

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

**BOARD MEETING AGENDA**

**March 13, 2024 – 4:00 p.m.**

- I. ATTENDANCE/INTRODUCTION OF BOARD MEMBERS
  - a. PUBLIC PARTICIPATION
- II. APPROVAL/CORRECTION of February 14, 2024, Board Meeting Minutes
- III. REPORT OF THE EXECUTIVE DIRECTOR
- IV. REPORT OF THE TREASURER

**Reports-Committees & Resolutions: \_\_\_\_\_ Chair of Committee**

**A. Audit Committee (Presentation) \_\_\_\_\_ J. Driscoll**  
*March – Update*

**a. Resolution Approving Audit of Onondaga County Resource Recovery Agency for Calendar Year 2023**

**B. Recycling and Operations Committee \_\_\_\_\_ E. Gilligan**  
*February 21, 2024 – Report*

**a. Resolution Authorizing Executive Director to Contract with JL Excavation for Construction of the Amboy Compost Wastewater Conveyance System**

**b. Resolution Authorizing Executive Director to Modify an Existing Contract for Engineering Work for the Amboy Conveyance System**

**c. Resolution Authorizing Executive Director to Contract with NLR, Inc. for Household Alkaline Battery Recycling**

**C. Ley Creek Planning Ad hoc Committee \_\_\_\_\_ D. Lawless**  
*February 27, 2024 – Report*

**a. Resolution Authorizing the Executive Director to Enter Into a Contract with LSI Solution Development for Funding Procurement Services for Ley Creek Transfer Facility Project**

**D. Administration Committee**

**B. Page**

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February 27, 2024 – *Report*

- a. **Resolution Authorizing Changes to the Agency’s Civil Service Roster**
- b. **Resolution Authorizing Executive Director to Execute Agreements for a Preliminary Feasibility Analysis of Wastebed 12**
- c. **Resolution Authorizing Executive Director to Purchase Insurance Policies for the Agency for the Period Beginning April 1, 2024**
- d. **Resolution Approving Investment Guidelines and Investment Report of Onondaga County Resource Recovery Agency for Calendar Year 2023**
- e. **Resolution Authorizing the Executive Director to Execute Change Orders with Intelico Engineering for Additional Sampling Services**

**Miscellaneous:**

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I. UNFINISHED BUSINESS

II. NEW BUSINESS

III. ADJOURNMENT

**DRAFT**

**ONONDAGA COUNTY RESOURCE RECOVERY AGENCY**  
**February 14, 2024 BOARD MEETING MINUTES**

<b>Board Members Present</b>	<b>B. Page, A. Bianchetti, L. Colon-Torres, D. Daley, J. Driscoll, C. Dunham, E. Gilligan, N. Jankowski, D. Lawless</b>
<b>Board Members Absent:</b>	<b>J. McMahon, G. Popps, N. Zaccaria, R. Raman</b>
<b>Also Present:</b>	<b>M. Cirino, M. Mokrzycki, K. Lawton, K. Spillane, R. Czerwiak, J. Gascon, C. Alunio, T. Palmer</b>
<b>Guests:</b>	

The February 14, 2024, Board meeting was called to order at 4:04 p.m.

Roll was taken. Quorum is present.

E. Gilligan moved E. Gilligan and B. Page seconded the approval of the December Board minutes.

Roll was called and the minutes were approved as submitted.

K. Spillane announced that as of today OCRRA has hired a Transfer Direct and Assistant Director.

K. Spillane presented the Executive Director’s report which outlined the following:

- Flue repair continues at Covanta.
- Compost is being bagged Amboy, preparing for the season.
- OCRRA is maintaining our facilities at Rock Cut transfer as we are in full bypass of all materials away from the waste to energy facility.
- The annual audit is underway.

Engineering:

- The Agency is working with Covanta on the flue repairs.
- The forensic expert has been onsite overseeing the project.
- Costs discussions continue with Covanta.
- The landfill study at the Waste Beds, the waste conveyance system at Amboy, and the safety and heating and ventilation improvements at Rock Cut Road are all moving forward.

Transfer and Compost:

- Waste bypass continues while repairs are being made at Covanta.
- Several potential candidates have been interviewed for the Transfer Director and Assistant Direct positions.

Recycling:

- The Recycling team continues to meet with municipalities to advise about OCRRA’s remaining blue bin stock, offer guidance into switching to carts and grant opportunities.
- The Director of Recycling is working with the County to write a two-year extension request for our Local Solid Waste Management Plan.
- Data is being collected for the annual recycling report for 2023. The results will be presented at the March Recycling and Operations committee meeting.

## DRAFT

### Public Information:

- Earth Day promotions have begun.
- The newsletter is being finalized through the end of February.
- Content gathering is underway for the Agency's annual report.

### Engagement, Outreach and New Opportunities:

- Madison County held a public hearing on December 19, 2023, with intent to pass resolutions to allow importation of waste and to award a contract with Cassella for operation of the landfill. Many local citizens there were opposed to the changes and the resolution was tabled.
- The Executive Director is spearheading an effort to create a Waste to Energy Coalition in NY, similar to the National Trade Coalition. The coalition is working on comments regarding EPA standards enumerated previously and the NYS Cap-and-Invest Program, a new emissions limiting effort from the State as part of last year's roll out of the Scoping Plan for the NYS Climate Act.
- The Executive Director will be in Washington D.C. in March to speak further with the EPA about implementing the new regulations.
- The Executive Director plans to meet with Senator Schumer's office to discuss Ley Creek and the possible alternative funding for the proposed new facility.
- OCRRA has asked our area state representatives that OCRRA be included in this year's State Budget for consideration of the costs related to the demolition of the current facility at Ley Creek and the early site development needed to begin the next phase of the transfer station construction.

### The **TREASURER REPORT** – was presented by M. Mokrzycki.

- This report reflects December 2023 data.
- The 2023 year-end audited financial statements will be presented to the Board by our external auditors at the March Board meeting.
- The December electricity rate was 2.1c/kWh.
- Electricity revenues were just over \$5,000,000.
- For the year, the Agency had an increase in net assets (income) of approximately \$600,000.
- The Agency's cash balance at the end of December was \$21.8M.
- The Agency began the year with \$22.6M.
- The Agency paid the MRF \$1,546,997.
- The Agency billed haulers \$973,582 for recycling tip fees.

There was a brief discussion regarding waste bypass.

A. Bianchetti motioned and L. Colon-Torres seconded to approve the Treasures report.

Roll was taken and the Treasurer's report was approved as submitted.

### The **LEY CREEK PLANNING AD HOC COMMITTEE** – report was presented by D. Lawless.

- The committee met on January 30, 2024.
- The committee discussed the conceptual planning and conceptual feasibility study phase of the Ley Creek Project.
- The committee moved a resolution establishing a Capital Reserve Fund.

**DRAFT**

**Resolution #2429 – Resolution Establishing a Capital Fund to Finance the Construction and Improvement of the Ley Creek Transfer facility** was moved by D. Lawless and seconded by D. Daley.

There was one spelling error that will be corrected.

The resolution was adopted 8 ayes, 0 nays, 0 abstain.

The **ADMINISTRATION COMMITTEE** – report was presented by B. Page.

- The committee moved a resolution allowing a contract for landfill use with the Town of Camillus.
- The committee moved a resolution to modify an existing contract for professional consulting services related to the WTE Engineer.
- The committee moved an affirming resolution to contract for professional consulting services related to the analysis of the flue failure at the WTE facility.

K. Spillane gave a brief explanation of the resolution for the contract with the Town of Camillus.

There was a brief discussion regarding the terms of the contract, how rejected items are handled and insurance.

**Resolution #2430 – Resolution Authorizing Executive Director to Execute a Landfill Use Agreement with the Town of Camillus** was moved by B. Page and seconded by D. Daley

The resolution was adopted 8 ayes, 0 nays, 0 abstain.

**Resolution #2431 – Resolution Authorizing Executive Director to Modify an Existing Contract for Professional Consulting Services Related to the Waste to Energy Engineer** was moved by B. Page and seconded by E. Gilligan.

C. Albunio gave a brief explanation of the resolution.

There was one spelling error in the heading that will be corrected.

The resolution was adopted 8 ayes, 0 nays, 0 abstain.

**Resolution #2432 – Resolution Authorizing and Affirming the Executive Director to Execute a Contract for Professional Consulting Services Related to the Analysis of the Flue Failure at the WTE Facility** was moved by B. Page and seconded by D. Daley.

C. Albunio and J. Gascon gave a brief explanation of the resolution.

There was no further discussion.

The resolution was adopted 8 ayes, 0 nays, 0 abstain.

M. Mokrzycki:

- Negotiations with National Grid regarding the PPA have begun. The contract expires in 2025.

C. Albunio:

- Annual stormwater reports have been submitted to the NYSDEC.

## DRAFT

K. Lawton:

- The Home and Garden Show is in March.

R. Czerwiak:

- The Board Evaluation forms are due for those that have not submitted them.
- Financial Disclosure forms will be distributed soon. They are due back to R. Czerwiak by mid-May.
- R. Czerwiak and M. Cirino will begin working on the next round of retention organization and box destruction lists in the coming months.

T. Palmer:

- Continuing work on the annual reports.
- Recycling education efforts are ongoing. Textile recycling. What can be reused and how to get the materials where they need to be.

There was a discussion regarding textile scraps and recycled materials.

M. Cirino:

- February 22, 2024, at 4:00PM is the scheduled Audit committee meeting.
- The week of March 4<sup>th</sup> the Audit committee will meet again.
- Ethics training continues.

There was a discussion on the city's recycling and the roll-out of the new recycling carts in the fall.

D. Daley moved, and J. Driscoll seconded to adjourn the meeting.

A unanimous aye voice vote was recorded.

The Board adjourned at 4:55 p.m. Board Ethics Training will be after adjournment.

Board Minutes were taken by R. Czerwiak

# Executive Director's Report

March 2024

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I unfortunately will not be at this Board meeting due to a conflict with a planned trip to Washington, D.C. to speak with our federal representatives regarding Ley Creek and the new emission standards recently issued by the EPA for the Waste to Energy facility. Although we have a very robust agenda for this Board meeting, I am confident that Mike can pitch hit for me and he will be especially helpful as the Board reviews our financial statements for 2023 and this past year's independent audit with a presentation by Grossman St. Amour.

In addition, we are asking the Board to add a new position to our civil service roster, Director of Engineering, which I believe reflects the changes in the responsibilities and purview of the engineer position over time since its inception 30 years ago. This change/addition also allows the Agency to build a more robust engineering department by leaving the current Agency Engineer position vacant and possibly filling it in the future when some of these projects start to come to fruition such as the Ley Creek redevelopment or the waste bed study that is on your agenda for tonight.

Speaking of the landfill feasibility study for the waste beds; this is a project that is from the list of disposal capacity opportunities that the Board identified in our 2022 Strategic Plan. I am very pleased that we are finally embarking on this important study, and I am hopeful that we will be continuing this potential project beyond the feasibility stage. The Town of Camillus passed a resolution supporting this study, and the County is very invested in the outcome of this report as well, committing to paying half of the cost of this study with OCRRA.

As I meet with our representatives in Congress seeking federal financial support for our Ley Creek project, we also have on the agenda a resolution to hire a national firm, LSI out of Utah, to help us find even more funding. The effort is to combine or stack as many funding sources as possible in order to reduce the amount of money that the Agency may need to bond for this important project. I strongly recommend LSI as we navigate and explore every avenue to find and secure additional funding, hopefully adding to the Board's commitment of funds from our reserves.

## **Engineering**

Cristina has been working closely with Covanta, Jim Gascon, Mike Mokrzycki and I as we continue to move forward with the critical flue replacement and repair at the Waste to Energy facility. Flue 2 and 3 have been removed and replaced, and Covanta is committed thus far to completing Flue 1, but we will have to wait until next month before they can commence that part of the project. In the meanwhile, we have been collecting samples of the damaged flues for our forensic analysis and are continuing to engage Covanta in a discussion of the cost of the replacement and how we are to move forward

on our potential share of those costs. There is a resolution in your packet for additional expenses related to the lab work for this project which was not anticipated as we began our analysis of the flues.

Engineering is also preparing to move forward with awarding of the construction of the waste conveyance system at Amboy, and the additional engineering required to oversee this construction project. Both resolutions are before the Board for this meeting.

### **Transfer and Compost**

I am very excited to announce that at the end of February we welcomed Dan Haas as our new Transfer Director and Andy Semabia as our new Assistant Transfer Director. Dan comes to us from Amazon and Andy from Guardian Glass in Geneva. They both have extensive management and logistical experience and have jumped in with both feet as we are working very hard to maintain our transfer buildings as the Waste to Energy facility went up to full capacity on March 1<sup>st</sup>. The Agency had to pivot away from bypass and began delivering most of our waste materials across the street. Also, Dan and Andy are going through a heavy orientation of all the regulations required for our sites and getting quite the overload of information.

### **Recycling**

The Recycling team, led by Lisa Piering, submitted our latest Household Hazardous Waste grant for reimbursement of our expenses in this program from 2023.

Kristen and her staff, led by Maria Bianchetti, also gathered all the information necessary to submit our 2023 Annual Recycling report. This involved surveying businesses and institutions in Onondaga County to obtain their recycling numbers, cross-checking to remove duplication, converting data, and determining our community's overall recycling rate. This report is a requirement of our WTE operating permit and helps us monitor the flow of recyclables. The results of the report will be presented at the next Recycling/Operations committee meeting by Maria and Kristen.

Also, the Recycling team is preparing for the Home and Garden Show at the NYS Fairgrounds in the Expo Center which will be held from March 15<sup>th</sup> through the 17<sup>th</sup>. The full recycling team, spearheaded by Maria Bianchetti, is working with compost staff and the public information officer to prepare an engaging booth that highlights curbside recycling rules and OCRRA's compost and mulch products. I hope all of you will be able to come out and visit our booth!

### **Public Information**

The public information officer wrote/created a few sections of the Agency's annual report and is tasked with gathering all remaining entries from her colleagues to combine and create a finalized version for upload to our website and distribution to our Board and community.



In addition, much of her time has been spent on the website, as we prepare to update the design and imagery this year.

The Public Information Officer also created a few videos for social media. They all focus on reuse in some way, and one promotes our compost. Two videos will complement the spring newsletter, including a look at textile donations to the Salvation Army and the Rescue Mission, from delivery to store sales. We see loads of textiles, sorting, storage of seasonal bales and store racks. The other video covers three things the Salvation Army would like people to donate during spring cleaning, instead of throwing them away.

A separate video highlights our new compost bag design, which will go out on the first day of spring - so people will start thinking about buying our compost and know the design to look for. The video highlights compost being bagged and stacked for sales. In the weeks ahead, Earth Day will also be a focus of her time and energy.

### **Engagement, Outreach and New Opportunities**

As reported previously, Madison County held a public hearing on December 19, 2023, with intent to pass resolutions to allow the importation of waste and to award a contract to Cassella for operation of the landfill. However, there were many local citizens there to oppose the changes and the resolutions were tabled. Since then, as I reported, Amy Miller has resigned, and an ad-hoc group of citizens and former employees of the landfill has been formed. Mike and I met with this ad-hoc group, and we detailed some ideas on how we could help Madison County including providing some of our bypass waste and we listened to their concerns and thoughts. Mike and I are hoping, with the County Executive's assistance, to have a meeting with the Madison County Administrator and the new Board of Supervisor's Chair and their new Chair of the Solid Waste Committee as well. I will update the Board if we are able to get some time in front of them.

Respectfully Submitted,

A handwritten signature in black ink that reads "Kevin". The signature is written in a cursive, flowing style.

# Treasurer Report

March 13, 2023

## **January 2024 Results:**

January tipping revenues were well ahead of budget, with relatively mild weather limiting some of the seasonality normally seen during the winter months.

The electricity rate was 3.49/kWh, which was a strong rate. The Agency did not realize the full benefit of this rate, however, due to boiler #3 being offline for flue repairs for a significant chunk of the month.

On the expense side, the flue repairs and resulting diminished plant capacity resulted in significantly higher landfilling costs than budgeted. This theme continued into February and will repeat again in April/May when the final flue replacement is done. Recycling market support costs have decreased from budgeted, due to the continued trend of less of the communities curbside tonnage being directed to the local material recovery facility.

## **Cash Flow:**

The Agency's cash balance at the end of January stood at **\$22.2M**. The Agency began the year with **\$21.9M** in cash reserves.

## **Recycling Revenues and Expenses:**

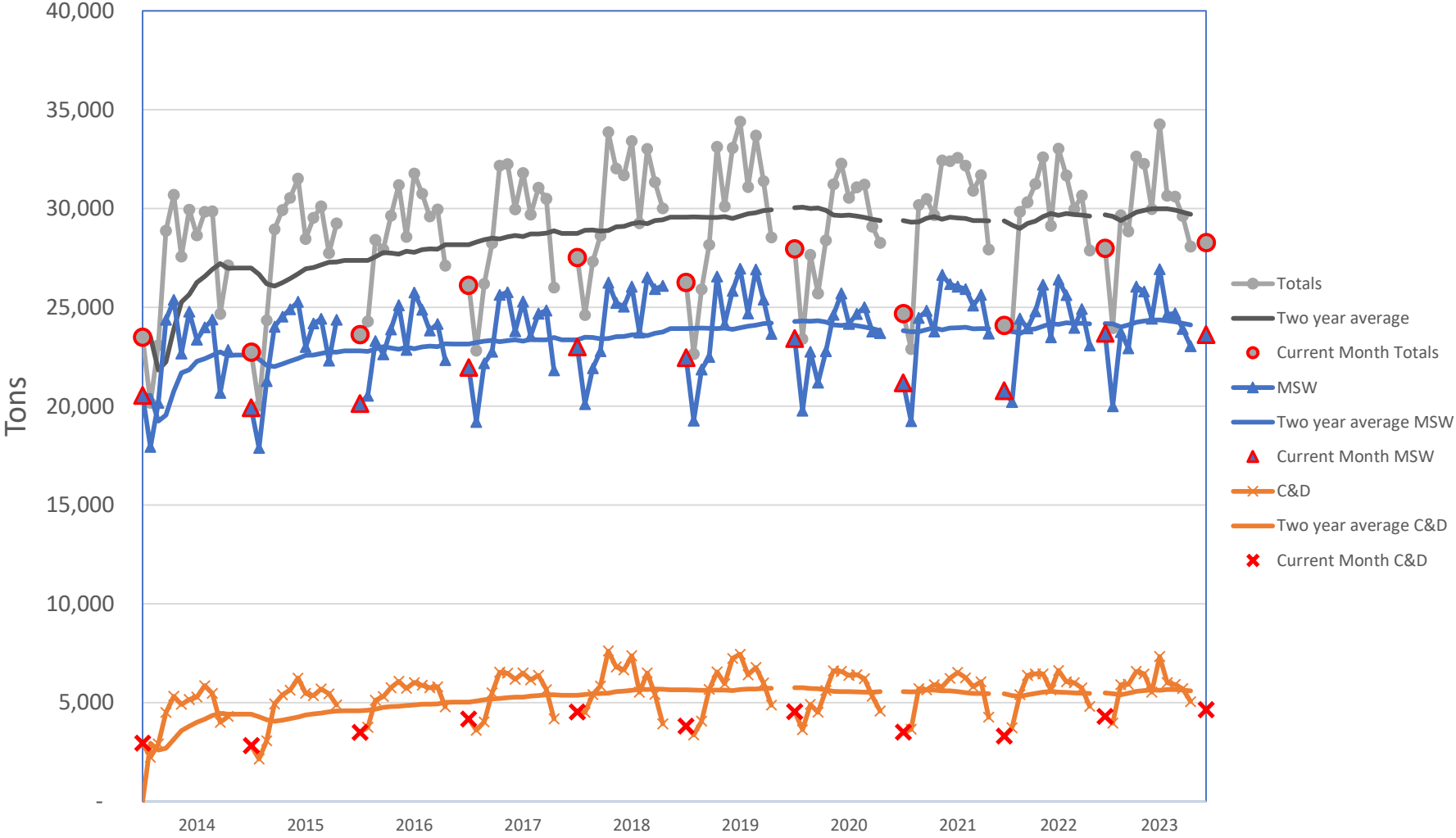
The Agency's payments for and revenue from residential recycling are summarized below. The income statement includes these amounts in "Other" (revenue) and "Recycling" (expense).

