

ONONDAGA COUNTY
RESOURCE RECOVERY AGENCY

MARCH 9, 2011
BOARD MEETING MINUTES

Board Members Present:	Jake Barrett, John P. Copanas, Kristopher A. Dodson, Scott Gerharz, Jonathan Y. Kelley, Lee Klosowski, P.E., Donald Lawless, Rachel May, Ph.D., Michael J. Reilly, CPA, Richard Smardon, Ph.D.
Board Members Absent:	Hanah Ehrenreich, Ravi Raman, P.E.
Also Present:	A. T. Rhoads, William J. Bulsiewicz, Esq., Warren Simpson, Andrew Radin, Greg Gelewski, Maria Cirino, Kristen Lawton, Amy Miller, Joe Fontanella
Guests:	David Moynihan, Greg Evans

The March 9, 2011 Board Meeting was called to order at 4:38 p.m.

The February 9, 2011 Minutes of the Board were accepted as presented and filed.

The TREASURER'S REPORT was presented by D. Lawless. Copies were distributed to Board Members.

The EXECUTIVE DIRECTOR'S REPORT was presented by A.T. Rhoads. Copies were distributed to the Board Members.

- Would like suggestions on how to conduct meetings more efficiently while focusing on our "big picture" and getting those big policy items on the committee agendas.
- The Executive Director gave a short synopsis of Blue Ribbon Recyclers of the Year Event held on March 2nd. It was a great event organized by the Recycling Team with great media coverage. And most importantly, award winners were genuinely thankful for what OCRRA does.

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

- M. Reilly congratulated Management and the Accounting and Auditing Departments on performing a great job based upon the results of the 2010 Audit.

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- Mr. Dave Moynihan, principal, and Mr. Greg Evans of Testone, Marshall & Discenza, LLP were in attendance to present the highlights of the Audit Report.
 - D. Moynihan was pleased to present OCRRA's 2010 Audit and to present a Clean Opinion. He stated that he audits very few organizations that he does not propose adjustments for. From the auditors' interest, that means that the OCRRA Board can place some level of reliability upon the information it gets throughout the year from Management; that it is reliable information, and the Board can make decisions based upon what they see from Management. Below are some of the comments from Mr. Moynihan:
 - OCRRA lost 2.2 Million Dollars this year versus 4.5 Million Dollars the previous year.
 - OCRRA continues to be financially solvent.
 - TMD found no significant deficiencies or material weaknesses in internal control over financial reporting. They also found no instances where we did not comply with laws and regulations.
 - TMD did have some observations for management that were reviewed with the Audit Committee and brought forward to the Board. Management has given its response and it has been reviewed by the Audit Committee.
 - TMD had three comments from this years Audit:
 - (1) There are some concerns that IT personnel are allowed to initiate or authorize transactions (although there were no instances where that happened in 2010).
 - (2) The "cash receipt" control at the Compost Sites was not always followed, however, this was corrected by Management and no instances were noted after June 2010.
 - (3) There was one instance of significant lag time between the completion of a capital project for Ley Creek renovations, and when word got to accounting to transfer that project to depreciable assets.
 - 2 of the 3 prior year audit comments from TMD have been cleared and the remaining one refers to the IT personnel finding in # (1) that is a result of staffing restrictions.

Resolution # 1733 – Resolution Approving Audit of Onondaga County Resource Recovery Agency for Calendar Year 2010 was moved by M. Reilly and seconded by R. May. The Resolution was adopted: 9 ayes, 0 nays, 0 abstentions.

The ADMINISTRATION COMMITTEE REPORT was presented by J. Copanas for R. Raman. Copies were distributed to the Board Members. Reported highlights from the Committee Meeting are as follows:

- There was a presentation from OCRRA's Broker of Record to go over the pollution liability insurance renewal and internal investment guidelines.

Resolution # 1734 – Resolution Approving Investment Guidelines and Investment Report of Onondaga County Resource Recovery Agency for Calendar Year 2010 was moved by J. Copanas and seconded by L. Klosowski. The Resolution was adopted: 9 ayes, 0 nays, 0 abstentions.

Resolution # 1735 – Resolution Authorizing Executive Director to Purchase Insurance Policies for the Agency for the Period Beginning April 1, 2011 was moved by J. Copanas and seconded by R. May. The Resolution was adopted: 9 ayes, 0 nays, 0 abstentions.

Resolution # 1736 – Resolution Authorizing Executive Director to Purchase Transportation Pollution Insurance Policy for the Agency for a Two-Year Period Beginning April 1, 2011 was moved by J. Copanas and seconded by R. May. The Resolution was adopted: 9 ayes, 0 nays, 0 abstentions.

