

**ONONDAGA COUNTY
RESOURCE RECOVERY AGENCY**

**SEPTEMBER 8, 2010
BOARD MEETING MINUTES**



Board Members Present:	Jake Barrett, Jeffrey DeRoberts, Esq., Mark Donnelly, Jonathan Y. Kelley, Lee Klosowski, P.E., Donald Lawless, Rachel May, Ph.D., Michael J. Reilly, CPA, Richard Smardon, Ph.D.
Board Members Absent:	Dereh B. Glance, Gwendolyn Raeford, Ravi Raman, P.E.,
Also Present:	A. T. Rhoads, William J. Bulsiewicz, Esq., Warren Simpson, Andrew Radin, Joseph Fontanella, Kristen Lawton, Maria Cirino, Amy Lawrence, Greg Gelewski
Guests:	

Mark Donnelly, Board Chair, called the Board Meeting to order at 4:34 p.m.

The Board Minutes of August 11, 2010 were accepted as written and filed.

The TREASURER’S REPORT was presented by W. Simpson, and copies were distributed to the Board.

The EXECUTIVE DIRECTOR’S REPORT was presented by A.T. Rhoads, and copies of the report were distributed to Board Members.

Mr. Donnelly wanted to take a moment to thank the Agency personnel for all their work and assistance done on a regular basis. Agency Staff goes beyond the call of duty, and Mr. Donnelly sends a grateful “thank you” to all.

The OPERATIONS COMMITTEE REPORT was presented by J. Kelley. Copies of the report were distributed to Board Members. Following are highlights of the Operations Committee Meeting:

- Mr. Simpson presented the preliminary WTE Budget for 2011 to the Committee. It was noted that it is primarily based on the Service Agreement and the main difference is the base O&M change.
- Mr. Simpson then presented the preliminary Transfer Operations Budget for 2011. It should be noted that disposal costs are an estimate and will change after the RFP for this service closes and is reviewed.

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- The Committee unanimously decided to sponsor a Resolution to adopt the Transfer Operations Five-Year Capital Plan as presented at the July Committee Meeting.
 - The Electricity Damages Settlement Proposal was presented to the Committee by Amy Lawrence, Bill Bulsiewicz, and Tom Rhoads.
 - Ms. Lawrence discussed with the Committee the soon-to-be issued RFP for Engineering Consultant Services.
 - The Committee was briefed on the August 12, 2010 meeting with several representatives of Cummins, and as a result of the two-hour session, Cummins made an offer of 25% of the repair bill as a "Customer Relations Good Faith" settlement. The Committee took it under advisement. Based on Agency Counsel's analysis of the Cummins position and determination, the Committee felt that the Agency supported a settlement and other litigation if acceptable settlement terms could be accomplished.
 - The Agency Engineer's Report was distributed to Board Members. One specific item mentioned is that the current contract with CDM for WTE-related engineering services expires December 31st. This contract was for three years, 2008 through 2010. OCRRA has issued a similar RFP for WTE Engineering Services, which consists of annual stack and ash testing oversight, an annual Facility inspection, and technical/contractual-related WTE services on an as-needed basis.

For the Board's information, Mr. Rhoads commented that he and Agency Counsel have come to the conclusion that extended warranties, in general, need to be given further consideration and further research, as some of the extended warranties, even for larger items, may not be worth entering into.

Resolution # 1715 — **Resolution Authorizing Agency's Executive Director to Execute Settlement Agreement with Covanta Onondaga LLP** was moved by J. Kelley and seconded by J. Barrett. The Resolution was adopted: 8 ayes, 0 nays, 0 abstentions.

Resolution # 1716 — **Resolution Approving Five-Year Capital Plan for Agency's Operations** was moved by J. Kelley and seconded by J. Barrett. The Resolution was adopted: 8 ayes, 0 nays, 0 abstentions.