<b>Month</b>	<b>Paid to MRF</b>	<b>Received From MRF</b>	<b>Cumulative</b>
January	\$ 80,000* est	-	\$80,000
February	-	-	-
March	-	-	-
April	-	-	-
May	-	-	-
June	-	-	-
July	-	-	-
August	-	-	-
September	-	-	-
October	-	-	-
November	-	-	-
December	-	-	-
<b>Totals</b>	<b>\$80,000</b>	-	<b>\$80,000</b>

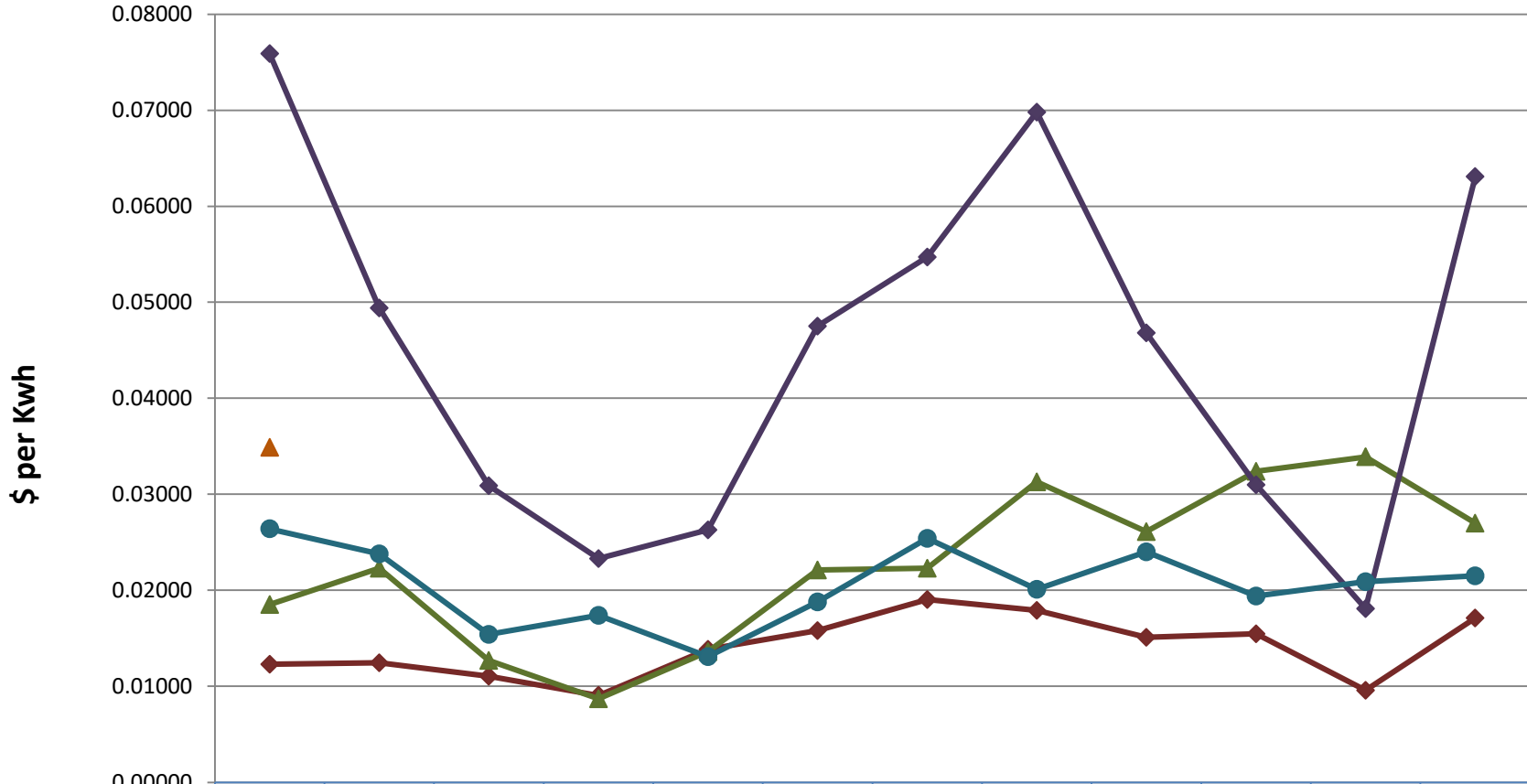
The Agency bills haulers for January services in the February billing.

# Tonnage Data

10 year trend

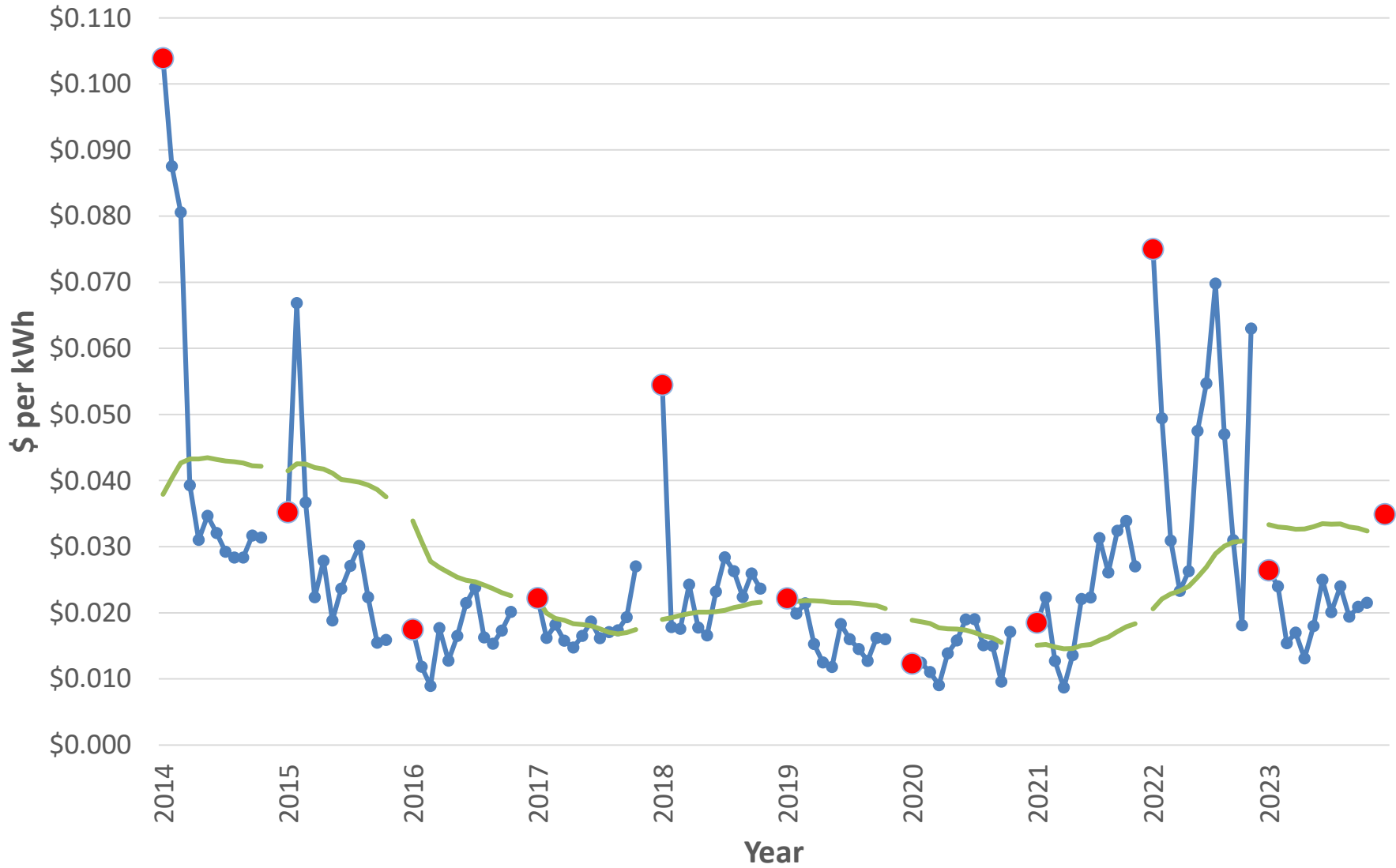


## Actual \$/Kwh 5-Year Comparison 2020 - 2024






































	1	2	3	4	5	6	7	8	9	10	11	12
2020	\$0.01228	\$0.01246	\$0.01103	\$0.00906	\$0.01386	\$0.01580	\$0.01904	\$0.01790	\$0.01510	\$0.01546	\$0.00958	\$0.01710
2021	\$0.01850	\$0.02230	\$0.01270	\$0.00870	\$0.01360	\$0.02210	\$0.02230	\$0.03130	\$0.02610	\$0.03240	\$0.03390	\$0.02700
2022	\$0.07590	\$0.04940	\$0.03090	\$0.02330	\$0.02630	\$0.04750	\$0.05470	\$0.06980	\$0.04680	\$0.03100	\$0.01810	\$0.06310
2023	\$0.02640	\$0.02380	\$0.01540	\$0.01740	\$0.01310	\$0.01880	\$0.02540	\$0.02010	\$0.02400	\$0.01940	\$0.02090	\$0.02150
2024	\$0.03490											

# Actual \$ per kWh 2014 - 2024



● Current Month    — 2-year Average \$/kWh

**ONONDAGA COUNTY RESOURCE RECOVERY AGENCY  
2024 MONTHLY INCOME STATEMENT (UNAUDITED)**

	ACTUAL	BUDGET	\$ Var	%Var	5-year Trends		
	Jan 2024	Jan 2024			Min	Max	Trendline
<b>OPERATING REVENUES</b>							
Tipping Fees	2,719,191	2,411,000	308,191	13%	2,220,981	2,719,191	
Electric Revenue	474,482	400,000	74,482	19%	188,543	1,231,797	
Recovered Material Revenue	161,023	124,500	36,523	29%	117,814	161,023	
Grant Revenue	-	-	-	0%	-	19,029	
Compost Revenue	36,865	30,900	5,965	19%	11,046	58,828	
Other	63,382	55,800	7,582	14%	4,570	82,501	
<b>Total Operating Revenues</b>	<b>3,454,943</b>	<b>3,022,200</b>	<b>432,743</b>	<b>14%</b>			
<b>OPERATING EXPENSES</b>							
Personal Services	502,545	482,744	(19,801)	4%	199,225	502,545	
Contractual Services:							
Landfill Contracts	297,043	147,300	(149,743)	102%	93,083	297,043	
Other Contractual Services	8,783	8,800	17	0%	4,240	14,760	
Materials and Supplies	79,128	59,910	(19,218)	32%	35,337	89,912	
Professional Fees	41,847	44,350	2,503	6%	6,237	41,847	
Recycling	90,579	168,776	78,197	46%	29,276	196,061	
Composting	35,371	31,550	(3,821)	12%	14,097	37,930	
Hazardous Waste Disposal	8,664	7,532	(1,132)	15%	2,245	8,664	
Repairs and Maintenance	75,858	38,321	(37,537)	98%	45,116	82,862	
Utilities	13,762	15,940	2,178	14%	10,893	17,667	
Insurance	43,292	53,865	10,573	20%	37,968	44,144	
Operating Leases	9,754	12,300	2,546	21%	8,498	10,026	
Depreciation and Amortization	113,218	135,350	22,132	16%	105,448	171,812	
Payments to Host Communities	10,869	12,650	1,781	14%	10,869	17,679	
Other	14,224	17,900	3,676	21%	14,224	47,591	
Waste-to-Energy Operations Cost	1,983,681	2,022,400	38,719	2%	1,754,729	1,983,681	
<b>Total Operating Expenses</b>	<b>3,328,619</b>	<b>3,259,688</b>	<b>(68,931)</b>	<b>2.1%</b>			
<b>OPERATING INCOME (LOSS)</b>	<b>126,324</b>	<b>(237,488)</b>	<b>(363,812)</b>	<b>153%</b>	(108,266)	903,987	
<b>OTHER REVENUE (EXPENSE)</b>							
Interest Income - cash	7,625	3,750	3,875	103%	58	13,840	
Interest Income - non system	(141,973)	53,000	(194,973)	368%	(141,973)	974	
Interest Income - lease receivable	125,931	126,000	(69)	0%	125,931	162,097	
Interest Expense	(125,931)	(126,000)	69	0%	(162,097)	(125,931)	
Capital Lease Interest Expense	(3,514)	(3,515)	1	0%	(17,502)	(3,514)	
2019 Bond Interest Expense	(27,778)	(35,000)	7,222	21%	(35,499)	(27,778)	
Gain on sale of PP&E	-	-	-	0%	-	-	
Gain 2015 Deferred Inflow	5,869	5,900	(31)	1%	5,869	5,869	
<b>Other Revenue - NET</b>	<b>(159,771)</b>	<b>24,135</b>	<b>(183,906)</b>	<b>762%</b>			
<b>CHANGE IN NET POSITION</b>	<b>(33,447)</b>	<b>(213,353)</b>	<b>179,906</b>	<b>84%</b>	(141,638)	866,415	

**ONONDAGA COUNTY RESOURCE RECOVERY AGENCY  
2024 STATEMENT OF NET POSITION (UNAUDITED)**

	<b>1/31/2024</b>
<b>ASSETS</b>	
<b>CURRENT ASSETS:</b>	
Cash and cash equivalents	22,183,382
Accounts receivable (net of an allowance for bad debts of \$50,000)	3,183,735
Electric Revenue Receivable	527,202
Metal Revenue Receivable	21,637
Prepaid expenses and other receivables	1,506,704
Facility lease, current portion	2,445,000
<b>TOTAL CURRENT ASSETS</b>	<b>29,867,660</b>
<b>ASSETS LIMITED AS TO USE:</b>	
Investments held by trustee under indenture	6,222,721
PROPERTY, PLANT and EQUIPMENT, net	20,549,963
NET PENSION ASSET	-
DEFERRED OUTFLOW	1,846,118
FACILITY LEASE, net of current portion	36,857,928
<b>TOTAL ASSETS</b>	<b>95,344,390</b>
<b>LIABILITIES AND NET POSITION</b>	
<b>CURRENT LIABILITIES:</b>	
Accounts Payable	3,964,307
Accrued Interest	548,984
Accrued Expenses and other current liabilities	154,833
2015 Bond Payable - Current	2,445,000
2019 Bond Payable - Current	605,000
Capital Lease Liability-Current	146,331
<b>TOTAL CURRENT LIABILITIES</b>	<b>7,864,455</b>
<b>LONG-TERM LIABILITIES:</b>	
Capital Lease Liability -Long Term	227,329
Other Post Employment Benefits	172,994
Net Pension Liability	2,280,946
2015 Deferred Inflow	949,071
2015 Series A Bond Payable, net of current portion	36,105,000
2015 Bond Premium	2,586,678
2015 Capital Fund Liability	250,573
2019 Bond Payable	8,070,000
2019 Bond Premium	1,029,223
<b>TOTAL LIABILITIES</b>	<b>59,536,269</b>
<b>NET POSITION</b>	
Invested in capital assets	10,075,688
Unrestricted	19,760,285
Restricted	5,972,148
<b>TOTAL NET POSITION YTD</b>	<b>35,808,121</b>
<b>TOTAL</b>	<b>95,344,390</b>

STATEMENT OF CASH FLOWS OCRRRA (UNAUDITED)

**YTD Through**  
**1/31/2024**

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**CASH FLOWS FROM OPERATING ACTIVITIES:**

Receipts from tipping fees	\$2,919,914
Receipts from electric revenue	400,582
Other operating receipts	260,530
Payments to vendors and suppliers	(880,067)
Payments to employees	(524,969)
Payments for Waste-to-Energy Operations	(1,634,839)
Payments for insurance and employee benefits	(240,154)
<b>Net cash flow from operating activities</b>	<b>300,997</b>

**CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES:**

Payments on bonds outstanding	-
Proceeds from the issuance of bonds	-
Payments on Capital Leases	-
Proceeds from the sale of machinery and equipment	-
Purchase of property, plant and equipment	(7,658)
Payments for interest on bonds outstanding	-
<b>Net cash flow from capital and related financing activities</b>	<b>(7,658)</b>

**CASH FLOWS FROM INVESTING ACTIVITIES:**

Net change in investments	135,351
Proceeds from interest on invested funds	(134,348)
<b>Net cash flow from investing activities</b>	<b>1,003</b>

**NET INCREASE (DECREASE) IN CASH AND CASH EQUIVALENTS** **294,342**

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

**CASH AND CASH EQUIVALENTS -YEAR-TO-DATE** **22,183,382**



## STATEMENT OF CASH FLOWS OCRRA (UNAUDITED)

**YTD Through**  
**1/31/2024**

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

<b>Operating Income/(Loss)</b>	126,324
<b>Adjustments to reconcile operating income to net cash flow from operating activities:</b>	
Depreciation and amortization	113,218
Change in provision for bad debt expense	-
WTE operations used to reduce lease costs	348,842
Other Post -Employment Benefits Expense less LT liability adj.	-
2015 Bond Insurance Expense (no cash amortization expense)	3,249
Change in Prepaid Pension Expense	41,303
Change in NYSRS Retirement expense assoc. with GASB 68	-
<b>Changes in operating assets and liabilities:</b>	
Accounts receivable	200,723
Other Receivables	(74,641)
Prepaid expenses	2,734
Accounts payable and accrued expenses	(460,754)
<b>Total Adjustments</b>	<b>174,674</b>
<b>NET CASH FLOW FROM OPERATING ACTIVITIES</b>	<b>300,997</b>

**Finance Lease Balances as of March 13, 2024:**

<u>Equipment Schedule</u>	<u>Initial Principal</u>	<u>Total Interest</u>	<u>Balance (Prin. + Int.)</u>	<u>Payment Amount</u>	<u>Payments Left</u>	<u>Lease Beg / End</u>	<u>Int. Rate</u>
#1 – 5 Tractors and Trailers	\$1,050,398	\$51,400	<b>Paid off 03/31/2021</b>				1.75%
#2 - 2 Tractors and 1 Loader	\$ 554,288	\$28,117	<b>Paid off 08/31/2021</b>				1.81%
#3 - Grinder and Roll-Off	\$ 903,471	\$52,115	<b>Paid off 8/15/2019</b>				2.28%
#4 – Shredder, Mat. Handler, and Dump Truck	\$1,089,510	\$61,295	<b>Paid off 03/31/2021</b>				2.20%
#5 – 2 Dumps, 4 Trailers	\$ 577,983	\$35,096	<b>Paid off 09/15/2022</b>				2.5%
#6 – 1 Loader	\$ 476,095	\$52,087	<b>Paid off 04/05/2023</b>				3.38%
#7 – 1 Loader, 3 Dumps	\$ 968,207	\$81,935	<b>Paid off 08/31/2023</b>				3.31%
#8 – 1 Loader, 2 Dumps	\$ 722,043	\$57,200	\$389,125	\$77,825	5/10	4/2021 – 4/2026	2.80%
<b>Total Balance</b>	<b>\$6,341,995</b>	<b>\$419,244</b>	<b>\$389,125</b>				

# **AUDIT COMMITTEE**

## **Minutes**

**March 5, 2024**

### **ATTENDANCE**

#### *Committee Members Present:*

Joe Driscoll (Chair), Alberto Bianchetti, Eileen Gilligan, Jesse McMahon,  
Ravi Raman, Natalie Zaccaria

Also Present: Cristina Alburnio, Maria Cirino, Jim Gascon Esq., Michael Mokrzycki, Kevin Spillane,  
Mark Ciaralli (Grossman St. Amour)

Absent: Corey Dunham (Board Chair)

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The following summarizes the March 5, 2024 Audit Committee (“Committee”) meeting which started at 4:03pm. The following items were discussed:

Mark Ciaralli from Grossman St. Amour CPAs PLLC, spoke with the Committee about the 2023 year-end audit. The Auditor’s Communication document was provided to the Committee at the meeting and draft audited financials was provided prior to the meeting.

- M. Ciaralli reviewed the Auditor’s Communication document with the Committee and gave an explanation of non-attest services (services outside of the scope of the audit) and confirmed that the Agency does their own financial statements.
- The key audit focus areas were addressed with the Committee.
- There were no significant changes in accounting policies. No difficulties encountered during the audit and no disagreements with management. No uncorrected adjustments or proposed adjustments made.
- No material instances of noncompliance or contract violations noted.
- The auditor reviewed the audited financial statements with the Committee. Questions were asked by E. Gilligan, A. Bianchetti and R. Raman which were answered by the auditors to their satisfaction.
- R. Raman made a motion for the Committee to go into executive session with M. Ciaralli, M. Cirino and J. Gascon to discuss the audit; J. McMahon 2<sup>nd</sup>; all were in favor. The Committee dismissed management and went into executive session at 4:29pm.
- The Committee came out of executive session at 4:45pm with J. Driscoll making the motion; J. McMahon 2<sup>nd</sup>; all were in favor. Staff were invited back into the meeting.
- R. Raman asked if the Agency’s Enforcement Officer can still issue tickets to haulers for violations. K. Spillane said the previous Sheriff would not allow us to deputize our Enforcement Officers; we plan to meet with the new Sheriff to discuss deputizing our Enforcement Officer.
- J. Driscoll asked for a motion to send the audited financial statements to the Board for their approval; A. Bianchetti made the motion, R. Raman 2<sup>nd</sup>; all were in favor.
- M. Ciaralli left the meeting.

M. Cirino provided an update to the Committee on Code of Ethics training, reviewed the annual tonnage report and gave an update on the audits she has in process.

The Committee discussed the Investments Audit report. M. Cirino provided a summary of the audit and noted that there were no findings.