The OPERATIONS COMMITTEE REPORT was presented by D. Lawless. Copies were distributed to the Board Members. Highlights are as follows:

- The major item of discussion was the purchase of eight new dump trucks to service the new landfill contract. They are a little more expensive than what had been budgeted in the capital program; however, the expected tradeoffs in the sale of the existing equipment should bring them back down within the budgeted amount. They are more expensive because of the air pollution equipment that is on them. They have the newest elements in them, which adds considerable cost to their purchase. The Committee agreed to sponsor a Board resolution for their purchase.
- Reviewed the results of the scrap tire disposal bid and agreed with the recommendation to sponsor a Board resolution to award the contract to Seneca Meadows.
- Agency Engineer discussed some concerns with storm water run-off at Ley Creek.
 - Chemical oxygen demand is the parameter of ongoing concern. Options for improving stormwater quality are currently being analyzed for feasibility, effectiveness, and cost.
- Agency Engineer provided the Board with a report update on OCRRA's Greenhouse Gas Emissions.

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- J. Copanas shared his opinion that we may be able to cut costs by hiring temporary laborers in-house as opposed to outsourcing the hiring process. It was Management's opinion that outsourcing the hiring was more cost effective.
 - S. Gerharz questioned whether Adil is a reputable company due to their consistently low cost compared to all the other bidders. W. Simpon assured the Board that the Agency checked references and, as far as they can determine, Adil is a perfectly reputable company. It was determined to go ahead with the hiring of temporary laborers through Adil for the 2011 season.

Resolution # 1737 – **Resolution Authorizing Executive Director to Purchase Eight Dump Trucks Off State Contract** was moved by D. Lawless and seconded by J. Kelley. The Resolution was adopted: 9 ayes, 0 nays, 0 abstentions.

Resolution # 1738 – **Resolution Authorizing Executive Director to Enter into Contract for Disposal of Waste Tires** was moved by D. Lawless and seconded by R. Smardon. The Resolution was adopted: 9 ayes, 0 nays, 0 abstentions.

Resolution # 1739 – **Resolution Authorizing Hiring of Temporary Laborers for Agency Transfer Stations** was moved by D. Lawless and seconded by M. Reilly. The Resolution was adopted: 9 ayes, 0 nays, 0 abstentions.

Resolution # 1740 – **Resolution Authorizing Hiring of Temporary Laborers** was moved by D. Lawless and seconded by M. Reilly. The Resolution was adopted: 9 ayes, 0 nays, 0 abstentions.

The 2015 COMMITTEE REPORT was presented by L. Klosowski. Copies were distributed to the Board Members.

- Agency Counsel reported that Onondaga County will **not** sign a confidentiality agreement with OCRRA pertaining to Dave Coburn, who was suggested to be a liaison between the County and OCRRA's 2015 Committee. Therefore, Dave Coburn will be excluded from any Executive Sessions of the 2015 Committee.
- There was a correction made to the March 2, 2011 Meeting Minutes regarding the design throughput permit limit for WTE waste tonnage. The correct permit limit is 361,350 tpy and should be changed accordingly.

The RECYCLING COMMITTEE REPORT was presented by R. May. Copies were distributed to the Board Members.

Resolution # 1741 – **Resolution Authorizing Hiring of Temporary Laborers for Compost Sites** was moved by R. May and seconded by R. Smardon. The Resolution was adopted: 9 ayes, 0 nays, 0 abstentions.

Resolution # 1742 – Resolution Expressing Agency’s Strong Support to Reduce Mercury in the Environment was moved by R. May and seconded by R. Smardon. The Resolution was adopted: 9 ayes, 0 nays, 0 abstentions.

- Resolution #1742 was amended by unanimous consent as follows: “A copy of this Resolution shall be sent by the Agency Secretary to all local State legislators, the Governor, and the Clerk of the Assembly and Senate, as well as to the Chair of the Assembly’s Environmental Conservation Committee.”

The GOVERNANCE COMMITTEE REPORT was presented by J. Barrett. Copies were distributed to all Board Members present. Highlights of the Governance Meeting are as follows:

- There was discussion on recruitment and retention of Board Members.
- A Resolution approving a new Vision and Mission Statement will be presented at the April Board Meeting.
- A discussion was held on determining future Committee meeting dates and times, for instance, the possibility of meeting less frequently or doubling up on meetings.
- There is a need to revisit the Enabling Legislation.

The FINANCE COMMITTEE REPORT was presented by K. Dodson. Copies were distributed to the Board Members. Highlights of the Finance Committee Meeting are as follows:

- There was a discussion on the potential refinancing of the A Bonds. OCRRA cannot refinance the A Bonds unless Covanta refinances their B Bonds. W. Simpson is in the process of discussing refinancing of the bonds with Covanta. At this time there will be no refinancing of the A Bonds.
- Within the next few months, the Committee will be looking at setting a debt ceiling for the Agency.

B. Bulsiewicz reported that Destiny Research & Development agreed to convey, by Quitclaim Deed, .8 of an acre of land adjacent to the Ley Creek Transfer Station to OCRRA, at no cost to the Agency. OCRRA already has ownership of the easement to access the property.

The Board Meeting adjourned at 6:05 p.m.

Board Minutes were taken by Peg Elderbroom

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Attachment