compliance with the provisions of this Agreement. In the event that such protective order or other remedy is not obtained, or that the other party waives compliance with the provisions of this Agreement, such party may disclose such information as is necessary or advisable to comply with the legal process.
7. **Termination.**

   (a) Either party may terminate this Agreement, without cause and for any reason whatsoever, by giving written notice of termination to the other party at least ninety (90) days prior to the effective date of termination, which shall be specified in such written notice.

   (b) Notwithstanding the provisions in sub-paragraph (a) above, Company may terminate this Agreement upon the happening of any one of the following causes: (i) Suspension or termination of Broker’s insurance license in the State of New York if not cured by Broker within sixty (60) days following such suspension or termination; (ii) Broker’s participation in any fraud; or (iii) Broker’s material failure to properly perform its duties and responsibilities hereunder because of Broker’s gross neglect, proven dishonesty, or commission of a felony.

   (c) Notwithstanding the provisions in sub-paragraph (a) above, Broker may terminate this Agreement upon the happening of any one of the following causes: (i) Company’s failure to pay any Broker Services Fee more than five (5) days after such payment is due; (ii) Company’s participation in any fraud; or (iii) Company’s material failure to properly perform its duties and responsibilities hereunder because of Company’s gross neglect, proven dishonesty, or commission of a felony.

   Termination for any cause enumerated in sub-paragraphs (b) or (c) shall become effective upon the delivery of written notice of termination to the breaching party or at such later time as may be specified in the written notice.

   (d) Termination of this Agreement shall not release Company from any accrued obligation to pay any sum to Broker (whether then or thereafter payable) or operate to discharge any liability incurred prior to the termination date.

8. **Notices.** Any notices required or permitted to be given under this Agreement shall be sufficient if in writing by Certified Mail to:

   If to Company:
   
   Onondaga County Resource Recovery Agency  
   100 Elwood Davis Road  
   North Syracuse, New York 13212-4312  
   Attn: Mike Mokrzycki

   Email: mmokrzycki@ocrra.org

   If to Broker:
   
   Brown & Brown Insurance Services, Inc.  
   500 Plum Street, Suite 200  
   Syracuse, New York 13204  
   Attn: Nicholas Dereszynski  
   Email: ndereszynski@bbempierestate.com

   With a copy to:
   
   Brown & Brown, Inc.  
   300 N Beach Street  
   Daytona Beach, FL 32114  
   Attn: Legal Department  
   Email: legal.notice@bbins.com

   or such other address as either shall give to the other in writing for this purpose.

9. **Severability.** The invalidity or unenforceability of any provision of this Agreement shall in no way affect the validity or enforceability of any other provision.

10. **New York Law Applies; Venue.** This Agreement shall be governed by and construed and enforced in accordance with the laws of the State of New York without regard to its conflicts of laws principles. Exclusive venue is agreed to be in a state or federal court of competent jurisdiction in or for Onondaga County, New York.

11. **Limitation of Liability; Waiver of Jury Trial.** THE PARTIES WAIVE ANY RIGHT TO A TRIAL BY JURY IN THE EVENT OF LITIGATION ARISING OUT OF THIS AGREEMENT. IN NO EVENT WILL EITHER PARTY BE LIABLE TO THE OTHER PARTY OR ANY OTHER PERSON FOR ANY CONSEQUENTIAL, INDIRECT, SPECIAL, OR INCIDENTAL DAMAGES, INCLUDING LOSS OF PROFITS, REVENUE, DATA OR USE, EVEN IF SUCH PARTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH POTENTIAL LOSS OR DAMAGE.

12. **Assignment.** Neither this Agreement nor any of the rights, interests or obligations hereunder shall be assigned by any of the parties hereto (whether by operation of law or otherwise) without the prior written consent of the other party, which consent shall not be unreasonably withheld, conditioned or delayed. This Agreement will be binding upon, inure to the benefit of, and be enforceable by the parties and their respective successors and permitted assigns.

13. **Entire Agreement.** This Agreement (including the schedules, documents and instruments
referred to herein or attached hereto) constitutes the entire agreement and supersedes all prior agreements and understandings, both written and oral, between the parties with respect to the subject matter hereof. The Agreement shall not be modified except by a written agreement dated subsequent to the date of this Agreement and signed on behalf of Company and Broker by their respective duly authorized representatives.

[Remainder of page intentionally left blank – Signature page follows.]
IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date.

COMPANY:
Onondaga County Resource Recovery Agency

By: ___________________________  By: ___________________________
Name: __________________________ Name: ___________________________
Title: __________________________ Title: ___________________________
SCHEDULE A

BROKER SERVICES

Subject to the terms of this Broker Services Agreement, Broker shall provide the Services listed below, but only in relation to the following Lines of Insurance: Property/Mechanical Breakdown at 5801 Rock Cut Road, Jamesville, NY 13078.

a. Evaluate Company’s business practices with regard to risk and possible transfer of risk to third parties and conduct regular, scheduled meetings with Company to review Company’s risk management program.

b. Review and analyze Company’s existing insurance coverage and identify potential lines of coverage or coverage enhancements to improve Company’s insurance program.

c. Analyze current insurance market conditions and advise Company of significant implications for Company’s insurance program.

d. Facilitate, market, and procure quotations from carriers; review and analyze quotations and provide proposals for review by Company.

e. Secure and bind all coverage accepted by Company.

f. Coordinate loss prevention services provided by any insurance company with those services provided by Broker.

g. Analyze past and current claim and loss history information and advise Company of significant implications for Company’s insurance program.
SCHEDULE B

COMPENSATION

Broker Services Fee:

In consideration of the Services, Company shall compensate Broker in the amount of SIXTY THOUSAND DOLLARS AND 00/100 ($60,000.00) (the “Broker Services Fee”). The Broker Services Fee shall be fully earned and payable upon Company’s execution and delivery of this Agreement. The Broker Services Fee is not a part of, but rather is in addition to, any premium that may be paid by the Company for the Lines of Insurance.

Insurer Commissions:

Broker agrees that it will not receive any commission for the placement of Company’s insurance business pursuant to this Agreement. If Broker receives any such commission payments from an insurer in error or otherwise, Broker agrees to refund the Broker Service Fees in the amount of such commission payment, credit the commission against the Broker Services Fee or take such other action, if any, as shall in all cases comply with applicable law.
<table>
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<th>#</th>
<th>Property Carrier</th>
<th>Expiring Line</th>
<th>Renewing Line</th>
<th>Renewing 2024 100% Premium Indication (not including tax or TRIA)</th>
<th>2024 Renewing Premium Share</th>
<th>2024 Rate Change</th>
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</tbody>
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|                | 100.00%        | 100.00%        | $315,542,737 | 100.00%           | 100.00%                   | $1,038,225      |

Updated: 7/1/2024