J. Driscoll asked if there were any open items. M. Cirino commented that this was the last year of the contract for the independent audit and asked if the Committee wanted to do an RFP (request for proposal) or extend the contract with the current auditors. Discussion took place and the Committee expressed that they are pleased with the work that the current auditors have done but also believe in the competitive process and prefer to go out to bid for the independent audit. M. Cirino said that we will come back most likely in May to review the RFP packet.

J. Driscoll asked if there were any other open items; none were expressed. He asked for a motion to adjourn the meeting; A. Bianchetti made a motion to adjourn the meeting, R. Raman 2<sup>nd</sup>, all were in favor. The meeting was adjourned at 5:01pm.

Report submitted by Maria Cirino and approved by Joe Driscoll

**RESOLUTION APPROVING AUDIT OF ONONDAGA COUNTY  
RESOURCE RECOVERY AGENCY FOR CALENDAR YEAR 2023**

**WHEREAS**, the Onondaga County Resource Recovery Agency retained the firm of Grossman St. Amour, Certified Public Accountants PLLC, to conduct an audit of Agency finances for calendar year 2023 which audit shall be submitted to appropriate State officials pursuant to Public Authorities Law Section 2045-r; and

**WHEREAS**, the Agency's Audit Committee has reviewed the proposed audit and finds that it properly reflects the financial statements and financial position of the Onondaga County Resource Recovery Agency; now, therefore be it

**RESOLVED**, that the Onondaga County Resource Recovery Agency hereby accepts and approves the audit of the Agency's finances conducted by Grossman St. Amour, Certified Public Accountants PLLC, for the calendar year 2023 and authorizes its Treasurer to submit copies of said audit to appropriate State officials as required by Public Authorities Law Section 2045-r. This Resolution shall take effect immediately.

**Resolution Adopted Date:** \_\_\_\_\_

**Vote:** Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_ Abstentions: \_\_\_\_\_

**Signed:** \_\_\_\_\_

*Onondaga County Resource Recovery Agency*

**RESOLUTION BRIEF**

APPROVING FINANCIAL AUDIT OF  
THE ONONDAGA COUNTY RESOURCE RECOVERY AGENCY  
FOR CALENDAR YEAR 2023

The Public Authorities Accountability Act requires authorities to have an annual independent audit performed by a certified public accounting firm.

Resolution No. 2301, approved on September 8, 2021 authorized the Audit Committee Chair to execute a contract with Grossman St. Amour CPAs, PLLC, for professional auditing services to perform the 2021, 2022 and 2023 OCRRA audits.

The 2023 year-end audit was conducted during January & February of 2024 whereby The Grossman St. Amour's audit team reviewed OCRRA's financials and footnotes, interviewed OCRRA employees, updated internal control questionnaires/documentation and performed internal controls testing in operational areas.

An exit meeting was held during the March 5, 2024 Audit Committee meeting, where the Committee, Agency Management and the Confidential Internal Controls Compliance Officer had an opportunity to ask questions to their satisfaction.

OCRRA Board approval of the audit of the Agency's finances is sought by the Audit Committee and Management.

**ONONDAGA COUNTY RESOURCE RECOVERY AGENCY**

**FINANCIAL STATEMENTS**

**as of December 31, 2023 and 2022  
Together with Independent Auditor's Report**

DRAFT

## INDEPENDENT AUDITOR'S REPORT

Board of Directors  
Onondaga County Resource Recovery Agency  
North Syracuse, New York

### Report on the Audit of the Financial Statements

#### *Opinions*

We have audited the financial statements of the Onondaga County Resource Recovery Agency (OCRRA) as of and for the years ended December 31, 2023 and 2022, and the related notes to the financial statements, which collectively comprise OCRRA's basic financial statements.

In our opinion, the accompanying financial statements present fairly, in all material respects, the respective financial position of the Onondaga County Resource Recovery Agency as of December 31, 2023 and 2022, and the respective changes in its financial position and cash flows thereof for the years then ended, in accordance with accounting principles generally accepted in the United States of America.

#### *Basis for Opinions*

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of OCRRA and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

#### *Responsibilities of Management for the Financial Statements*

OCRRA's management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about OCRRA's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.



## ***Auditor's Responsibility for the Audit of the Financial Statements***

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of OCRRA's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about OCRRA's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

### ***Required Supplementary Information***

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, other postemployment benefits plan – schedule of funding progress, schedule of proportionate share of net pension liability (asset), and schedule of contributions – pension plans be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

### ***Other Information***

Management is responsible for the other information included in the annual report. The other information does not include the financial statements and our auditor's report thereon. Our opinions on the financial statements do not cover the other information, and we do not express an opinion or any form of assurance thereon. In connection

with our audit of the financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

#### **Other Reporting Required by Government Auditing Standards**

In accordance with *Government Auditing Standards*, we have also issued our report dated March 13, 2024 on our consideration of OCRRA's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering OCRRA's internal control over financial reporting and compliance.

Syracuse, New York  
March 13, 2024

DRAFT

# ONONDAGA COUNTY RESOURCE RECOVERY AGENCY

## MANAGEMENT'S DISCUSSION AND ANALYSIS

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### ANALYSIS OF FINANCIAL POSITION

One of the most important questions asked about the OCRRA's finances is "*Is OCRRA, as a whole, better off or worse off as a result of the year's activities?*" The Statement of Net Position and the Statement of Revenues, Expenses and Changes in Net Position report information about OCRRA's activities in a way that will help answer this question. These two statements report the net position of OCRRA and changes in them. You can think of OCRRA's net position - the difference between assets and liabilities - as one way to measure financial health or financial position. Over time, increases or decreases in OCRRA's net position are one indicator of whether its financial health is improving or deteriorating. Additionally, OCRRA places an emphasis on strategically building and using cash reserves to provide price stability for its member municipalities. You will need to also consider other non-financial factors such as changes in economic conditions, population growth, consumer behavior and new or changed legislation or regulation.

Another important question is whether "*What direction OCRRA, as a whole, trended in 2023?*" OCRRA's total net position increased by \$608,427 operating revenues decreased from the previous year by about 11.5% while operating expenses increased about 8.3%. OCRRA's total net position was \$35,841,567 and \$35,233,140 on December 31, 2023 and 2022, respectively.

**Table 1**

	<u>2023</u>	<u>2022</u>	<u>2021</u>
Current assets	\$ 35,854,185	\$ 36,691,529	\$ 28,302,516
Assets limited as to use – long term	250,574	1,178,696	1,313,211
Property, plant and equipment - net	20,655,523	19,104,742	19,946,188
Net Pension Asset	-	875,164	-
Facility lease - net of current portion	<u>37,080,839</u>	<u>39,832,438</u>	<u>42,465,703</u>
Total assets	93,841,121	97,682,569	92,027,618
Deferred outflows of resources	1,846,118	1,963,027	2,694,589
Current liabilities	8,140,460	8,478,995	7,793,257
Long-term liabilities	<u>50,750,272</u>	<u>51,986,471</u>	<u>55,696,455</u>
Total liabilities	58,890,732	60,465,466	63,489,712
Deferred inflows of resources	954,940	3,946,990	4,233,726
Net position - Net investment in			
Capital assets	10,181,248	8,232,071	8,516,721
Restricted	6,107,499	6,317,149	6,298,400
Unrestricted	<u>19,552,820</u>	<u>20,683,920</u>	<u>12,183,648</u>
Total net position	<u>\$ 35,841,567</u>	<u>\$ 35,233,140</u>	<u>\$ 26,998,769</u>

Changes in OCRRA's net position can be determined by reviewing the following condensed Statement of Revenues, Expenses and Changes in Net Position for the years 2023, 2022 and 2021.

## ANALYSIS OF FINANCIAL POSITION (Continued)

Table 2

	<u>2023</u>	<u>2022</u>	<u>2021</u>
Operating revenues	\$ 40,844,640	\$ 46,150,606	\$ 43,041,629
Other revenues	<u>2,617,288</u>	<u>1,967,803</u>	<u>1,854,112</u>
Total revenues	43,461,928	48,118,409	44,895,741
Operating expenses	40,943,594	37,815,621	35,262,134
Other expenses	<u>1,909,907</u>	<u>2,068,417</u>	<u>2,220,202</u>
Total expenses	42,853,501	39,884,038	37,482,336
Change in net position	608,427	8,234,371	7,413,405
Net position - beginning of year	<u>35,233,140</u>	<u>26,998,769</u>	<u>19,585,364</u>
Net position end of year	<u>\$ 35,841,567</u>	<u>\$ 35,233,140</u>	<u>\$ 26,998,769</u>

The increase in OCRRA's net position in 2023 was primarily due to rising interest rates which allowed a substantial return on the Agency's cash.

### OCRRA'S FUNDS

OCRRA does not utilize Funds or Fund Accounting. OCRRA maintains funds on deposit with a Trustee as required by contractual obligations entered into as part of OCRRA's 2015 debt restructuring as detailed in the financial statements. As of December 31, 2023, OCRRA funds held by the trustee of \$6,107,499 are recorded as Restricted under the OCRRA's Net Position. These restricted assets are due to the Indenture of Trust agreement between OCRRA and U.S. Bank National Association (the Trustee) that requires OCRRA operating revenues to be maintained on deposit with the Trustee until any necessary payments are made on the 2015 and 2019 Bonds and to the operator of the Waste-to-Energy Facility.

### Budgetary Highlights

OCRRA's 2023 tipping revenues exceeded budgetary expectations by about 2%. Compost revenues, although a much small dollar value, exceeded budget by 51% as an outlet for excess material was secured early in 2023 and new food waste deliveries were secured. The consolidation of landfill airspace in New York State, along with continued inflationary pressures on repair costs continue to drive up OCRRA's disposal and equipment costs. OCRRA's 2024 adopted budget was based primarily on the 2022 results and anticipated similar pricing in commodity markets and incoming tonnages. OCRRA's primary rates for solid waste, construction debris, and recycling were increased for 2024 to maintain a balanced operating budget.

### Property, Plant and Equipment

At the end of 2023, OCRRA had approximately \$20.7 million in book value related to capital assets. Capital Assets consists primarily of two transfer stations, a composting facility, and various pieces of operating equipment. During 2023 Property, Plant & Equipment, net increased by approximately \$1.5 million which reflects additions of approximately \$2.8 million offset by depreciation of approximately \$1.3 million. The Agency successfully closed on a land parcel valued at approximately \$400,000.

### Bonds

During 2023, OCRRA reduced outstanding 2015 bonds by \$2,330,000, and its 2019 bonds by \$580,000. The 2015 and 2019 Bonds mature in 2035 and 2034, respectively.

## **OCRRA'S FUNDS (Continued)**

### **Financed Purchases**

As of December 31, 2023, OCRRA had approximately \$373,660 in financed purchases outstanding. OCRRA utilizes this program to strategically spread the cash impact of capital purchases over multiple years. In the current interest rate environment, it has been more cost effective for OCRRA to purchase replacement equipment from its cash reserves.

### **Facility Lease Agreement – through May 2035**

On November 12, 2014, OCRRA reached an agreement (extension) with Covanta Onondaga, L.P. to continue the facility lease of the Onondaga County Resource Recovery Facility for 20 years, commencing on May 8, 2015 and continuing until May 8, 2035, with a mutual option of an additional 5-year extension.

In 2015, OCRRA obtained extension financing for the refunding of the 2003 Series B bonds, and for the establishment of the Capital Refurbishment Fund. See Note 8 for additional information.

## **ECONOMIC FACTORS AND NEXT YEAR'S BUDGET**

The 2024 Budget develops the revenue and expense requirements to continue OCRRA's efforts to provide sound environmental solid waste disposal solutions to our community.

OCRRA operates in a highly complex contractual business setting with rigid regulatory oversight. Its waste disposal infrastructure was very expensive to site and construct, leading to high fixed costs of operation. Budgets are designed around historic waste levels, and recent commodity prices. Revenue streams from commodity markets, specifically electricity, metal, fiber, and plastic have become highly variable over the last decade. These economic conditions required OCRRA to increase its primary tipping fees in 2024, after successfully holding them constant for 2021, 2022, and 2023. From time to time, OCRRA will strategically build up or use reserves to maintain the high quality of its services while minimizing the impact of fee changes on the community. Should conditions improve, or get worse, OCRRA will consider case by case program reviews to provide high levels of environmental performance with watchful stewardship of public service fees and reserves.

During 2023, OCRRA utilized approximately \$700,000 in cash reserves. OCRRA's reserve balance, of approximately \$22 million will be deployed when necessary to provide continued stability to the community's solid waste and recycling programs and invest in aging infrastructure when necessary. OCRRA's 2024 Budget was adopted on a breakeven basis. The 2024 Budget is fiscally conservative, reflects current market conditions, raised rates at the minimum level possible for responsible fiscal management. OCRRA's strict expenditure controls at a management and Board level are expected to continue to maintain and improve OCRRA's financial condition over time.

## **EMPLOYEE RETIREMENT**

This financial report is substantially prepared by OCRRA's Accountant, Vincent Latorre, who has recently announced his retirement. Mr. Latorre is a licensed CPA who has dutifully served OCRRA, Onondaga County residents, and users of this report since 1995. The Agency thanks Mr. Latorre for his many years of timely and accurate financial reporting and wishes him many years of happy retirement.

## **CONTACT REGARDING THE AGENCY'S FINANCES**

This financial report is designed to provide County residents, customers and creditors with a general overview of OCRRA's finances. If you have questions about this report or need additional financial information, contact OCRRA's Public Information Officer at 100 Elwood Davis Road, North Syracuse, NY 13212-4312.

# ONONDAGA COUNTY RESOURCE RECOVERY AGENCY

## STATEMENTS OF NET POSITION DECEMBER 31, 2023 AND 2022

	<u>2023</u>	<u>2022</u>
<b>ASSETS</b>		
CURRENT ASSETS:		
Cash and cash equivalents	\$ 21,889,040	\$ 22,603,065
Accounts receivable (net of an allowance for bad debts of \$50,000 in 2023 and \$50,000 in 2022)	3,384,458	2,475,115
Electric revenue receivable	453,302	1,272,351
Metal revenue receivables	20,896	50,913
Prepaid expenses	1,553,990	1,642,937
Facility lease agreement, current portion	2,445,000	2,330,000
Assets limited to use, current portion	6,107,499	6,317,148
Total current assets	<u>35,854,185</u>	<u>36,691,529</u>
NON-CURRENT ASSETS:		
Assets limited as to use:		
Funds held by trustee under indenture	250,574	1,178,696
Property, plant and equipment, net	20,655,523	19,104,742
Net pension asset	-	875,164
Facility lease agreement, net of current portion	37,080,839	39,832,438
Total noncurrent assets	<u>57,986,936</u>	<u>60,991,040</u>
Total assets	<u>93,841,121</u>	<u>97,682,569</u>
<b>DEFERRED OUTFLOWS OF RESOURCES</b>		
Deferred outflows - pension related	<u>1,846,118</u>	<u>1,963,027</u>
<b>LIABILITIES</b>		
CURRENT LIABILITIES:		
Accounts payable	4,164,476	4,374,264
Bonds payable - 2015 Series A, current portion (NOTE 8)	2,445,000	2,330,000
Bonds payable - 2019, current portion (NOTE 9)	605,000	580,000
Financed purchases liability, current portion	146,331	398,396
Accrued interest	364,232	391,149
Accrued expenses and other current liabilities	415,421	405,186
Total current liabilities	<u>8,140,460</u>	<u>8,478,995</u>
NON-CURRENT LIABILITIES:		
Bonds payable - 2015 Series A (NOTE 8)	36,105,000	38,550,000
Bonds payable - 2019 (NOTE 9)	8,070,000	8,675,000
2015 Bond Premium	2,605,839	2,835,771
2019 Bond Premium	1,037,591	1,138,003
2015 Capital Fund	250,573	250,573
Financed purchases liability	227,329	373,660
Net Pension liability	2,280,946	-
Other postemployment benefits (NOTE 11)	172,994	163,464
Total non-current liabilities	<u>50,750,272</u>	<u>51,986,471</u>
Total liabilities	<u>58,890,732</u>	<u>60,465,466</u>
<b>DEFERRED INFLOWS OF RESOURCES</b>		
Deferred inflows - pension related	156,836	3,078,458
Unearned revenue - bond related	798,104	868,532
Total deferred inflows of resources	<u>954,940</u>	<u>3,946,990</u>
<b>NET POSITION</b>		
Net investment in capital assets	10,181,248	8,232,071
Restricted	6,107,499	6,317,149
Unrestricted	19,552,820	20,683,920
Total net position	<u>\$ 35,841,567</u>	<u>\$ 35,233,140</u>

The accompanying notes are an integral part of these statements.

# ONONDAGA COUNTY RESOURCE RECOVERY AGENCY

## STATEMENTS OF REVENUES, EXPENSES AND CHANGES IN NET POSITION FOR THE YEARS ENDED DECEMBER 31, 2023 AND 2022

	<u>2023</u>	<u>2022</u>
OPERATING REVENUES:		
Tipping fees	\$ 32,966,351	\$ 32,741,121
Electric revenue	5,075,840	9,878,778
Recovered material revenue	1,503,764	1,896,784
Grant revenue	99,496	379,452
Compost revenue	692,518	622,231
Other	<u>506,671</u>	<u>632,240</u>
Total operating revenues	<u>40,844,640</u>	<u>46,150,606</u>
OPERATING EXPENSES:		
Personal services	6,627,713	5,313,145
Contractual services -		
Landfill contracts	2,889,896	2,572,338
Other contractual services	78,208	104,620
Materials and supplies	656,895	834,722
Professional fees	772,036	409,783
Recycling	1,631,025	1,025,950
Compost	447,487	425,467
Hazardous waste disposal	163,515	99,347
Repairs and maintenance	1,140,198	1,010,641
Utilities	146,449	150,767
Insurance	526,400	506,522
Operating leases	134,862	125,944
Depreciation	1,310,395	1,535,757
Taxes and other payments to Host Communities	201,781	200,369
Other	620,552	485,715
Waste-to-Energy operations cost	<u>23,596,182</u>	<u>23,014,534</u>
Total operating expenses	<u>40,943,594</u>	<u>37,815,621</u>
OPERATING INCOME	<u>(98,954)</u>	<u>8,334,985</u>
NON-OPERATING REVENUE (EXPENSE):		
Interest income - cash and repurchase agreements	108,643	19,670
Interest income - non-system	719,661	123,422
Amortization on 2015 deferred inflow	70,428	70,428
Interest income - facility lease agreement	1,550,001	1,664,668
2015 Bond Interest expense	(1,550,001)	(1,664,668)
2019 Bond Interest expense	(343,005)	(371,505)
Interest expense finance leases	(16,901)	(32,244)
Gain on sale of machinery and equipment	<u>168,555</u>	<u>89,615</u>
Non-operating revenue (expenses), net	<u>707,381</u>	<u>(100,614)</u>
CHANGE IN NET POSITION	608,427	8,234,371
NET POSITION - beginning of year	<u>35,233,140</u>	<u>26,998,769</u>
NET POSITION - end of year	<u>\$ 35,841,567</u>	<u>\$ 35,233,140</u>

The accompanying notes are an integral part of these statements.

# ONONDAGA COUNTY RESOURCE RECOVERY AGENCY

## STATEMENTS OF CASH FLOWS FOR THE YEARS ENDED DECEMBER 31, 2023 AND 2022

	<u>2023</u>	<u>2022</u>
CASH FLOW FROM OPERATING ACTIVITIES:		
Receipts from tipping fees	\$ 32,057,008	\$ 33,703,594
Receipts from electric revenue	5,894,889	9,058,036
Other operating receipts	2,832,465	3,523,552
Payments to vendors and suppliers	(8,980,630)	(6,772,076)
Payments to employees	(5,221,228)	(3,966,656)
Payments for Waste-to-Energy (WTE) operations	(19,409,582)	(18,826,601)
Payments for insurance and employee benefits	<u>(1,584,838)</u>	<u>(2,271,919)</u>
Net cash flow provided by operating activities	<u>5,588,084</u>	<u>14,447,930</u>
CASH FLOW FROM CAPITAL AND RELATED FINANCING ACTIVITIES:		
Payments on bonds outstanding	(2,910,000)	(2,770,000)
Payments on finance\ lease obligations	(398,396)	(556,796)
Proceeds from the sale of machinery and equipment	168,555	89,615
Purchase of property, plant and equipment	(2,861,176)	(694,311)
Payments for interest on bonds outstanding	<u>(2,267,168)</u>	<u>(2,425,472)</u>
Net cash flow used in capital and related financing activities	<u>(8,268,185)</u>	<u>(6,356,964)</u>
CASH FLOW FROM INVESTING ACTIVITIES:		
Net change in funds held by trustee	1,137,772	115,767
Proceeds from interest on invested funds	<u>828,304</u>	<u>143,092</u>
Net cash flow provided by investing activities	<u>1,966,076</u>	<u>258,859</u>
CHANGE IN CASH AND CASH EQUIVALENTS	(714,025)	8,349,825
CASH AND CASH EQUIVALENTS - beginning of year	<u>22,603,065</u>	<u>14,253,240</u>
CASH AND CASH EQUIVALENTS - end of year	<u>\$ 21,889,040</u>	<u>\$ 22,603,065</u>

The accompanying notes are an integral part of these statements.