The RECYCLING COMMITTEE REPORT was presented by J. Kelley, and copies of the report were distributed to Board Members. Following are highlights from the Recycling Committee Meeting:

- The Recycling Figures for July 2010 are as follows:

Mandatory Recycling:	19,000 tons
Mandatory & Voluntary Recycling:	47,600 tons
Total Waste Reduction through Recycling:	63%

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- The Committee reviewed the Five-Year Capital Plan for the Amboy and Jamesville Compost Sites, and a Five-Year Business Plan for the Amboy Food Waste Compost operation, which is envisioned at 9,000 tons of commercial and institutionally sourced food waste by 2015.
 - Regarding the new MRF Contract, the Committee was updated on the status of contract negotiations with Recycle America. The current contract expires December 31, 2010.
 - The Committee discussed a Board Resolution Amendment regarding Household Hazardous Waste services to adjust a “not-to-exceed” amount in the Resolution as it was presented.
 - The preliminary 2011 Recycling and Compost Operation Budgets were reviewed by the Committee.

Resolution # 1717 — **Resolution Approving Five-Year Capital Plan for Agency’s Compost Operations** was moved by J. Kelley and seconded by R. May. The Resolution was adopted: 8 ayes, 0 nays, 0 abstentions.

Resolution # 1718 — **Resolution Amending Resolution No. 1688 of November 10, 2009 and Authorizing Executive Director to Amend Not-To-Exceed Amount for HHW Contractor Services** was moved by J. Kelley and seconded by R. Smardon. The Resolution was adopted: 8 ayes, 0 nays, 0 abstentions.

Ms. Lawton presented a memo to the Board, for their review, regarding the “Proposed 2011 Public Education Budget (Advertising and Public Relations Funding)”. She stated that “OCRRA must jump back into advertising before we lose the value of our previous Public Education investments. OCRRA spent the last 20 years building a good reputation based on recycling. Evidence shows sustained investment is the only way to continue to influence behaviors like recycling”.

The ADMINISTRATION COMMITTEE REPORT was presented by J. Barrett. Copies of the report were distributed to the Board. Highlights of the Administration Committee Meeting are as follows:

- The Executive Director advised the Committee that the Agency would be entering into negotiations for a new labor contract to replace the current one that expires the end of 2010.
- The Business Officer presented the proposed 2011 Fee Schedules and went over the changes from the previous year. The Committee discussed the fees and will review them further during the September Committee Meeting.
- The Business Officer reviewed the preliminary budget figures for Revenues, Administration & Support, Professional Fees, Insurance, Personal Services, and Fringe Benefits. The Committee discussed the various budgets and will review them further.
- The Business Officer updated the Committee on small contract actions since the last meeting.

The AUDIT COMMITTEE REPORT was presented by M. Reilly. Copies of the report were distributed to the Board.

Mr. Reilly stated that the Audit Committee Report lists the audits that the Internal Auditor performed during the month of August. Those audits are as follows: MRF Contract Monitoring & Payments Audit, RFP/RFQ Process Audit, MWBE Compliance Audit, FOIL Compliance Audit, and Grant Revenues Audit.

The 2015 COMMITTEE REPORT was presented by M. Reilly, and copies of the report were distributed to the Board. Highlights from the 2015 Committee Meeting are as follows:

- The Committee held a “brain-storming” session and discussed several ideas from the Committee Members. Mr. Raman Chaired the September 1st Committee Meeting and asked the Members, “*Are we going to be happy if we leave things the way they are now?*” The Committee Members offered their opinions, and the general consensus was to continue with what the Agency is presently doing, and to continue on the same path. It was discussed that if that is the case, OCRRA is probably not going to have much substance in the future. It was stated that the Agency needs to find a way to develop a certain amount of leverage, and the biggest leverage discussed was Flow Control. The Agency needs to identify what services are to be provided in the future; most Members indicated the same services that are currently provided should be provided in the future, and to expand on those services.
- Another question asked for feedback and discussion was, “*Is the community and the municipalities happy with OCRRA?*” The Committee would like to establish meetings with the municipalities to verify if they are truly happy with OCRRA’s services. The focus of the 2015 Committee has been to find ways to develop leverage to make a win/win situation for everyone.
- The general consensus of the Committee is to have some re-negotiation with Covanta. The Committee’s goal is to, hopefully, have everything settled by Year 2013.
- Mr. Donnelly asked Board Members to send their ideas to Mr. Klosowski and Mr. Raman regarding the Agency’s future and the future negotiation with Covanta.

The Board Meeting adjourned at 5:45 p.m.

Board Minutes were taken by C.M. Strong.

cms/Attachment