# ONONDAGA COUNTY RESOURCE RECOVERY AGENCY

## STATEMENTS OF CASH FLOWS FOR THE YEARS ENDED DECEMBER 31, 2023 AND 2022

	<u>2023</u>	<u>2022</u>
RECONCILIATION OF OPERATING LOSS TO NET CASH FLOW FROM OPERATING ACTIVITIES:		
Operating income	\$ (98,954)	\$ 8,334,985
Adjustments to reconcile operating loss to net cash flow from operating activities:		
Depreciation	1,310,395	1,535,757
WTE operations used to reduce lease costs	4,186,600	4,187,934
Other postemployment benefits expense	9,529	(60,299)
Bond insurance amortization	38,994	38,994
Change in pension costs	328,282	(334,928)
Changes in:		
Accounts receivable	(909,343)	962,473
Electric revenue receivable and other receivables	849,066	(827,896)
Prepaid expenses	73,068	(119,937)
Accounts payable, accrued expenses and other current liabilities	<u>(199,553)</u>	<u>730,847</u>
Net cash flow provided by operating activities	<u>\$ 5,588,084</u>	<u>\$ 14,447,930</u>

The accompanying notes are an integral part of these statements.

# ONONDAGA COUNTY RESOURCE RECOVERY AGENCY

## NOTES TO FINANCIAL STATEMENTS DECEMBER 31, 2023 AND 2022

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### 1. ORGANIZATION

Onondaga County Resource Recovery Agency (OCRRA) was statutorily created in 1981 as a public benefit corporation under New York State law. OCRRA began active operations in 1990. OCRRA is exempt from federal income taxes under Internal Revenue Service Code Section 115.

Under an agreement between OCRRA and the County of Onondaga (County), OCRRA is responsible for implementing the County Solid Waste Management Program, as well as the construction, operation and otherwise ensuring the availability of solid waste management and recycling facilities for participating municipalities in the County of Onondaga, State of New York. Under current contracts, OCRRA's operations service the thirty-three participating municipalities in Onondaga County.

### 2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

#### **Measurement Focus and Basis of Accounting**

OCRRA operates as a proprietary fund. Proprietary funds utilize an "economic resources" measurement focus. The accounting objectives of this measurement focus are the determination of operating income, changes in net position, financial position, and cash flows. All assets, deferred outflows of resources, liabilities, and deferred inflows of resources (whether current or noncurrent) associated with their activities are reported.

OCRRA utilizes the accrual basis of accounting. Under the accrual basis of accounting, revenues are recognized when earned and expenses are recorded when the liability is incurred or an economic asset is used.

The accounting policies of OCRRA conform to generally accepted accounting principles as applicable to governmental units. The accepted standard setting body for establishing governmental accounting and financial reporting principles is the Governmental Accounting Standards Board (GASB).

#### **Estimates**

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from these estimates.

#### **Other Postemployment Benefits**

OCRRA provides health insurance benefits to certain retired employees and their spouses and beneficiaries. OCRRA accrues the costs for these benefits based on an annual valuation of future expenses.

## 2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

### **Cash and Cash Equivalents**

Cash and cash equivalents consist of cash held in checking, savings, money market accounts, and from time to time treasury bills with maturity dates of twelve months or less.

### **Accounts Receivable**

Accounts receivable are carried at their estimated collectible amounts. They are periodically evaluated for collectability based on past credit history with customers and their current financial condition.

### **Property, Plant and Equipment**

Property, plant and equipment over \$5,000 are capitalized and recorded at cost. Depreciation is computed using the straight-line method over the estimated useful lives of the related assets, which range from 4 to 40 years. Depreciation expense amounted to \$1,310,395 and \$1,535,757 for the years ended December 31, 2023 and 2022, respectively.

### **Deferred Outflows of Resources**

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, Deferred Outflows of Resources, represents an acquisition of net position that applies to a future period and so will not be recognized as expense until then.

### **Deferred Inflows of Resources**

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, Deferred Inflows of Resources, represents a receipt of net position that applies to a future period and so will not be recognized as revenue until then.

### **Assets Limited as to Use**

Assets limited as to use represent funds restricted as to use under OCRRA's Revenue Bond and Facility Lease Agreements.

### **Net Position**

GASB requires the classification of net position into three components. These classifications are displayed in three components below:

- a. Net investment in capital assets - capital assets including restricted capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvement of those assets.
- b. Restricted net position - net position with constraints placed on their use either by (1) external groups such as creditors or laws or regulations of other governments; or (2) law through constitutional provisions or enabling legislation. See page 14 for detail of the \$6,107,499 restricted net position at December 31, 2023.
- c. Unrestricted net position - net position that does not meet the definition of restricted or net investment in capital assets.

When both restricted and unrestricted resources are available for use, it is OCRRA's policy to use restricted resources first, then unrestricted resources as they are needed.

## 2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

### Revenue Classification

Tipping fees, commodity revenues, fees related to our principal operations and grants are considered operating revenues, as they derive from the OCRRA's principal purpose. Interest income and other miscellaneous sources are considered nonoperating.

### Landfill and Related Costs

OCRRA has secured the required permit for the construction of an in-county landfill to be located in the Town of Van Buren (the "Landfill"). Currently, OCRRA transports the ash from the Waste-to-Energy Facility and other non-recyclable waste that cannot be processed at the facility to the High Acres Landfill, near Fairport, New York, the Seneca Meadows Landfill near Waterloo, New York and the Madison County Landfill near Nelson, New York generally under long-term contracts. Construction of the in-county landfill will occur when environmental and economic factors dictate that it is in the best interest of Onondaga County businesses and residents. The cost of the designated site is included in property, plant and equipment (see Note 6). Engineering and consulting fees related to siting, environmental studies and permitting of the Landfill are capitalized. According to Governmental Accounting Standards Board Statement No. 18, *Accounting for Municipal Solid Waste Landfill Closure and Postclosure Care Costs*, should OCRRA decide to transport waste to the Landfill, OCRRA is required to accrue a portion of the estimated total of closure and postclosure care in each period that waste is accepted at the site. Recognition of such a liability shall begin on the date the Landfill begins accepting waste. As of December 31, 2023 there has been no waste delivered to the Landfill, and no waste is expected to be delivered during 2024.

### Environmental and Regulatory Risk

OCRRA operates in an environmentally sensitive industry and is subject to extensive federal and state laws and regulations adopted for the protection of the environment. The laws and regulations are primarily applicable to discharge of emissions into the air and management of solid waste but can also include those related to water use, discharges to water and hazardous waste management. Certain aspects of these laws have extensive and complicated requirements relating to obtaining operating permits, monitoring, record keeping and reporting. Management believes that its facilities are in material compliance with permits and other applicable environmental laws.

## 3. CASH AND CASH EQUIVALENTS

Custodial credit risk is the risk that in the event of a bank failure, OCRRA's deposits may not be returned to it.

Statutes authorize OCRRA to maintain deposits with financial institutions and to invest in certificates of deposit, obligations of New York State, the United States Government and its agencies, and repurchase agreements collateralized by U.S. obligations.

Unrestricted and restricted cash equivalents are covered or collateralized by either federal depository insurance, securities held by the pledging bank's trust department in OCRRA's name, or are U.S. Government and/or federal agency securities held by the Trustee.

At December 31, 2023, the carrying value of OCRRA's cash deposits were approximately \$27,997,000, and the bank balances were approximately \$29,113,000. OCRRA's deposit policies require OCRRA's cash to either be covered by depository insurance or collateralized by governmental securities held by the depository institution. At December 31, 2023, OCRRA had collateralized cash balances of approximately \$6,470,000, deposits at the Trustee of \$6,108,000, Treasury Bill investments of \$9,754,000, and the remainder was covered by depository insurance.

#### 4. OPERATING CONSIDERATIONS

The Onondaga County Solid Waste Management System (System) has implemented a multi-layer “flow control” arrangement to ensure that all legal means of requiring delivery of waste into the System are utilized. First, OCRRA has “delivery agreements” with all 33 participating municipalities in Onondaga County. Those “delivery agreements” commit each municipality to “deliver or cause the delivery” of municipal solid waste (MSW) from their community to the System. Most of the residential MSW is delivered to the System pursuant to municipal pick-up, municipally contracted pick-up, and solid waste districts, implemented in accordance with the “delivery agreements.” In addition, in 2000 - 2001, all 33 municipalities enacted approved, in-state waste site designation laws committing delivery of all of their MSW to the System if the MSW is to be disposed of within the State. Also, in 2003, the Onondaga County Legislature enacted a local “flow control” law, based closely on the language and criteria found in the Oneida-Herkimer Law that directs all municipal solid waste in the 33 participating municipalities to OCRRA’s public Waste-To-Energy Facility. This type of arrangement was reviewed and deemed Constitutional by the U.S. Supreme Court in its April 2007 Oneida-Herkimer case. The 33 member municipalities have entered into delivery agreements with automatic renewals through 2035. Finally, OCRRA, as additional security, enters into hauler contracts directly with the area’s private and municipal waste haulers, wherein they have contractually committed to deliver all MSW picked up in the 33 participating municipalities to the System. The contracts provide stiff stipulated contractual damage penalties for violation of that contract provision.

#### 5. ASSETS LIMITED AS TO USE

Assets limited as to use are held by a trustee in accordance with the terms of the Revenue Bonds Master Bond Resolution (see Note 8) and certain trustee funds represent restricted net position reported on the Statement of Financial Position. The restricted net position includes the following funds at December 31:

	<u>2023</u>	<u>2022</u>
Funds accumulated from System revenues to pay for 2015 debt service obligations	\$ 1,934,568	\$ 1,877,318
Funds accumulated from System revenues to pay for 2019 debt service obligations	502,147	472,360
Accumulation of earnings from System revenues to satisfy general OCRRA obligations	<u>3,670,784</u>	<u>3,967,470</u>
Total	<u>\$ 6,107,499</u>	<u>\$ 6,317,148</u>

## 6. PROPERTY, PLANT AND EQUIPMENT

Property, plant and equipment activity for the year ended December 31, 2023 was as follows:

	<u>Beginning Balance</u>	<u>Increase</u>	<u>Decrease</u>	<u>Ending Balance</u>
Land	\$ 396,190	\$ 406,218	\$ -	\$ 802,408
Landfill site	3,854,290	-	-	3,854,290
Landfill site costs	195,760	-	-	195,760
Landfill buildings and improvements	590,484	-	150,000	440,484
Buildings and improvements	10,457,742	1,221,733	-	11,679,475
Machinery and vehicles	12,212,563	1,145,225	1,067,797	12,289,991
Furniture and fixtures	147,371	-	-	147,371
Computer equipment	101,257	-	-	101,257
Leasehold improvements	3,375,062	80,076	-	3,455,138
Land improvements	3,247,367	-	-	3,247,367
Construction in progress	<u>76,610</u>	<u>1,664,594</u>	<u>1,656,670</u>	<u>84,534</u>
Total property, plant and equipment	34,654,696	4,517,846	2,874,467	36,298,075
Less: Accumulated depreciation				
Landfill buildings and improvements	(568,733)	(2,689)	(150,000)	(421,422)
Buildings and improvements	(3,010,952)	(315,016)	-	(3,325,968)
Machinery and vehicles	(9,964,275)	(835,118)	(1,067,796)	(9,731,597)
Furniture and fixtures	(124,635)	(4,134)	-	(128,769)
Computer equipment	(91,992)	(2,647)	-	(94,639)
Leasehold improvements	(1,759,576)	(148,375)	-	(1,907,951)
Land improvements	<u>(29,791)</u>	<u>(2,415)</u>	<u>-</u>	<u>(32,206)</u>
Total accumulated depreciation	<u>(15,549,954)</u>	<u>(1,310,394)</u>	<u>(1,217,796)</u>	<u>(15,642,552)</u>
Property, plant and equipment, net	<u>\$ 19,104,742</u>	<u>\$ 3,207,452</u>	<u>\$ (1,656,671)</u>	<u>\$ 20,655,523</u>

Property, plant and equipment activity for the year ended December 31, 2022 was as follows:

	<u>Beginning Balance</u>	<u>Increase</u>	<u>Decrease</u>	<u>Ending Balance</u>
Land	\$ 396,190	\$ -	\$ -	\$ 396,190
Landfill site	3,854,290	-	-	3,854,290
Landfill site costs	195,760	-	-	195,760
Landfill buildings and improvements	590,484	-	-	590,484
Buildings and improvements	10,317,435	140,307	-	10,457,742
Machinery and vehicles	12,422,111	477,392	686,940	12,212,563
Furniture and fixtures	152,945	-	5,574	147,371
Computer equipment	101,257	-	-	101,257
Leasehold improvements	3,375,062	-	-	3,375,062
Land improvements	3,247,367	-	-	3,247,367
Construction in progress	<u>-</u>	<u>189,017</u>	<u>112,407</u>	<u>76,610</u>
Total property, plant and equipment	34,652,901	806,716	804,921	34,654,696
Less: Accumulated depreciation				
Landfill buildings and improvements	(565,930)	(2,803)	-	(568,733)
Buildings and improvements	(2,737,695)	(273,257)	-	(3,010,952)
Machinery and vehicles	(9,579,413)	(1,072,959)	(688,097)	(9,964,275)
Furniture and fixtures	(126,075)	(4,134)	(5,574)	(124,635)
Computer equipment	(89,345)	(2,647)	-	(91,992)
Leasehold improvements	(1,580,882)	(178,694)	-	(1,759,576)
Land improvements	<u>(27,373)</u>	<u>(2,418)</u>	<u>-</u>	<u>(29,791)</u>
Total accumulated depreciation	<u>(14,706,713)</u>	<u>(1,536,912)</u>	<u>(693,671)</u>	<u>(15,549,954)</u>
Property, plant and equipment, net	<u>\$ 19,946,188</u>	<u>\$ (730,196)</u>	<u>\$ (111,250)</u>	<u>\$ 19,104,742</u>

## 7. FACILITY LEASE AND SERVICE AGREEMENT

In 1992, OCRRA issued Project Revenue Bonds for the purpose of constructing a Waste-to-Energy Facility (the "Facility") and funding certain reserves and other related costs. Pursuant to various agreements, Covanta Onondaga, L.P. (the "Partnership") also funded certain project costs and constructed the Facility. OCRRA leased the Facility and equipment to the Partnership under a long-term lease expiring May 8, 2015 with the Partnership having the option to purchase the Facility for \$1. This lease and service agreement was extended as described in the "Renewal of Facility Lease and Service Agreement" section below.

Pursuant to the facility lease agreement the real property comprising a portion of the Facility is leased to the Partnership.

Pursuant to the service agreement the Partnership operates and maintains the Facility for the processing of solid waste delivered by OCRRA to the Facility.

All revenues of the Facility, which include rates, fees, charges and other realized income received by OCRRA from the ownership, operation, use or services of the Facility, in excess of expenses, are to be paid directly to the Trustee for the benefit of the Partnership and Trustee. After satisfaction of those obligations, remaining revenues revert to OCRRA for its use.

OCRRA's obligation is unconditional and requires payment by OCRRA if there is no waste delivered; OCRRA remains responsible for debt service, which is also paid through the Trustee.

The obligations of the Partnership under the service agreement and facility lease are guaranteed to OCRRA and the Trustee by Covanta Energy Corporation.

### **Renewal of Facility Lease and Service Agreement**

In November 2014, OCRRA entered into a twenty (20) year extension of the Second Amended and Restated Service Agreement with the Partnership until May 8, 2035. The extension includes a mutual option to extend the term of the Service Agreement for an additional five (5) years until May 8, 2040. Under this Service Agreement extension, OCRRA was required to refinance the 2003 Series B bonds for a term that is coterminous with the base term of the Service Agreement extension (See Note 8). This is in addition to the service fee and other facility related OCRRA cost obligations, i.e. operations and maintenance charge, pass through costs, ash disposal costs and debt service on any Capital Refurbishment bonds.

OCRRA committed to a minimum annual waste delivery obligation of 320,000 in 2015 and 345,000 tons for full years thereafter, with OCRRA paying shortfall damages equal to the Partnership's lost electric and metal revenue for each shortfall ton. The maximum annual waste capacity is the Facility's permitted capacity less some limited tonnage available to the Partnership for Supplemental Waste. Net electric revenue is shared 90% OCRRA/10% Partnership and metal revenue is shared 50%/50% with a ceiling amount. OCRRA remains responsible for ash transport and disposal with some limited exceptions.

OCRRA will have legal ownership of the Facility during the term but at the end of the term, the Partnership will own it with an option for OCRRA to purchase it at that point for Fair Market Value. The Partnership will retain tax ownership of the Facility during the term. OCRRA would account for this agreement as a sale in accordance with GASB 87.

OCRRA established a Capital Refurbishment Fund to assist in funding OCRRA's share of needed Capital Refurbishment Projects, which is included with assets limited to use on the Statement of Net Position.

## 7. FACILITY LEASE AND SERVICE AGREEMENT (Continued)

### Renewal of Facility Lease and Service Agreement (Continued)

As described in Note 8, OCRRA issued 2015A and 2015B series debt in accordance with the terms of the facility lease renewal. This resulted in the recognition of new facility lease assets, which will be recognized throughout the term of the contract extension and in an amount approximating the underlying debt service requirements of the 2015A and 2015B series debt. OCRRA may refinance, issue or call any debt issued under the contract extension at OCRRA's sole discretion as long as such action does not violate the extension agreement terms. OCRRA may call any new bonds issued under the terms of any bond indenture provided OCRRA provides adequate advance notice to the Partnership at least prior to October 1st of the preceding year. The debt service for the refinanced 2003 Series B bonds and Capital Refurbishment bonds, as applicable, will be added to the Service Fee, and payment will be made in a similar fashion as under the previous service agreement. The Partnership will provide an initial \$21,000,000 parent guarantee declining on an annual basis by \$500,000 per year until it reaches \$16,000,000.

The Waste-to-Energy operations cost is composed of the following:

	<u>2023</u>	<u>2022</u>
Operating and pass through costs	\$ 19,409,582	\$ 18,826,601
Capital charge (2015 Bond Debt Service)	<u>4,186,600</u>	<u>4,187,933</u>
Total	<u>\$ 23,596,182</u>	<u>\$ 23,014,534</u>

Future minimum annual payments from the Partnership are as follows at December 31:

<u>Year</u>	<u>Amount</u>
2024	\$ 2,445,000
2025	2,570,000
2026	2,695,000
2027	2,830,000
2028	2,975,000
2029 – 2033	17,140,000
2034 – 2035	<u>7,895,000</u>
Total future minimum payments	38,550,000
Less: Income recognized prior to May principal payment	<u>(1,630,000)</u>
Net Investment in Lease Agreement	36,920,000
Less: Current portion	<u>(2,445,000)</u>
Long-term portion	<u>\$ 34,475,000</u>



## 8. 2015 SERIES A AND 2015 SERIES B BONDS PAYABLE

In 2015, OCRRA issued \$54,560,000 in Revenue Bonds, consisting of Series 2015A Tax-Exempt Bonds totaling \$53,505,000 and Series 2015B Taxable Bonds totaling \$1,055,000. The 2015A bonds bear interest at an escalating rate from 3% to 5%. The 2015A bonds have a tiered maturity schedule with annual principal maturations through May 1, 2030, and an \$18,640,000 final maturity on May 1, 2035. The 2015B bonds bore interest at 1.75%, and matured May 1, 2016.

The 2015A bonds maturing on May 1, 2035 are subject to mandatory sinking fund requirements on May 1, 2031 and on each May 1 thereafter as follows:

<u>May 1:</u>	<u>Amount</u>
2031	\$ 3,445,000
2032	3,580,000
2033	3,720,000
2034	3,870,000
2035	4,025,000

As part of the debt issuance, \$42,695,385 in outstanding 2003B bonds were refunded and retired.

Activity relative to the 2015A and 2015B bonds payable for the year ended December 31, 2023 was as follows:

	Balance at December 31, <u>2022</u>	<u>Additions</u>	<u>Reductions</u>	Balance at December 31, <u>2023</u>	Due in <u>one year</u>
2015A	\$ 40,880,000	\$ -	\$ (2,330,000)	\$ 38,550,000	\$ 2,445,000
2015B	-	-	-	-	-
Total	<u>\$ 40,880,000</u>	<u>\$ -</u>	<u>\$ (2,330,000)</u>	<u>\$ 38,550,000</u>	<u>2,445,000</u>
Bond Premium	<u>2,835,771</u>	<u>-</u>	<u>(229,932)</u>	<u>2,605,839</u>	<u>229,932</u>
Total	<u>\$ 43,715,771</u>	<u>\$ -</u>	<u>\$ (2,559,932)</u>	<u>\$ 41,155,839</u>	<u>\$ 2,674,932</u>

Activity relative to the 2015A and 2015B bonds payable for the year ended December 31, 2022 was as follows:

	Balance at December 31, <u>2021</u>	<u>Additions</u>	<u>Reductions</u>	Balance at December 31, <u>2022</u>	Due in <u>one year</u>
2015A	\$ 43,100,000	\$ -	\$ (2,220,000)	\$ 40,880,000	\$ 2,330,000
2015B	-	-	-	-	-
Total	<u>\$ 43,100,000</u>	<u>\$ -</u>	<u>\$ (2,220,000)</u>	<u>\$ 40,880,000</u>	<u>2,330,000</u>
Bond Premium	<u>3,065,703</u>	<u>-</u>	<u>(229,932)</u>	<u>2,835,771</u>	<u>229,932</u>
Total	<u>\$ 46,165,703</u>	<u>\$ -</u>	<u>\$ (2,449,932)</u>	<u>\$ 43,715,771</u>	<u>\$ 2,559,932</u>

**8. 2015 SERIES A AND SERIES B BONDS PAYABLE (Continued)**

General covenants require OCRRA to impose charges sufficient to pay debt service, enforce certain contractual obligations that assure continued flow of Onondaga County waste into the System, prepare annual budgets and maintain proper books and records, and to furnish appropriate financial information to the Trustee on an annual basis. These bonds are available on the secondary market but are lightly traded. Specific covenants include the setting of tipping fees and user charges that when taken together with other System Revenues, produces revenues available for debt service in each fiscal year equal to or exceeding 110% of all debt service on the bonds outstanding during the period, and the maintaining of \$3,000,000 in unencumbered cash reserves as of June 30 and December 31 of each fiscal year.

Interest paid as of December 31, 2023 and 2022, amounted to \$1,550,001 and \$1,664,668 respectively.

The following is a schedule of the future minimum payments under the bond agreement, including mandatory sinking fund requirements as of December 31:

<u>Year</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2024	\$ 2,445,000	\$ 1,679,975	\$ 4,124,975
2025	2,570,000	1,554,600	4,124,600
2026	2,695,000	1,422,975	4,117,975
2027	2,830,000	1,284,850	4,114,850
2028	2,975,000	1,139,725	4,114,725
2029 – 2033	17,140,000	3,417,925	20,557,925
2034 – 2035	7,895,000	318,900	8,213,900
Total	<u>\$ 38,550,000</u>	<u>\$ 10,818,950</u>	<u>\$ 49,368,950</u>

**9. 2019 BONDS PAYABLE**

In 2019, OCRRA issued \$10,835,000 in Revenue Bonds, as subordinate lien bonds under the 2015 Master Indenture. The 2019 bonds bear interest at an escalating rate from 3% to 5%. The 2019 bonds have a tiered maturity schedule with annual principal maturations through May 1, 2034. Interest paid in 2023 amounted to \$343,005. These bonds are subject to the covenants contained in the 2015 Master Indenture. Activity relative to the Series 2019 bonds payable for the year ended December 31, 2023 and 2022 was as follows:

	<u>Balance at December 31, 2022</u>	<u>Additions</u>	<u>Reductions</u>	<u>Balance at December 31, 2023</u>	<u>Due in one year</u>
Series 2019	\$ <u>9,255,000</u>	\$ <u>-</u>	<u>(580,000)</u>	\$ <u>8,675,000</u>	\$ <u>605,000</u>
Bond Premium	\$ <u>1,138,003</u>	\$ <u>-</u>	<u>(100,412)</u>	\$ <u>1,037,591</u>	\$ <u>100,412</u>

	<u>Balance at December 31, 2021</u>	<u>Additions</u>	<u>Reductions</u>	<u>Balance at December 31, 2022</u>	<u>Due in one year</u>
Series 2019	\$ <u>9,805,000</u>	\$ <u>-</u>	<u>(550,000)</u>	\$ <u>9,255,000</u>	\$ <u>580,000</u>
Bond Premium	\$ <u>1,238,415</u>	\$ <u>-</u>	<u>(100,412)</u>	\$ <u>1,138,003</u>	\$ <u>100,412</u>

**9. 2019 BONDS PAYABLE (Continued)**

The following is a schedule of the future minimum payments under the Series 2019 supplemental bond agreement as of December 31:

<u>Year</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2024	\$ 605,000	\$ 418,625	\$ 1,023,625
2025	640,000	387,500	1,027,500
2026	670,000	354,750	1,024,750
2027	705,000	320,375	1,025,375
2028	740,000	284,250	1,024,250
2029 – 2033	4,315,000	1,094,875	5,409,875
2034	1,000,000	25,000	1,025,000
Total	<u>\$ 8,675,000</u>	<u>\$ 2,885,375</u>	<u>\$ 11,560,375</u>

**10. RETIREMENT PLANS**

New York State Employees' Retirement System (NYSERS)

OCRRA participates in the New York State Employees' Retirement System (NYSERS) also referred to as New York State and Local Retirement System (the System). This is a cost-sharing, multiple employer public employee retirement system, providing retirement benefits as well as death and disability benefits. The net position of the System is held in the New York State Common Retirement Fund (the Fund), established to hold all net position and record changes in plan net position allocated to the System, System benefits are established under the provisions of the New York State Retirement and Social Security Law (NYS RSSL). Once an employer elects to participate in the System, the election is irrevocable. The New York State Constitution provides that pension membership is a contractual relationship and plan benefits cannot be diminished or impaired. Benefits can be changed for future members only by enactment of a State statute. OCRRA also participates in the Public Employees' Group Life Insurance Plan (GLIP), which provides death benefits in the form of life insurance. The System is included in the State's financial report as a pension trust fund. That report, including information with regard to the benefits provided, may be found on the following website shown: [www.osc.state.ny.us/retire/publications/index.php](http://www.osc.state.ny.us/retire/publications/index.php) or obtained by writing to the New York State and Local Retirement System, 110 State Street, Albany, New York 12244.

The System is noncontributory for the employees who joined prior to July 27, 1976. For employees who joined the Systems after July 27, 1976, and prior to January 1, 2010, employees contribute 3% of their salary, except that employees in the Systems more than ten years are no longer required to contribute. For employees who joined after January 1, 2010 and prior to April 1, 2012, employees in NYSERS contribute 3% of their salary throughout their active membership. For employees who joined after April 1, 2012, employees contribute 3% of their salary until April 1, 2013 and then contribute 3% to 6% of their salary throughout their active membership. The Comptroller annually certifies the actuarially determined rates expressly used in computing the employers' contributions based on salaries paid during the System's fiscal year ending March 31.

Contributions for the current year and two preceding years were equal to 100 percent of contributions required, and were as follows:

<u>Year</u>	<u>Amount</u>
2023	\$ 495,650
2022	403,190
2021	546,902

## 10. RETIREMENT PLANS (Continued)

### New York State Employees' Retirement System (NYSERS) (Continued)

#### **Pension Liabilities, Pension Expense, and Deferred Outflows/Inflows of Resources Related to Pensions**

At December 31, 2023 and 2022, OCRRA reported a net pension liability of \$2,280,946 and a net pension asset of \$875,164, respectively, for its proportionate share of the NYS ERS net pension liability. The net pension asset/liability was measured as of March 31, 2023 and 2022, and the total pension liability used to calculate the net pension liability was determined by the actuarial valuations as of those dates. OCRRA's proportion of the net pension liability was based on a projection of OCRRA's long-term share of contributions to the pension plan relative to the projected contributions of all participating members, actuarially determined. At December 31, 2023 and 2022, OCRRA's proportion was .0106367% and .0107059%, respectively. For the years ended December 31, 2023 and 2022, OCRRA recognized pension adjustments of \$227,485 and \$(471,653), respectively.

At December 31, 2023, OCRRA reported deferred outflows/inflows of resources related to pensions from the following sources:

	<u>Deferred Outflows of Resources</u>	<u>Deferred Inflows of Resources</u>
Differences between expected and actual experience	\$ 242,939	\$ 64,058
Changes of Assumptions	1,107,774	12,243
Net difference between projected and actual earnings on pension plan investments	-	13,400
Changes in proportion and differences between OCRRA's contributions and proportionate share of contributions	123,667	67,135
Contributions subsequent to the measurement date	<u>371,738</u>	<u>-</u>
Total	<u>\$ 1,846,118</u>	<u>\$ 156,836</u>

Amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

<u>Year Ended March 31:</u>	<u>Amount</u>
2024	\$ 312,566
2025	(105,667)
2026	480,918
2027	629,726
2028	-
Thereafter	-
Total	<u>\$ 1,317,543</u>

OCRRA recognized \$371,738 as a deferred outflow of resources related to pensions resulting from contributions made subsequent to the measurement date of March 31, 2023, which will be recognized as a reduction of the net pension liability in the year ended December 31, 2024.

## 10. RETIREMENT PLANS (Continued)

### New York State Employees' Retirement System (NYSERS) (Continued)

At December 31, 2022, OCRRA reported deferred outflows/inflows of resources related to pensions from the following sources:

	<u>Deferred Outflows of Resources</u>	<u>Deferred Inflows of Resources</u>
Differences between expected and actual experience	\$ 66,277	\$ 85,966
Changes of Assumptions	1,460,551	24,645
Net difference between projected and actual earnings on pension plan investments	-	2,865,796
Changes in proportion and differences between OCRRA's contributions and proportionate share of contributions	133,806	102,051
Contributions subsequent to the measurement date	<u>302,393</u>	<u>-</u>
Total	<u>\$ 1,963,027</u>	<u>\$ 3,078,458</u>

Amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

<u>Year Ended March 31:</u>	<u>Amount</u>
2023	\$ (208,534)
2024	(319,255)
2025	(740,220)
2026	(149,815)
2027	-
Thereafter	-
Total	<u>\$ (1,417,824)</u>

OCRRA recognized \$302,393 as a deferred outflow of resources related to pensions resulting from contributions made subsequent to the measurement date of March 31, 2022, which will be recognized as a reduction of the net pension liability in the year ended December 31, 2023.

### **Actuarial Assumptions**

The total pension liability at March 31, 2023 was determined by using an actuarial valuation as of April 1, 2022, with update procedures used to roll forward the total pension liability to March 31, 2023. The actuarial valuation used the following actuarial assumptions:

Inflation	<u>ERS</u> 2.9%
Salary increases	4.4%
Investment Rate of Return (net investment expense and inflation)	5.9%
Cost of living adjustments	1.5%

Annuitant mortality rates are based on April 1, 2015 – April 1, 2020 System experience with adjustments for mortality improvements based on the Society of Actuaries' Scale MP-2021.

The actuarial assumptions used in the April 1, 2022 valuation are based on the results of an actuarial experience study for the period April 1, 2015 – April 1, 2020.

## 10. RETIREMENT PLANS (Continued)

### New York State Employees' Retirement System (NYSERS) (Continued)

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected return, net of investment expenses and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation.

The target allocation and estimates of arithmetic real rates of return for each major asset class are summarized below:

Asset Class	Target Allocation	Long-term Expected Rate of Return
Domestic Equity	32.0%	4.30%
International Equity	15.0	6.85
Private Equity	10.0	7.50
Real Estate	9.0	4.60
Opportunistic/Absolute Return	3.0	5.38
Credit	4.0	5.43
Real Assets	3.0	5.84
Fixed Income	23.0	1.50
Cash	1.0	-0-
Total	100%	

The real rate of return is net of the long-term inflation assumption of 2.50%.

#### **Discount Rate**

The discount rate used to calculate the total pension liability was 5.9%. The projection of cash flows used to determine the discount rate assumes that contributions from plan members will be made at the current contribution rates and that contributions from employers will be made at statutorily required rates, actuarially. Based upon the assumptions, the Plan's fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

#### **Pension Plan Fiduciary Net Position (000's)**

The components of the current-year net pension liability of the employers as of March 31, 2023 were as follows:

Total pension liability	\$ 232,627,259
Net position	<u>211,183,223</u>
Net pension liability (asset)	<u>\$ 21,444,036</u>
ERS net position as a percentage of total pension liability	<u>90.78%</u>

## 10. RETIREMENT PLANS (Continued)

### New York State Employees' Retirement System (NYSERS) (Continued)

#### **Sensitivity of the Proportionate Share of the Net Pension Liability to the Discount Rate Assumption – December 31, 2023**

The following presents OCRRA's proportionate share of the net pension liability calculated using the discount rate of 5.90, as well as what the OCRRA's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1% lower (4.9%) or 1% higher (6.9%) than the current rate:

	1% Decrease <u>(4.9%)</u>	Current Discount <u>(5.9%)</u>	1% Increase <u>(6.9%)</u>
Proportionate Share of Net Pension liability (asset)	\$ 5,512,067	\$ 2,280,946	\$ (419,032)

### New York State Employees' Retirement System (NYSERS) (Continued)

#### **Sensitivity of the Proportionate Share of the Net Pension Liability to the Discount Rate Assumption – December 31, 2022**

The following presents OCRRA's proportionate share of the net pension liability calculated using the discount rate of 5.90, as well as what the OCRRA's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1% lower (4.9%) or 1% higher (6.9%) than the current rate:

	1% Decrease <u>(4.9%)</u>	Current Discount <u>(5.9%)</u>	1% Increase <u>(6.9%)</u>
Proportionate Share of Net Pension liability (asset)	\$ 2,252,663	\$ (875,164)	\$ (3,491,441)

#### **Deferred Compensation Plan**

Several of OCRRA's employees elect to participate in the New York State Deferred Compensation Plan under Section 457 of the Tax Law.

## 11. OTHER POSTEMPLOYMENT BENEFITS (OPEB)

#### **Health Insurance Benefits**

In addition to providing pension benefits, OCRRA provides health insurance benefits to certain retired employees and their spouses and beneficiaries, hired before April 10, 2002, between the ages of 55 and 65 under a single-employer defined benefit healthcare plan, the OCRRA Postretirement Healthcare Benefits Plan. The plan is administered by OCRRA. OCRRA's Board of Directors has the authority to establish and amend the plan's benefits.

#### **Funding Policy**

Eligible employees who retire from employment between the ages of 55 and 61 may waive their COBRA rights and continue their health insurance benefits (exclusive of dental coverage) by paying the full cost of the coverage. These employees at age 62 may continue coverage until they become Medicare eligible by paying 25% of the coverage with OCRRA contributing the other 75% of premiums for eligible retired plan members and their spouses. Once these employees are eligible for Medicare they lose their coverage and receive payments equal to \$50 per month until their death. The payments are intended to offset the cost of Medicare supplemental benefits, but retirees are not required to use the payments for that purpose. Represented employees hired after January 1, 2002, and non-represented employees hired after April 10, 2002 are not eligible for any postemployment benefits.

## 11. OTHER POSTEMPLOYMENT BENEFITS (OPEB) (Continued)

### Annual OPEB Cost and Net OPEB Obligation

OCRRA's annual other postemployment benefit (OPEB) cost is calculated based on the net OPEB obligation and the estimated amortization years remaining. OCRRA has elected to calculate the OPEB obligation and related information using the alternative measurement method permitted by GASB Statement 75 for employers in plans with fewer than one hundred total plan members. The following table shows the components of OCRRA's annual OPEB cost for the year, the amount actually contributed to the plan, and changes in OCRRA's net OPEB obligation:

Annual required contribution	\$ 24,713
Actuarial adjustment	8,386
Contributions made	<u>(23,569)</u>
Increase in net OPEB obligation	9,530
Net OPEB obligation - beginning of year	<u>163,464</u>
Net OPEB obligation - end of year	<u>\$ 172,994</u>
Annual OPEB cost	\$ 24,713
Percentage of annual OPEB cost contributed	96%

OCRRA's annual OPEB cost, the percentage of annual OPEB cost contributed to the plan, the net OPEB obligation for the fiscal year 2023 and the two preceding years were as follows:

<u>Fiscal Year Ended</u>	<u>Annual OPEB Cost</u>	<u>Percentage of Annual OPEB Cost Contributed</u>	<u>Net OPEB Obligation</u>
12/31/2021	\$ 24,863	332.46%	\$ 223,763
12/31/2022	20,433	299.32%	163,464
12/31/2023	24,713	95.37%	172,994

The projection of future benefit payments for an ongoing plan involves estimates of the value of reported amounts and assumptions about the probability of occurrence of events far into the future. Examples include assumptions about retirement age and healthcare cost trend. Amounts determined regarding the funded status of the plan and the annual required contributions of the employer are subject to continual revision as actual results are compared with past expectations and new estimates are made about the future. The schedule of funding progress, presented as required supplementary information following the notes to the financial statements, presents multiyear trend information about whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial accrued liabilities for benefits.

### Methods and Assumptions

Projections of benefits for financial reporting purposes are based on the substantive plan and include the types of benefits provided at the time of each valuation and the historical pattern of sharing of benefit costs between the employer and plan members to that point. The methods and assumptions used include techniques that are designed to reduce the effects of short-term volatility in actuarial accrued liabilities and the actuarial value of assets, consistent with long-term perspective of the calculations. The valuation is performed December 31 of each year.



## 11. OTHER POSTEMPLOYMENT BENEFITS (OPEB) (Continued)

### Methods and Assumptions (continued)

The following simplifying assumptions were made:

- *Retirement age for active employees* - Based on the historical average retirement age for the covered group, active plan members were assumed to retire at age 63.4 years.
- *Marital status* - Marital status of members at the calculation date was assumed to continue throughout retirement.
- *Eligibility* - Retirees are entitled to benefits until the age of 65 years.
- *Healthcare cost trend rate* - The expected rate of increase in healthcare insurance premiums was a rate of 10% initially, reduced to an ultimate rate of 5% after eight years.
- *Health insurance premiums* - 2022 health insurance premiums for retirees were used as the basis for calculation of the present value of total benefits to be paid.
- *Early Retirees* - Health insurance costs for early retirees were calculated based on actual expenses during 2022 and assumes that each retiree retains their current coverage through the date they become Medicare eligible.

Based on the historical and expected returns of OCRRA's cash and cash equivalents, a discount rate of 4% was used.

## 12. COMMITMENTS AND CONTINGENCIES

### Operating Leases

OCRRA leases land, equipment and office facilities under operating leases. Rental payments under these agreements were approximately \$122,000 and \$129,000 during 2023 and 2022, respectively. Obligations under all cancelable and non-cancelable long-term operating leases are as follows at December 31, 2023:

<u>Year</u>	<u>Amount</u>
2024	\$ 112,800
2025	114,800
2026	115,800
2027	61,300
Thereafter	<u>4,800</u>
Total	<u>\$ 409,500</u>

### Financed Purchases:

Since 2017, OCRRA utilizes a municipal finance lease program for the purchase of replacement equipment required for OCRRA operations. These agreements allow OCRRA to preserve cash reserves while purchasing needed equipment in a timely manner. Interest rates on these agreements range from 1.75% to 3.38%, and each agreement is for a term of 5 years. During 2023, OCRRA made principal payments of \$398,396, and interest payments of \$19,568. These payments included a final payment on Leases #6 and #7. The net book value of assets under these financed purchases at December 31, 2023 is \$396,756.

## 12. COMMITMENTS AND CONTINGENCIES (Continued)

### Financed Purchases (continued):

The following is an aggregate schedule of future principal and interest payments as of December 31, 2023:

<u>Year</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2024	\$ 146,331	\$ 9,518	\$ 155,849
2025	150,489	5,360	155,849
2026	76,840	1,084	77,924

### Property Stabilization

In 1997, OCRRA approved a property stabilization program to assist a limited number of property owners who live immediately adjacent to the landfill site. Payments under the plan make up a portion of the difference between the fully assessed value of a property and the actual sales price. In 2023 and 2022, no such payments were made.

### Landfill Contracts

OCRRA has a contract with High Acres Landfill for ash disposal through December 2025. The per ton incinerator ash residue disposal charge will range from \$16.95 to \$20.62 over the term of the contract. OCRRA has a contract with Seneca Meadows, Inc. through December 2025, for bypass, ash, and tire disposal. The per ton solid waste/bypass solid waste disposal charge will range from \$29 to \$43 for by-pass, \$24 to \$36 for ash, and \$100 to \$257/ton for tires, over the term of the contract. OCRRA has a contract with Madison County Dept. of Solid Waste for ash disposal through June 2027, with two four-year options thereafter, a per ton incinerator ash residue disposal charge ranging from \$14 to \$15.50 through 2019, and an escalation of 2% per year thereafter. Total costs incurred under all agreements were \$2,674,988 and \$2,452,612 during 2023 and 2022; respectively and are included in landfill contracts on the statements of revenues, expenses and changes in net position.

OCRRA entered into an Interim Host Community Agreement (Interim Agreement) with the Town of Van Buren (Van Buren) in 1998. The Interim Agreement provides for annual payments to Van Buren during the period prior to development of the landfill facility. The Interim Agreement includes provisions for annual increases based upon a five-year rolling average of the Van Buren tax rate. In no case shall such annual increase be greater than 2%, according to the Interim Agreement. The Host Community Interim Agreement was extended pursuant to an automatic renewal provision through the year 2024.

OCRRA recorded payments to Van Buren in the amount of \$62,631 and \$61,937 in 2023 and 2022, respectively.

### Litigation

OCRRA is occasionally a party to various proceedings arising in the normal course of business. There are presently no proceedings pending that would have a significant impact on the financial position of OCRRA.

### Recycling

OCRRA's current contract with a local material recovery facility has certain termination clauses. Should either party cancel this agreement, OCRRA could incur significant expenditures to continue its recycling program.

## **12. COMMITMENTS AND CONTINGENCIES (Continued)**

### **Union Contract**

OCRRA's contract with union employees runs through December 31, 2026.

### **Financial Assurance**

OCRRA maintains several permits and registrations with the NYS Department of Environmental Conservation (NYSDEC). Regulations require that OCRRA calculate and provide financial assurance for closure costs related to these facilities. OCRRA has elected to meet this requirement through a local government financial test. As of December 31, 2023 and 2022, OCRRA's estimated closure costs were \$2,411,520 and \$2,280,719, respectively, related to non-landfill facilities. These costs are recognized in the year a facility's operations cease; or amortized from the date a decision has been made to cease operations through the closure date. More information on these requirements can be found in the NYS DEC Regulations, specifically 6 NYCRR Part 360.

## **13. NATIONAL GRID AGREEMENT**

OCRRA and National Grid participate in an electricity purchase agreement through 2025. National Grid and OCRRA have established the upper limit for the agreement at 243,000,000 Kwh. For calendar years 2016 through 2025, OCRRA receives 77.50% of the market rate. In 2023 and 2022, respectively OCRRA received an annual average sale price of 2.52 and 4.74 cents per kilowatt hour.

## **14. CONCENTRATION**

The top five haulers delivered approximately 57.4% and 57.0% of the total municipal solid waste to OCRRA during the years ended December 31, 2023, and 2022, respectively. These haulers also accounted for approximately 68% and 67% of accounts receivable at December 31, 2023 and 2022, respectively.

## **15. SUBSEQUENT EVENTS**

Subsequent events have been evaluated by management through March 13, 2024, the date the financial statements were available to be issued.

**ONONDAGA COUNTY RESOURCE RECOVERY AGENCY**

**REQUIRED SUPPLEMENTARY INFORMATION - SCHEDULE OF FUNDING PROGRESS  
DECEMBER 31, 2023**

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<u>Year</u>	Actuarial Value of <u>Assets</u>	Total OPEB <u>Liability</u>	<u>Funded Ratio</u>
December 31, 2021	-	223,763	0%
December 31, 2022	-	163,464	0%
December 31, 2023	-	172,994	0%

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## ONONDAGA COUNTY RESOURCE RECOVERY AGENCY

### REQUIRED SUPPLEMENTARY INFORMATION - PENSIONS FOR THE YEAR ENDED DECEMBER 31, 2023

#### Schedule of Proportionate Share of Net Pension Liability (Asset) – in thousands

	<u>2023</u>	<u>2022</u>	<u>2021</u>	<u>2020</u>
Proportion of the net pension liability (asset)	.01%	.01%	.01%	.01%
Proportionate share of the net pension liability (asset)	\$2,281	(\$875)	\$11	\$3,102
Covered employee payroll	\$4,465	\$3,983	\$3,673	\$3,683
Proportionate share of the net pension liability (asset) as a percentage of its covered payroll	(51.09%)	(21.97%)	84.22%	22.68%
Plan fiduciary net position as a percentage of the total pension liability (asset)	90.78%	103.65%	86.39%	96.27%

#### Schedule of Proportionate Share of Net Pension Liability (Asset) – in thousands

	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>
Proportion of the net pension liability (asset)	.01%	.01%	.01%	.01%
Proportionate share of the net pension liability (asset)	\$917	\$420	\$1,154	\$2,019
Covered employee payroll	\$4,044	\$3,894	\$4,021	\$3,653
Proportionate share of the net pension liability (asset) as a percentage of its covered payroll	10.78%	28.70%	28.70%	55.26%
Plan fiduciary net position as a percentage of the total pension liability (asset)	98.24%	94.70%	94.70%	90.70%

#### Schedule of Contributions, Pension Plans – in thousands

	<u>2023</u>	<u>2022</u>	<u>2021</u>	<u>2020</u>
Contractually required contribution	\$ 496	\$ 403	\$ 547	\$ 535
Contributions in relation to the contractually required contribution	<u>\$ 496</u>	<u>\$ 403</u>	<u>\$ 547</u>	<u>\$ 535</u>
Contribution deficiency (excess)	<u>      -</u>	<u>      -</u>	<u>      -</u>	<u>      -</u>
Covered employee payroll	\$4,465	\$3,983	\$3,673	\$3,683
Contributions as a percentage of covered-employee payroll	11.11%	10.12%	14.89%	14.53%

#### Schedule of Contributions, Pension Plans – in thousands

	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>
Contractually required contribution	\$ 531	\$ 553	\$ 524	\$ 533
Contributions in relation to the contractually required contribution	<u>\$ 531</u>	<u>\$ 553</u>	<u>\$ 524</u>	<u>\$ 533</u>
Contribution deficiency (excess)	<u>      -</u>	<u>      -</u>	<u>      -</u>	<u>      -</u>
Covered employee payroll	\$4,044	\$3,894	\$4,021	\$3,653
Contributions as a percentage of covered-employee payroll	13.13%	14.20%	13.03%	14.59%

Information for periods prior to the implementation of GASB 68 (2008-2015) is unavailable and the above-related disclosures will be completed each year going forward as information becomes available.

**REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON  
COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN  
ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

*INDEPENDENT AUDITOR'S REPORT*

Board of Directors  
Onondaga County Resource Recovery Agency  
North Syracuse, New York

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the Onondaga County Resource Recovery Agency (OCRRA) as of and for the year ended December 31, 2023, and the related notes to the financial statements, which collectively comprise OCRRA's basic financial statements, and have issued our report thereon dated March 13, 2024.

***Report on Internal Control over Financial Reporting***

In planning and performing our audit of the financial statements, we considered OCRRA's internal control over financial reporting (internal control) as a basis for designing procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of OCRRA's internal control. Accordingly, we do not express an opinion on the effectiveness of OCRRA's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

***Report on Compliance and Other Matters***

As part of obtaining reasonable assurance about whether OCRRA's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on financial statements. However,

providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

***Purpose of this Report***

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing and not to provide an opinion on the effectiveness of OCRRA's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the OCRRA's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Syracuse, New York  
March 13, 2024

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# **RECYCLING/OPERATIONS COMMITTEE MEETING MINUTES**

**February 21, 2024**

**Time: 4:00 p.m. / Location: 100 Elwood Davis Rd.,  
N. Syracuse NY 13212**

*Members: E. Gilligan – Chair, D. Daley – V. Chair, L. Colon Torres, N. Zaccaria,  
R. Raman, N. Jankowski*

Present : E. Gilligan, D. Daley, N. Zaccaria, B. Page, Luis Colon-Torres

Absent : R. Raman, N. Jankowski

Also Attending: M. Cirino, M. Mokrzycki, K. Spillane, R. Czerwiak, C. Alburnio, T. Palmer,  
M Bianchetti, K. Lawton

Guest(s):

The meeting called to order at 4:00 PM

A quorum is present.

K. Spillane asked that the first agenda item – the resolution to purchase a roll-off truck, to be tabled until the next Recycling and Operations committee meeting in March, which the Chair agreed.

C. Alburnio presented two resolutions - One for the approval of a contract for construction of the waste conveyance system at Amboy and one expanding the current contract with Arcadis. The purpose of this discussion is to obtain consensus to move both resolutions to the full Board in March.

- In November 2022, OCRRA entered into a contract with Arcadis to prepare an engineering design related to the wastewater conveyance system and sanitary discharge line at the Amboy Compost Facility.
- In April 2023 the Recycling and Operations committee reviewed the design that included improvements to the existing sanitary system.
- Arcadis prepared a preliminary option of Probable Project Cost indicating that construction would cost approximately \$218,500.
- This project was budgeted as part of the capital plan in the previous year's budget.
- Arcadis' design was incorporated into an RFB which was publicly advertised in accordance with OCRRA's procurement policy and on the Syracuse Builder's Exchange.
- There were two bids received.
- The lowest responsible bidder for the RFB was JL Excavation LLC for \$270,632.
- OCRRA requested the Engineer of Record, Arcadis, to propose construction related support services that would be necessary to oversee and support these proposed construction activities.
- These additional engineering services are estimated to be \$39,713.
- Management recommends that the Agency contract with JL Excavation LLC for an amount not to exceed \$270,632.
- Management also recommends that the Agency expand the existing contract with Arcadis for engineering professional service (dated November 8, 2023) to include an additional \$39,713 to support construction.



The committee discussed the bids that had been received.

The committee discussed the timeline for this project.

E. Gilligan motioned and L. Colon-Torres seconded to move the first resolution to the full Board.

A collective ‘aye’ was recorded.

L. Colon-Torres motioned and N. Zaccaria seconded to move the second resolution to the full Board.

3 ‘Ayes’ and 1 ‘Abstain’ was recorded.

D. Daley abstained; his son works for Arcadis.

K. Lawton presented a resolution for recycling and transportation of batteries. The purpose of this discussion is to obtain consensus to move the resolution to the full Board in March.

- OCRRA provides residents with battery drop-offs at all Onondaga county Wegmans, Green Hills Market, and area hardware stores.
- In mid-2023 OCRRA stopped the disposal of alkaline batteries and began recycling them.
- In July OCRRA utilized National Lamp Recycling (NLR) to recycle alkaline batteries.
- In 2024 OCRRA issued a RFQ for transport and recycling of single-use alkaline batteries.
- The RFQ was sent to 10 vendors. Three responded.
- The lowest bid received was from NLR. NLR will pick up batteries and transport them to their recycling facility. No special preparation will be necessary.
- NLR shreds the batteries and removes heavy metals such as lithium, cobalt and manganese, which are reused.
- NLR is the current vendor for OCRRA which recycles household button/coin and lithium batteries.
- The cost will be \$0.45/lb.
- Management recommends a contract with NLR to recycle alkaline batteries through December 2024.

The committee discussed the three bids received.

L. Colon-Torres motioned and D. Daley seconded to move the resolution to the full Board.

C. Albuino updated the committee of the flue projects at Covanta.

- Unit three is back online and in use. The flue was removed and replaced.
- The forensic engineer examined all the pieces that were removed from the Unit 3 flue. Nine samples were collected from the flue and sent to the lab.
- Approximately half of unit two’s flue has been removed. The flue for unit two was not as damaged as unit three, but showed similar characteristics.
- Replacement of all three flues is still planned.
- The forensic team will be on site next week to examine the unit 2 flue and collect samples.

- Unit one will be the last flue for replacement and/or repair. That is scheduled for late April/early May.
- Waste continues to be bypassed, as needed, while this project continues.

The committee discussed unit one and the state of that flue, as it is known currently.

The committee discussed costs associated with the work.

D. Daley motioned, and N. Zaccaria seconded to adjourn the meeting.

A collective 'aye' was recorded.

The meeting was adjourned at 4:22 pm.

Meeting minutes were taken by R. Czerwiak

**RESOLUTION AUTHORIZING EXECUTIVE DIRECTOR TO CONTRACT WITH  
JL EXCAVATION FOR CONSTRUCTION OF THE AMBOY COMPOST  
WASTEWATER  
CONVEYANCE SYSTEM**

**WHEREAS**, the Onondaga County Resource Recovery Agency desires to maintain a sanitary line that discharges from the Amboy Compost Facility and therefore requires that the line be rerouted and improved to reduce maintenance needs; and

**WHEREAS**, the Onondaga County Resource Recovery Agency, authorized a contract with Arcadis of New York, Inc. with Resolution No. 2354 of October 2022 to complete the engineering and design for the work necessary to maintain the wastewater conveyance system and sanitary discharge line; and

**WHEREAS**, the Agency, as per its procurement policy, received two bids for the construction of this wastewater conveyance system and sanitary discharge line as designed by Arcadis, and the lowest bid received for this work was by JL Excavation, LLC of Chaumont, New York; and

**WHEREAS**, The Recycling and Operations Committee has recommended that the Agency authorize its Executive Director to execute a contract with JL Excavation, LLC at a cost of \$270,632; now, therefore be it

**RESOLVED**, that the Onondaga County Resource Recovery Agency does hereby authorize the Executive Director to enter into a contract with JL Excavation, LLC of Chaumont, New York for the construction of a wastewater conveyance system and sanitary discharge line at the Amboy Compost Facility for a cost not to exceed \$270,632 and as authorized by the budget adopted by the Board. This Resolution shall take effect immediately.

**Resolution Adopted Date:** \_\_\_\_\_

**Vote:** Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Abstentions \_\_\_\_\_

**Signed:** \_\_\_\_\_

**RESOLUTION AUTHORIZING EXECUTIVE DIRECTOR TO MODIFY AN  
EXISTING CONTRACT FOR ENGINEERING WORK FOR THE AMBOY  
COMPOST WASTEWATER  
CONVEYANCE SYSTEM**

**WHEREAS**, the Onondaga County Resource Recovery Agency desires to maintain a sanitary line that discharges from the Amboy Compost Facility and therefore requires that the line be rerouted and improved to reduce maintenance needs; and

**WHEREAS**, the Onondaga County Resource Recovery Agency, pursuant to its procurement policy, authorized a contract with Arcadis of New York, Inc. with Resolution No. 2354 of October, 2022 to complete the engineering and design for the work necessary to maintain the wastewater conveyance system and sanitary discharge line; and

**WHEREAS**, the Agency has received bids for the work as designed and the Agency now desires to have Arcadis provide construction related engineering service for this project as the Engineer of Record; and

**WHEREAS**, The Recycling and Operations Committee has recommended that the Agency authorize its Executive Director to execute an expansion of the current contract with Arcadis at an additional cost not to exceed \$39,713; now, therefore be it

**RESOLVED**, that the Onondaga County Resource Recovery Agency does hereby authorize the Executive Director to extend the current contract with Arcadis of New York, Inc to provide construction related engineering for the wastewater conveyance system and sanitary discharge line at the Amboy Compost Facility for a cost not to exceed \$39,713 and as authorized by the budget adopted by the Board. This Resolution shall take effect immediately.

**Resolution Adopted Date:** \_\_\_\_\_

**Vote:** Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Abstentions \_\_\_\_\_

**Signed:** \_\_\_\_\_

# **RESOLUTION BRIEF**

## **Amboy Compost Wastewater Conveyance System Improvements (Construction and Oversight)**

*March 13, 2024*

In November 2022, OCRRA entered into a contract with Arcadis to prepare an engineering design related to the wastewater conveyance system and sanitary discharge line at the Amboy Compost Facility. In April 2023, the Recycling Operations Committee was provided an opportunity to review the design that included improvements to the existing sanitary system intended to reduce maintenance needs. Arcadis prepared a Preliminary Opinion of Probable Project Cost indicating that construction would cost approximately \$218,500, within a range of -20% to +30%. This project was budgeted as part of capital projects.

Arcadis' engineering design was incorporated into a Request for Bids (RFB) that was publicly advertised in accordance with OCRRA's procurement policy and advertised on Syracuse Builder's Exchange. Contractors had the opportunity to visit the site and ask questions. An Addendum to the RFP was issued on January 26, 2024. On February 7, 2024 bids were received and opened at 1pm. The results of the bids are attached to this brief. The lowest responsible bidder for the RFB was determined to be JL Excavation LLC for a bid amount of \$270,632.

OCRRA requested the Engineer of Record, Arcadis, to propose construction related services that would be necessary to support construction services. These services include reviewing submittals; leading construction meetings; providing final inspection and work acceptance; and documenting as-built conditions. These services are estimated to be \$39,713.

OCRRA management recommends that the Agency contract with JL Excavation LLC for an amount not to exceed \$270,632.

OCRRA management recommends that the Agency expand the existing contract with Arcadis for engineering professional services (dated November 8, 2023 in the amount of \$26,464) to include an additional \$39,713 to support related services.

**RESOLUTION AUTHORIZING EXECUTIVE DIRECTOR  
TO CONTRACT WITH NLR, INC. FOR HOUSEHOLD  
ALKALINE BATTERY RECYCLING**

**WHEREAS**, the Onondaga County Resource Recovery Agency collects and manages household batteries dropped off at kiosks at area retail stores; and

**WHEREAS**, the Onondaga County Resource Recovery Agency Board of Directors approved a contract for alkaline battery recycling with Resolution No. 2394 of June, 2023 and NLR, Inc. of East Windsor, CT was selected as the vendor for the recycling of alkaline batteries; and

**WHEREAS**, the Onondaga County Resource Recovery Agency put out a request for quotes (RFQ) pursuant to the Agency’s Procurement Policy for recycling of alkaline household batteries; and

**WHEREAS**, NLR, Inc. of East Windsor, CT was the lowest quote for alkaline battery recycling at a cost of \$0.45 per pound; now, therefore be it

**RESOLVED**, that the Onondaga County Resource Recovery Agency hereby authorizes its Executive Director to enter a one-year agreement for household alkaline battery recycling services from NLR, Inc. for \$0.45 per pound, for an estimated annual total of \$67,000. This Resolution shall take effect immediately.

**Resolution Adopted Date:** \_\_\_\_\_

**Votes: Ayes:** \_\_\_\_\_ **Nays:** \_\_\_\_\_ **Abstains:** \_\_\_\_\_

**Signed:** \_\_\_\_\_

# RESOLUTION BRIEF

## Alkaline Battery Recycling Services

March 13, 2024

OCRRA has provided households with convenient battery drop off at all Onondaga County Wegmans, Green Hills Market, and area hardware stores for decades.

In mid-2023, OCRRA stopped the disposal of alkaline batteries and began recycling them. Starting in July, OCRRA utilized National Lamp Recycling (NLR) to recycle alkaline batteries.

In 2024, OCRRA issued a request for quotes to continue services for transport and recycling of single-use alkaline batteries. The RFQ was sent to ten vendors. Three vendors responded.

The lowest bid for alkaline battery recycling was from NLR, Inc., of East Windsor, CT. NLR, Inc. will pick batteries up at our site and transport them to their recycling facility, without any special preparation needed, for \$0.45/pound. NLR, Inc. shreds the batteries and removes heavy metals such as lithium, cobalt, and manganese, which are reused.

NLR, Inc. is also the current vendor who recycles OCRRA's household button/coin and lithium batteries.

### Expense Projections:

**2023 alkaline volume:** 142,180 lbs.

**2023 alkaline management costs:** \$26,390

(\$22,257 for recycling; \$4,133 for landfill disposal)

**Estimated 2024 alkaline recycling costs:** \$67,000



One of OCRRA's NEW, convenient household battery drop-off bins found at area stores.

### RECOMMENDATION:

OCRRA should contract with NLR, Inc. to recycle our alkaline batteries through December 2024.

# LEY CREEK AD-HOC COMMITTEE MEETING MINUTES

February 27, 2024

Time: 3:00 p.m. / Location: 100 Elwood Davis Rd., Liverpool NY 13212

Ad-Hoc Members: *D. Lawless - Chair, B. Page, E. Gilligan, D. Daley*

Attending: C. Dunham, D. Lawless, B. Page, E. Gilligan, D. Daley

Absent:

Also Attending: J. Gascon, M. Cirino, M. Mokrzycki, K. Spillane, R. Czerwiak, C. Albunio, K. Lawton, M Bianchetti, T. Palmer, D. Haas, A. Semabia, B. Piedmont-Fleischmann, A. Schellberg, J. Pimentel

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D. Lawless called the meeting to order at 3:00 pm.

Quorum is present.

K. Spillane introduced the two new Transfer Directors. Dan Haas is the new Director of Transfer Operations and Andy Semabia the Assistant of Transfer Operations.

D. Haas and A. Semabia spoke briefly about themselves.

C. Albunio introduced Cornerstone. B. Piedmont-Fleischmann, A. Schellberg and J. Pimentel are attending today to present the Ley Creek North basis of design.

- The purpose of the Conceptual Design Basis is to formulate and document the goals and functions of the Ley Creek Resource Management Campus.
- Cornerstone used an existing Transfer Station located in Alaska as an example of the solid waste campus.
- The Transfer Station in Alaska is approximately the same size of usable space as the proposed Ley Creek site. Each with their own set of challenges. The site in Alaska offers similar services that OCRRA is proposing.
- The development of the entire combined site into a comprehensive Campus service to reduce the redundancy of operation and assets.
- OCRRA proposes to construct a new, approximately 50,000 sf Transfer Station/Resource Management Facility Building (LCRMF).
- The proposed Ley Creek Transfer Station/Resource Management Facility will continue to be located on the original property (Ley Creek South).
- To facilitate current and future material handling operations, the structure is proposed as a split level with the Vehicle Maneuvering Apron and Tipping Floor elevation approximately eight feet above the 'at grade' Loadout Tunnel floor elevation.
- The newly constructed building will be able to handle up to 1,200 tons of solid waste per day.
- It is anticipated that the current permit standards will be maintained under the proposed function of the LCRMF.



- HHW is currently dropped off to a third party vendor using OCRRA’s appointment system. OCRRA pays for this and some parts of this service are 50% reimbursed by the State. Some HHW and hard to recycle items cannot be supported through this existing system. Residents have to use a variety of outlets to get rid of materials that can be easily/properly recycled or disposed of. Included in this design is an option for a HHW drop-off point along with waste, recycling and hard to recycle/dispose pf materials in one convenient location. Workshops with staff and the Board have made it clear that accessibility of these services is important. It is also important to provide for flexibility, expansion and the ability to phase in site developmentThis design includes an option for office space, restrooms, and a record storage area.
- This design includes an option for battery receiving and storage.
- This design includes an option for a fueling station.
- This design includes an option for a truck wash.
- Moving forward:
  - Review and progress the Design Basis Memorandum
  - Develop the initial plan of the Conceptual Site Plan for review, based on the design basis

The committee discussed the proposed MICRON site and what that could mean for OCRRA and capacity at the proposed Ley Creek Transfer Station.

The committee discussed priorities in the design and which items should be completed first in construction.

Draft copies of the Design Basis Memorandum were circulated to all committee members. C. Albuño asked that the committee give feedback on this design memo within the next two weeks.

K. Spillane presented a resolution of utilizing LSI as consultants for grant procurement. The purpose of this discussion is to obtain consensus to move the resolution to the full Board for approval.

- OCRRA issued an RFP for Grant assistance.
- Three submittals were received.
- Management recommends LSI for this service.
- LSI would work with the Agency from March 14, 2024 – December 31, 2024.
- The services would include:
  - Research
  - Opportunity Pipeline
  - Strategy
  - Grant Writing
  - Support with Grant Submission
- Fees would be \$5,000 per month – this includes:
  - Provide state, local and federal grant opportunities as often as OCRRA would like (2x a month is recommended. Can accommodate daily or weekly if requested).
  - Meet with the team to review each opportunity and answer questions.
  - Review, in-depth, the opportunities chosen during each meeting.
  - Conduct any research required to compile information for identified grant opportunities.
  - Set up meetings with state, local and/or federal liaisons to ask questions regarding grant opportunities.

- Time and Material fees would be \$135/hour – this includes:
  - Invoiced at number of hours used per month.
  - Provide grant strategy.
  - OCRRA will provide technical data and assistance to LIS grant writers.
  - Writers will provide narrative, review, and compliance of grant requirements.
  - LSI may provide post-award grant support and compliance if requested.

The committee discussed the fees and terms for this assistance.

D. Lawless and D. Daley are in favor of this service.

There were suggested changes to the language in the resolution. Those changes will be made before being presented to the Board.

B. Page motioned and C. Dunham seconded to move the resolution to the full Board in March.

A collective ‘aye’ was recorded.

D. Daley motioned and B. Page seconded to adjourn the meeting.

A collective ‘aye’ was recorded.

The meeting was adjourned at 4:05 pm.

Meeting minutes were taken by R. Czerwiak

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT WITH LSI SOLUTION DEVELOPMENT FOR FUNDING PROCUREMENT SERVICES FOR LEY CREEK TRANSFER FACILITY PROJECT**

**WHEREAS**, the Agency has recognized the need to rebuild and replace the transfer facility at Ley Creek and to provide for additional support facilities to make it a comprehensive solid waste campus utilizing the additional property purchase to the North of the site; and

**WHEREAS**, the Ad-Hoc Ley Creek Planning Committee recognizes that this construction and site development will cost more than \$50,000,000 (fifty million dollars) and is well beyond the Agency’s ability to bond the total amount for this site’s redevelopment; and

**WHEREAS**, the Agency is seeking outside financial assistance to reduce the Agency’s overall contribution to the project, but also has to demonstrate a commitment to the project beyond the bonding necessary; now therefore be it

**RESOLVED**, that the Onondaga County Resource Recovery Agency does hereby authorize its Executive Director to enter into an agreement with LSI Solution Development of Layton, Utah for funding procurement services related to the reconstruction and development of a new transfer facility and supporting structures at its Ley Creek location at a cost not to exceed \$55,000 for research, development, and grant writing through December 31, 2024. This Resolution shall take effect immediately.

**Resolution Adopted Date:** \_\_\_\_\_

**Vote:** Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Abstentions \_\_\_\_\_

**Signed:** \_\_\_\_\_



## OCRRA DRAFT SOW Proposal

This DRAFT Statement of Work (“SOW”) is provided for discussion purposes between LSI Business Development, Inc. (“LSI”), OCRRA, and OCRRA’s stakeholders in pursuit of a contractual agreement to be finalized by the ORCCA board of directors.

### **Period of Performance.**

March 14, 2024 – December 31, 2024

### **Description of Work.**

This Statement of Work (SOW) includes services for research, opportunity pipeline, and grant writing that includes not to exceed hours for the following tasks:

- Research
- Opportunity Pipeline
- Strategy
- Grant Writing
- Support with Grant Submission

### **Fees and Invoicing – Firm Fixed Price**

#### **Research and Opportunity Pipeline - \$5,000/month**

- Provide state, local, and federal grant opportunities as often as OCRRA would like (2x a month is recommended. Can accommodate daily or weekly if requested).
- Meet with the team to review each opportunity and answer questions
- Review, in-depth, the opportunities chosen during each meeting
- Conduct any research required to compile information for identified grant opportunities
- Set up meetings with state, local and/or federal liaisons to ask questions regarding grant opportunities

### **Time & Material (Not to Exceed)**

#### **Rate - \$135/hour**

Engage in strategy & grant writing

- Invoiced at number of hours used per month
- Provide grant strategy
- OCRRA will provide technical data and assistance to LSIs grant writers
- Writers will provide narrative, review, and compliance of grant requirements
- LSI may provide post-award grant support and compliance if requested

# ADMINISTRATION COMMITTEE MEETING MINUTES

February 27, 2024

Time: 4:00 p.m. / Location: 100 Elwood Davis Rd., N. Syracuse NY 13212

Admin Members: *B. Page (Chair), A. Bianchetti, D. Lawless, J. Driscoll, J. McMahon, G. Popps*

Attending: A. Bianchetti, C. Dunham, D. Lawless, G. Popps, B. Page

Absent: J. Driscoll, J. McMahon

Also Attending: M. Cirino, M. Mokrzycki, J. Gascon, C. Alunio, R. Czerwiak, K. Spillane, K. Lawton, T. Palmer. D. Haas, A. Semabia

Guests:

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

Before the start of the regular agenda for this meeting, the committee met with Counsel to discuss a personnel matter.

At 4:06PM G. Popps motioned, and B. Page seconded to enter into private meeting with counsel to discuss a personnel matter.

A collective 'aye' was recorded.

At 4:17PM A. Bianchetti motioned, and G. Popps seconded to exit private meeting with counsel.

A collective 'aye' was recorded.

K. Spillane presented a resolution authorizing changes to the Agency's Civil Service Roster. The purpose of this discussion is to obtain consensus to move the resolution to the full Board for approval.

- The Agency wishes to amend the Civil Service Roster to add one Director of Engineering position in order to restructure the engineering department.
- The Director of Engineering position would be at a salary grade of 90.
- The position would be exempt under FLSA as a professional position.
- The Agency Engineer position would remain on the civil service roster but would remain vacant or unfilled, the intent is for the current incumbent in that position to fill the new position of Director of Engineering. This would allow the Agency to consider filling the Agency Engineer position in the future and provide a more robust engineer staffing structure if warranted.

D. Lawless motioned and A. Bianchetti seconded to move the resolution to the full Board.

There was no further discussion.

A collective 'aye' was recorded.

C. Alunio presented a resolution for Wastebed 12 feasibility study.

- OCRRA issued a RFP for a Wastebed 12 Waste Disposal Conceptual Design and Preliminary Feasibility Analysis. The RFP requested services related to solid waste and geotechnical engineering.
- In October 2023 OCRRA distributed the RFP to 20 engineering firms and advertised the RFP consistent with procurement requirements.
- In November of 2023 an Addendum was issued to answer questions and in December 2023 proposals were received.
- The Town of Camillus, Onondaga County, WEP and Honeywell support a feasibility study for a waste disposal site at Wastebed 12.
- WEP/Onondaga County has agreed to support 50% of the cost associated with the design and analysis as described in the draft agreement.
- This work was budgeted for as part of OCRRA's 2024 Engineering Professional Fees.
- Management recommends that B&B Engineers and Geologists be selected for completing the geotechnical components of the study and that Barton & Loguidice be selected for completing the solid waste components of the study.

There was a brief discussion regarding potential conversations with the NYSDEC and the current regulations related to aquifers.

The committee discussed the County's waste streams related to wastewater and Micron.

A. Bianchetti motioned, and G. Popp seconded to move the resolution to the full Board.

There was no further discussion.

A collective 'aye' was recorded.

M. Mokrzycki presented a resolution to purchase insurance policies for the Agency. The purpose of this discussion is to obtain consensus to move the resolution to the full Board for approval.

- This is an annual renewal.
- This does not include Worker's Comp or WTE Insurance coverage.
- The Broker's fee remains the same as last year.
- The overall increase in the premium is approximately 10%.
- Total cost not to exceed is \$279,010 plus the \$ 22,000 Broker fee.

G. Popp motioned and A. Bianchetti seconded to move the resolution to the full Board.

There was no further discussion.

A collective 'aye' was recorded.

M. Mokrzycki presented a resolution approving investment guidelines and investment report for 2023. The purpose of this discussion is to obtain consensus to move the resolution to the full Board for approval.

- This report covers investment activities and practices for 2023. The entire report was distributed.
- Total invested cash on January 1, 2023 - \$ 28,272,395.
- Total invested cash on December 31, 2023 - \$ 26,782,070.

- Total non-invested cash balances on January 1, 2023 - \$ 1,575,943.
- Total non-invested cash balances on December 31, 2023 - \$ 1,214,469.

A. Bianchetti motioned and D. Lawless seconded to move the resolution to the full Board in March.

There was no further discussion.

A collective 'aye' was recorded.

M. Mokrzycki presented the small contracts report. This report reflects data from January 16<sup>th</sup> – February 15<sup>th</sup>, 2024.

A. Bianchetti asked what OCRRA's shoe policy is.

K. Spillane responded that the Agency provides safety shoes to its employees once a calendar year. OCRRA gives a voucher for up to \$220 via State Contract with Redwing or the Boot Truck that comes onsite.

K. Spillane introduced the two new Transfer Directors. Dan Haas is the new Director of Transfer Operations and Andy Semabia the Assistant of Transfer Operations.

D. Haas and A. Semabia spoke briefly about their background and relevant experience.

K. Spillane presented a resolution to execute change orders with Intelico for additional sampling services. The purpose of this discussion is to obtain consensus to move the resolution to the full Board for approval.

- The Board has previously approved resolution #2432 authorizing a contract with Intelico Engineering of Newark, NJ for the review and investigation into the damage to the flues at Covanta.
- During their investigation Intelico has recommended metal sampling that is both more voluminous and more expensive than anticipated in their proposal.
- Management recommends approving the \$29,000 for additional laboratory-related costs to the Intelico contract through one or more change orders.
- The new total contract would be not to exceed \$224,125.

B. Page asked if the project was running on schedule.

C. Albuio responded that the project is on schedule and that Unit two's flue is completely down and will be inspected/sampled in the coming days.

B. Page asked if there are answers as to why each unit had different damages within them.

C. Albuio explained that although each flue was built at the same time, they each have their own unique operation and maintenance conditions. These differences lead to the different conditions of each flue. Unit

3 was in the worst condition and Unit 1 seems to be in the best condition, but it seems that all 3 flues need to be replaced.

A. Bianchetti moved, and G. Popps seconded to adjourn the meeting.

A collective 'aye' was recorded.

The meeting was adjourned at 4:51 pm.

Meeting minutes taken by R. Czerwiak



**RESOLUTION AUTHORIZING CHANGES TO THE AGENCY'S CIVIL SERVICE ROSTER**

**WHEREAS**, the Onondaga County Resource Recovery Agency maintains a Civil Service roster with Onondaga County which is amended from time to time as business needs evolve; and

**WHEREAS**, the Agency wishes to amend the Agency's Civil Service Roster to add one (1) Director of Engineering position, to be exempt under FLSA as a professional position, in order to structure the engineering department in a manner commensurate with that department's responsibilities and other departments in the Agency; and

**WHEREAS**, the Administration Committee has reviewed the proposed change, and has therefore recommended that one (1) Director of Engineering position be added to the Agency's civil service roster at a salary grade 90, now, therefore be it;

**RESOLVED**, that the Onondaga County Resource Recovery Agency does hereby add one (1) Director of Engineering position to the Agency's Civil Service roster. The Executive Director is authorized to fill the newly created position with a qualified candidate when deemed appropriate. This Resolution shall take effect immediately.

**Resolution Adopted Date:** \_\_\_\_\_

**Vote: Ayes:** \_\_\_\_\_ **Nays:** \_\_\_\_\_ **Abstentions:** \_\_\_\_\_

**Signed:** \_\_\_\_\_

**ONONDAGA COUNTY DEPARTMENT OF PERSONNEL**  
**New Position Duties Statement**

Civil Service Law, Section 22: Before any new position in the service of a civil division shall be created or any existing position in such serving shall be reclassified, the proposal therefor, including a statement of the duties of the position, shall be referred to the municipal commission having jurisdiction and such commission shall furnish a certificate stating the appropriate civil service title for the proposed position or the position to be reclassified. Any such new position shall be created or any such existing position reclassified only with the title approved and certified by the commission. Effective August 29, 1978.

The appointing authority requesting the creation of a new position must complete this statement per instructions (attach additional information if necessary).

Department **OCRRA** Division **Engineering** Location **Main Office, Transfer Sites**

1. Typical Work Activities % of Time	<u><b>DIRECTOR of ENGINEERING @ OCRRA</b></u> Duties
20%	Assists the Executive Director, as a senior member of the management team, in determining overall strategies; and in executing the goals of the Agency as set by the Board of Directors. Consults on a wide variety of Agency Executive issues.
20%	Supervises engineering services provided by OCRRA engineering; including designs, regulatory submittals, inspections and certifications. Includes direct supervision of staff in OCRRA engineering department.
20%	Manages engineering consultants retained by the Agency, including work product oversight, direction, regulatory submittals, and project budgeting.
10%	Supervises environmental, regulatory, and contractual administration of the Agency's WTE facility, including overall responsibility for compliance with regulatory requirements.
10%	Presents information to the Board of Directors, the general public, and governmental officials as an expert in the solid waste and waste to energy field.
10%	Maintains mastery of federal, state, and local regulations, guidelines, and practices that require consideration in environmental review and permitting for the Agency's solid waste facilities, including its waste-to-energy facility, transfer stations, compost sites, and other infrastructure as may be built.
10%	Supervises or, as appropriate, assists other departments with Agency capital projects related to solid waste facilities.

2. Full Performance, Knowledges, Skills, Abilities and Personal Characteristics

- The full knowledge as described for an Agency Engineer [OCRRA] with a bolder emphasis on multi-project management, personnel management and development.
- Thorough knowledge of professional engineering principles and practices in areas of civil engineering and solid waste management.
- Excellent working knowledge of the environmental regulations and permitting requirements of a Waste-to-Energy facility, solid waste disposal and composting facilities, including governmental regulations.
- Excellent working knowledge of the principles and practices of business and public administration.
- Ability to deal effectively with a diverse cohort of vendor personnel and agency staff.

- Ability to provide environmental compliance training to varying levels of personnel in a manner conducive to full performance and positive morale.

New Position Duties Statement (page 2)

3. Minimum Qualifications **PROMOTIONAL QUALIFICATIONS:**

A minimum of five [5] years of successful employment as an Agency Engineer at OCRRA or comparable waste management municipal facility/agency. Two [2] years as a practicing Certified Professional Engineer.

**Minimum qualifications** as an Agency Engineer include graduation from a regionally accredited college or university or one accredited by the NYS Board of Regents to grant degrees with a Baccalaureate Degree in Civil, Mechanical or Environmental Engineering and four of professional level work experience, or its part time equivalent, in civil engineering.

4. Special Requirements (s) 2 years of Certification as a Professional Engineer in NYS.

5. Name (s) and Title (s) of Supervisor (s). Type of Supervision (Admin, General, Direct)

**DIRECT:** Agency Executive Director; **ADMIN:** Agency Board of Directors

6. Name (s) and Title (s) Supervised by this position. Type of Supervision (Admin, General, Direct)

**DIRECT:** Supervision of Agency's Engineer & Assistant Engineer

7. Name (s) and Title (s) of persons performing similar work.

**None**

8. Certification by Appointing Authority: The above statements are accurate and complete

Date: \_\_\_\_\_ Title: \_\_\_\_\_ Signature \_\_\_\_\_

9. The Onondaga County Department of Personnel certifies the appropriate civil service title for the position described above as: **Director of Engineering [OCRRA]**

In accordance with Rule XVIII of the Onondaga County Rules for Classified Service, the Onondaga County Department of Personnel certifies the following minimum qualifications for the position described as:

NOTE: Appointees to this position must possess certified qualifications at time of appointment unless stated otherwise.

Date: \_\_\_\_\_ Title: \_\_\_\_\_ Signature \_\_\_\_\_

10. Legislative Action: \_\_\_\_\_ Approved \_\_\_\_\_ Disapproved

Date: \_\_\_\_\_ Title: \_\_\_\_\_ Signature \_\_\_\_\_

**RESOLUTION AUTHORIZING EXECUTIVE DIRECTOR TO EXECUTE AGREEMENTS FOR A PRELIMINARY FEASIBILITY ANALYSIS OF WASTEBED 12**

**WHEREAS**, the Onondaga County Resource Recovery Agency 2022 Strategic Plan identified that an evaluation of the Honeywell Wastebeds in the Town of Camillus was recommended as a possible location of a disposal site to meet the future needs of Onondaga County; and

**WHEREAS**, the Town of Camillus has supported this study and evaluation of Wastebed 12, located adjacent to the Town of Camillus C&D Landfill site by a resolution of its Town Council; and

**WHEREAS**, Onondaga County agreed to support 50% of the costs associated with this study and evaluation, managed by the Agency, through the attached memorandum of understanding; and

**WHEREAS**, following an RFP process for the conceptual design and preliminary feasibility analysis of a disposal site at Wastebed 12, the Administration Committee recommends that the Agency contract with Barton and Loguidice Engineers to complete the solid waste components of the study for \$98,200, and B&B Engineers and Geologists to complete the geotechnical components of the study for \$31,100; now therefore be it

**RESOLVED**, that the Agency's Executive Director is hereby authorized to enter into a memorandum of understanding with Onondaga County, whereby the Agency and Onondaga County will each pay 50% of the aforementioned engineering costs related to this conceptual design and preliminary feasibility study for the Honeywell Wastebed 12 site located in the Town of Camillus; and be it further

**RESOLVED**, that subject to successful execution of the aforementioned memorandum of understanding, the Agency's Executive Director is hereby authorized to enter into contracts with Barton and Loguidice Engineers, of Syracuse, New York, to complete the solid waste components of a preliminary feasibility study for Honeywell Wastebed 12 located in the Town of Camillus, for a fee not to exceed \$98,200 and B&B Engineers and Geologists, of Albany, New York, to complete the geotechnical components of the study for a fee not to exceed \$31,100, for a total project cost not to exceed \$129,300, and that the Agency shall charge 50% of the actual project costs to Onondaga County. This resolution shall take effect immediately.

**Resolution Adopted Date:** \_\_\_\_\_

**Vote:** Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Abstentions \_\_\_\_\_

**Signed:** \_\_\_\_\_

## Memorandum of Understanding

THIS MEMORANDUM OF UNDERSTANDING (MOU), by and between the **COUNTY OF ONONDAGA**, a municipal corporation organized and existing under the laws of the State of New York, by J. Ryan McMahon II, its County Executive, with offices in the Civic Center, 421 Montgomery Street, Syracuse, New York, 13202 (hereinafter “the **County**”) and the **Onondaga County Resource Recovery Agency**, a public benefit corporation duly organized and existing under the laws of the State of New York, by Kevin Spillane, its Executive Director with offices at 100 Elwood Davis Road North Syracuse, NY 13212, (hereinafter “**OCRRA**”),

WITNESSETH:

WHEREAS, the County, through the operations related to the Department of Water Environment Protection, has various solid waste streams, including municipal biosolids, that need to be disposed of and which are currently transported to various landfills within New York State and the landfill capacity for municipal biosolids is becoming restricted resulting in significant increases to future disposal costs to the County; and

WHEREAS, the County is in the preliminary planning phase for new industrial wastewater treatment facilities which will create new solid waste in the form of “brine sludge” and will need a solid waste disposal plan for such; and

WHEREAS, the Onondaga County Solid Waste Management Plan expires in December 2024 and a new plan must start to be considered; and

WHEREAS, OCRRA manages various solid waste streams for Onondaga County, including construction and demolition debris and municipal combustor ash that need to be disposed of and which are currently transported to various landfills within New York State and the landfill capacity for solid waste is becoming restricted resulting in significant increases to future disposal costs to OCRRA; and

WHEREAS, OCRRA’s 2022 Strategic Plan identified the desire to evaluate Honeywell’s Wastedbed 12 as a disposal site; and

WHEREAS, the Town Board of the Town of Camillus, by resolution dated April 11, 2023, unanimously supported the completion of a feasibility study for Wastebed 12; and

WHEREAS, Honeywell owns and is required to provide closure for Wastebed 12 as part of a Consent Decree; and

WHEREAS, the County and the OCRRA have a mutual interest in evaluating long-term solid waste disposal alternatives to support Onondaga County community need and should a landfill be developed as a result of this feasibility study, its use will be under the direction of the stakeholders including OCRRA, the Town of Camillus, and Onondaga County; and

NOW, THEREFORE, the parties do hereby mutually agree as follows:

1. OCRRA has prepared and issued the Request for Proposals for Professional Engineering Services related to “Wastebed 12 Landfill Conceptual Design and Preliminary Feasibility Analysis: Solid Waste Engineering and Geotechnical Engineering” (hereinafter “the Project”) that will evaluate one disposal option within Onondaga County that may meet the long-term solid waste disposal needs of both Onondaga County and OCRRA. Onondaga County has been provided with the opportunity to review RFP responses and has participated in, if applicable, interviews with respondents as part of the RFP review process to support OCRRA’s consultant selection for the Project.
2. OCRRA will be responsible for the contracting and administration of the engineering services related to the completion of the Project.
3. Onondaga County will provide OCRRA all the necessary technical data, including quantities, characteristics, and other relevant information related to the wastes within their purview, as necessary, to complete the Project and will participate in project meetings and provide review and feedback of draft documents prepared.
4. The Parties agree to share the cost of the Project on a 50/50 basis with Onondaga County providing OCRRA payment through reimbursement based on submission of invoices to Onondaga County, on a quarterly basis, or other frequency as mutually agreeable to both Parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the date and year hereinafter written.

**ONONDAGA COUNTY RESOURCE  
RECOVERY AGENCY**

**COUNTY OF ONONDAGA**

\_\_\_\_\_  
**By: Kevin Spillane  
Executive Director**

\_\_\_\_\_  
**By: J. Ryan McMahon II  
County Executive**

**Dated:** \_\_\_\_\_, 2024.

**Dated:** \_\_\_\_\_, 2024.

**Attest:** \_\_\_\_\_

DRAFT

**Wastebed 12 Landfill Conceptual Design and Preliminary Feasibility Analysis: Solid Waste and Geotechnical Engineering  
Proposals Received  
12/18/2023**

Proposal #	Company	Contact	Proposed Schedule and Notes	Proposed Costs	Cost Notes	OCRRRA Forms
1	B&B Engineers and Geologists (Geosyntec)	David Bonnett	"[B&B] suggest that a combined team would be able to achieve the deliverables in approximately eight months, rather than 10 or 12 months that would be needed were separate teams selected, with an overall savings of 5 percent on the cost of the combined project."	Geotechnical - \$31,100 Solid Waste - \$217,800	\$13,000 Cost Savings if each scope is accepted. "Optional Task: Landfill Gas Evaluation - \$8,700"	X Conflict of Interest Affidavit X Certificate of Non-Collusion X State Finance Law X Disclosure to OCRRRA
2	Barton & Loguidice	Jillian M. Blake	12 month, phase 1 completion timeframe. Can begin February 2024	Solid Waste - \$98,200	Not to exceed amount.	X Conflict of Interest Affidavit X Certificate of Non-Collusion X State Finance Law X Disclosure to OCRRRA
3	Civil & Environmental Consultants, Inc.	Amy Knight	12 month, phase 1 completion timeframe	Solid Waste - \$175,700	Meetings/Travel excluded from proposed cost. (\$1,326.60)	X Conflict of Interest Affidavit X Certificate of Non-Collusion X State Finance Law X Disclosure to OCRRRA
4	Cornerstone Engineers	Rob Holmes	6 month, phase 1 completion timeframe proposed	Geotechnical - \$84,900 Solid Waste - \$156,900		X Conflict of Interest Affidavit X Certificate of Non-Collusion X State Finance Law X Disclosure to OCRRRA



# **RESOLUTION BRIEF**

## **Wastebed 12 Waste Disposal Conceptual Design and Preliminary Feasibility Analysis**

*March 13, 2024*

As discussed with the Administration Committee in May 2023, OCRRA developed a Request for Proposals (RFP) for a Wastebed 12 Waste disposal Conceptual Design and Preliminary Feasibility Analysis. The RFP supported OCRRA's 2022 Strategic Plan which determined that an evaluation of the Honeywell Wastebeds as a local disposal site might facilitate planning for current and future waste capacity needs of the community.

In October 2023, OCRRA distributed the RFP to 20 engineering firms and advertised the RFP consistent with procurement requirements. Potential proposers were given an opportunity to visit Wastebed 12 and ask questions related to the RFP. In November an Addendum was issued to answer questions and in December 2023 proposals were received. A summary of the proposals received is shown on the attached table.

It should be noted that the Town of Camillus, Onondaga County, WEP and Honeywell support a feasibility study for a waste disposal site at Wastebed 12. Further, WEP/Onondaga County has agreed to support 50% of the costs associated with the design and analysis as described in the attached draft agreement. This work has been budgeted for as part of OCRRA's 2024 Engineering Professional Fees.

It is recommended that B&B Engineers and Geologists be selected for completing the geotechnical component of the study and that Barton & Loguidice be selected for completing the solid waste components of the study. This recommendation is also supported by WEP.

**RESOLUTION AUTHORIZING EXECUTIVE DIRECTOR TO  
PURCHASE INSURANCE POLICIES FOR THE AGENCY  
FOR THE PERIOD BEGINNING APRIL 1, 2024**

**WHEREAS**, the Onondaga County Resource Recovery Agency's Administration Committee did authorize its Executive Director to obtain competitive proposals for comprehensive insurance policies and an employment practices liability policy to properly insure Agency activities including administration, transfer and transport operations, recycling, and compost operations for a one (1) year period beginning April 1, 2024; and

**WHEREAS**, workers' compensation coverage is not part of this competitive package; and

**WHEREAS**, the Administration Committee has recommended that the Agency place these policies with US Specialty Insurance Co. (a member of Tokio Marine US PC) and others, as recommended by its broker, Brown & Brown. The Agency's insurance policies will thus provide coverage for all Agency activities for a one (1) year period beginning April 1, 2024. Pollution Control Insurance was previously purchased for a two-year period through March 31, 2025.

<u>COVERAGE</u>	<u>ALL-IN COST</u>
Property	\$ 15,419.00
Contractor's Equipment	\$ 17,265.00
Electronic Data Processing	\$ 8,876.00
Crime	\$ 1,107.00
Commercial General Liability	\$ 98,339.00
Public Entity management Liability	\$ 10,161.00
Employment Practices Liability	\$ 7,678.00
Business Automobile & MV Fee	\$ 12,214.00
Commercial Umbrella	\$ 37,191.00
Excess Crime	\$ 4,014.00
Excess Liability	\$ 53,000 (est)
Owners & Contractors Protective RCR	\$ 505.00
Owners & Contractors Protective T-way Auth.	\$ 505.00
Pollution (2-year policy)	Included
Cyber Liability	\$ 11,580.00
E&S & NYS Fees	\$ 1,061.50
<b>Total</b>	<b>\$ 279,010.50</b>
Broker Fee	\$ 22,000.00

Now, therefore be it

**RESOLUTION PURCHASING INSURANCE  
FOR AGENCY BEGINNING APRIL 1, 2024  
Page 2**

**Resolution No. \_\_\_\_\_, 2024**

**RESOLVED**, that the Onondaga County Resource Recovery Agency has elected to obtain the aforementioned insurance coverage for a one (1) year period beginning April 1, 2024 for the stated rate of \$ 279,011 plus \$ 22,000 broker fee subject to any adjustment made for OCRRA equipment changes up to a maximum of \$20,000, and that the Executive Director is hereby authorized to purchase through Brown & Brown, previously selected as the Agency's broker of record, coverage from US Specialty Insurance Co. (a member of Tokio Marine US PC) and other insurers for all Agency activities except for workers' compensation, which is not included herein, and to pay the applicable broker fee. This Resolution shall take effect immediately.

**Resolution Adopted Date:** \_\_\_\_\_

**Vote: Ayes:** \_\_\_\_\_ **Nays:** \_\_\_\_\_ **Abstentions:** \_\_\_\_\_

**Signed:** \_\_\_\_\_



Onondaga County Resource  
Recovery Agency

**Confidential**  
**Insurance Proposal**

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REVISED

February 28, 2024

Presented by:

Daniel Fiaschetti / Christopher Lane

## Account Service Team

No matter how comprehensive or price competitive your insurance program is, it is still people who must service it to insure that coverage will respond when needed.

**Daniel Fiaschetti, Senior Vice President - Commercial Lines**

(315) 671-8821 phone  
(315) 569-8981 cell  
Dan.Fiaschetti@BBrown.com

**Christopher Lane, Account Executive**

(315) 671-8890 phone  
(315) 857-4374 cell  
Christopher.Lane@BBrown.com

Dan and Chris are responsible for overseeing all aspects of your program.

**Ashley Hardenburgh  
Account Manager**

(315) 671-8897 phone  
Ashley.Hardenburgh@BBrown.com

Ashley will assist with the daily servicing of your account, including endorsements, certificate requests, client services, program design, accounting, quality assurance and market relationships.

**Azra Bahtic  
Customer Service Representative**

(315) 671-8846 phone  
Azra.Bahtic@BBrown.com

**Rebecca Maxwell  
Claims Representative**

(315) 671-8863 phone  
Rebecca.Maxwell@BBrown.com

**MANAGEMENT STAFF:**

<b>CONTACT</b>	<b>EMAIL</b>	<b>PHONE (315)</b>
<b>NICHOLAS DERESZYNSKI, PRESIDENT</b>	Nick.Dereszynski@BBrown.com (315) 506-0884 (cell)	703-9507
<b>PERI ANN KLINK, COMMERCIAL LINES MANAGER</b>	Peri.Klink@BBrown.com	671-8817
<b>REBECCA MAXWELL, CLAIMS MANAGER</b>	Rebecca.Maxwell@BBrown.com	671-8863
<b>RICHARD A. LYONS, BOND MANAGER</b>	Rick.Lyons@BBrown.com	671-8872
<b>ROB DUHOSKI, EMPLOYEE BENEFITS MANAGER</b>	Rob.Duhoski@BBrown.com	671-8898
<b>MICHAEL CHAPMAN, PERSONAL LINES MANAGER</b>	Michael.Chapman@BBrown.com	671-8815

Feel free to contact anyone on this list if you have questions or concerns regarding your insurance policy.

We are pleased to furnish you with this proposal of insurance. In making this proposal, we have used all possible care to acquaint you with your proposed coverages. This proposal is a brief summation of the major coverage features and is, therefore, not a complete description of all the terms, conditions and limitations. It is not a substitute for the actual policies that will be issued. In the event of a difference, the policy will prevail.

For your actual rights and obligations under existing insurance policies, reference should always be made to the policies themselves.

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# Onondaga County Resource Recovery Agency

## I. Package Policy

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Carrier: US Specialty Ins. Co. (a member of Tokio Marine US PC)  
Best Rating: A ++ (XV)  
Policy Number: U24PKG80230-02  
Policy Period: 04/01/24 to 04/01/25  
Named Insureds: Onondaga County Resource Recovery Agency

### A. Property

Coverage: Special Causes of Loss including Equipment & Machinery Breakdown  
Subject to policy exclusions including but not limited to **Flood and Earthquake**

Valuation: Replacement Cost

Limits of Insurance: \$17,083,093 - Blanket Building / Business Personal Property  
\$ 3,000,000 - Extra Expense  
\$ 100,000 - Business Income  
\$ 1,000,000 - Flood (excluding Zones A, AO, AH, A1-A30, A99  
V & V1-V30)  
\$ 1,000,000 - Earthquake

Values insured are ultimately the Insured's decision.

Flood & Earthquake limits are possibly lower than the limits for Real & Personal Property

Coinsurance: Agreed Value (suspends the coinsurance clause)

Location(s): Per Property Schedule

Deductible: \$25,000  
\$50,000 Flood  
\$50,000 Earthquake

Extensions of Coverage are provided subject to specific policy limits and conditions.



# Onondaga County Resource Recovery Agency

## I. Package Policy - Continued

### PROPERTY SCHEDULE

Location	Coverage	Limit
100 Elwood Davis Road North Syracuse, NY 13212	Personal Property	\$ 156,000
5808 Rock Cut Road Jamesville, NY 13078	Building Business Personal Property	\$6,060,031 \$ 182,520
	Building	\$2,919,549
	Building	\$ 717,909
	Building	\$ 62,565
7 <sup>th</sup> North Street, Suite TS Liverpool, NY 13088	Building Business Personal Property Extra Expense	\$3,635,110 \$ 10,400 \$3,000,000
	Building Business Personal Property	\$ 181,889 \$ 10,000
4370 Rte. 91 Jamesville, NY 13078	Building	\$ 60,925
6296 Airport Road Camillus, NY 13209	Building #1 Business Personal Property	\$1,015,431 \$ 250,000
	Building #2 Business Personal Property	\$ 93,764 \$ 15,000
	Building #3	\$ 400,000
6933 North Brickyard Road Baldwinsville, NY 13027	Building - Dwelling	\$ 152,000
6985 North Brickyard Road Baldwinsville, NY 13027	Liability Only	
6904 Canton Street Baldwinsville, NY 13027	Building - Dwelling	\$ 516,000
6818 Canton Street Baldwinsville, NY 13027	Building - Dwelling	\$ 218,400
6800 Canton Street Baldwinsville, NY 13027	Building - Dwelling	\$ 425,600
2797 Brickyard Road Baldwinsville, NY 13027	Liability Only	

# Onondaga County Resource Recovery Agency

## I. Package Policy - Continued

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### B. Contractor's Equipment

Coverage: Special Causes Form  
Subject to specific policy exclusions  
Blanket  / Schedule

Limits of Insurance: \$7,257,811 Scheduled Equipment per Schedule  
\$ 150,000 Unscheduled (\$10,000 max. any one item)  
\$ 100,000 Newly acquired equipment  
\$ 300,000 Leased / Rented per item  
\$ 100,000 Rental Reimbursement  
\$ 50,000 Emergency Portable Equipment  
\$ 32,400 Cameras, Projection  
\$ 25,000 Employee Tools

Valuation: Actual Cash Value  
Replacement Cost - Vehicles

Deductible: \$10,000  
\$50,000 Flood  
\$50,000 Earthquake  
\$ 5,000 Vehicles

Extensions of Coverage are provided subject to specific policy limits and conditions.

Decreased equipment value from \$7,381,659 to \$7,257,811

20 Autos included for Physical Damage coverage scheduled for a total of \$2,584,574

# Onondaga County Resource Recovery Agency

## I. Package Policy - Continued

### Contractor's Equipment Schedule

Item #	Description	Serial #	Value
003	Pemberton Grapple Bucket	B57610	\$ 13,711
004	Werk Brau Grapple Bucket	158056-1-1	\$ 11,677
005	2011 McCloskey Trommel Model 621RE	80159	\$198,850
006	McCloskey Trommel Model 621RE	144	\$ 27,495
007	Hyundai Excavator	T30000117	\$ 67,889
009	Wheel Loader	X4T00404	\$217,343
011	Wheel Loader	SWL00966	\$158,594
013	2000 Nissan Forklift Truck/ Powered	9K0263	\$ 21,500
014	2001 John Deere Loader	DW624HX581054	\$ 99,814
016	2004 John Deere 4WD Loader	DW624JZ592806	\$105,473
022	2006 Mitsu Forklift	AF19C80140	\$ 33,464
023	Komatsu WA-500 Front End Loader	A92285	\$196,234
024	Heli Pneumatic Forklift	23025D9133	\$ 17,395
027	Compost Bagging System		\$ 39,000
029	Cat Skid Loader	DTB05387	\$ 41,381
030	2016 Wheel Loader	CAT0962MCEJB00561	\$320,710
032	2016 Grinder and Trans Prep Package	1VR2390A01001085	\$716,352
033	2016 DT6 Trans Dolly Attachment	1VRC463K0G1000120	\$ 33,648
034	Shark Shredder	BT0262	\$644,352
035	2017 Skid Steer Loader	CAT0246DCBYF03694	\$ 39,604
036	2017 Mobile E Series Material Handler	128488112	\$288,268
037	Kobelco Excavator	LF08-06396	\$ 87,776
039	2017 Bucket 8 Cu	716120078	\$ 12,363
040	2018 Komatsu WA500-8 Wheel Loader	A96664	\$476,095
041	2004 Water Truck	1FVACXDC94HM87249	\$ 49,000
042	2018 Case 221F articulated Loader	FNH221FHNKP01343	\$ 74,979
043	2019 Komatsu WA500 8 Wheel Loader	A96864	\$476,095
044	2020 Case Compact Wheel Loader	FNH221FHNKHP01597	\$ 99,624
045	Tana T440E Shark Shredder	BD0340	\$821,845
046	2020 Komatsu WA380-8 Wheel Loader	A75458	\$236,586
047	2016 Case CX80C Excavator	NGS6B1527	\$ 65,957
048	Doosan Wheel Loader	WGCWLDGLL1020458	\$252,823
049	2021 Case CX154D Excavator	DAC145K7NMS7E2216	\$167,450
050	2022 Doosan DX85R-3-USIO Excavator	DHKCEAAV5N6003827	\$ 97,162
	2002 Case 221F Construction Loader	FNH221FHNMHP03578	\$ 77,978
	2022 Black Splitter S2800	21273	\$ 8,691
	Komptech Crambo Tookshredder w/crossbelt magnet	469169	\$942,000
	2022 Erskine Salt/Sand Spreader	1148935	\$ 5,632
	2022 Erskine Salt/Sand Spreader	1148936	\$ 5,632
	Dust Bass 17B-10 Indoor Dust Controller		\$ 7,349

# Onondaga County Resource Recovery Agency

## I. Package Policy - Continued

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### C. Electronic Data Processing

Coverage: Special Causes of Loss, subject to policy exclusions  
Breakdown Coverage and Replacement Cost Coverage are included

Limits: \$400,000 Hardware Owned / Software  
\$ 10,000 Software in Transit

Valuation: Replacement Cost

Deductible: \$10,000  
\$10,000 Breakdown  
\$50,000 Flood  
\$50,000 Earthquake

Extensions of Coverage are provided subject to specific policy limits and conditions.

# Onondaga County Resource Recovery Agency

## I. Package Policy - Continued

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### D. Crime

Form Letter	Form Title	Limit	Deductible
A	Employee Dishonesty - Per Loss	\$100,000	\$5,000
B	Forgery or Alteration	\$250,000	\$5,000
C	Theft, Disappearance and Destruction		
	Section 1 - Inside Premises	\$ 50,000	\$5,000
	Section 2 - Outside Premises	\$ 50,000	\$5,000

Subject to policy terms, conditions and exclusions

Extensions of Coverage are provided subject to specific policy limits and conditions.

# Onondaga County Resource Recovery Agency

## I. Package Policy - Continued

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### E. Commercial General Liability

Limits of Insurance:	\$1,000,000	Per Occurrence
	\$1,000,000	Personal & Advertising Injury
	\$3,000,000	General Aggregate
	\$3,000,000	Products and Completed Operations Aggregate
	\$1,000,000	Employee Benefits Liability Each Wrongful Act
	\$3,000,000	Employee Benefits Liability Aggregate
	\$ 1,000	Employee Benefits Liability Deductible Each Employee
	\$1,000,000	Sexual Abuse
	\$1,000,000	Sexual Abuse Aggregate

Higher limits may be available.

Type of Form:  Occurrence  
 Claims Made - Employee Benefits Liability

Coverage: Premises Operations  
Independent Contractors  
Blanket Contractual Liability as defined in the policy  
Products/Completed Operations  
Broad Form Property Damage  
Personal Injury / Advertising Injury Liability  
Premises Medical Payments: \$10,000  
Host Liquor Liability  
Damage to Premises Rented: \$1,000,000  
Incidental Medical Malpractice  
Automatic Coverage - Newly Acquired Locations per Policy Conditions  
Additional Insureds - Employees  
Subject to policy exclusions, including but not limited to:  
**Pollution Liability**  
**Employment Related Practices Liability**

Basis of Premium: Premium is not subject to audit.  
The rating exposures specified in this proposal establish the estimated premium charged at policy inception.

Extensions of Coverage are provided subject to specific policy limits and conditions.

# Onondaga County Resource Recovery Agency

## I. Package Policy - Continued

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### Commercial General Liability Rating Exposures

(S) Gross Sales	(S) Per \$1,000
(P) Payroll	(P) Per \$1,000/pay
(A) Area	(A) Per 1,000 sq. ft.
(C) Total Cost	(C) Per \$1,000/cost
(U) Unit	(U) Per Unit
(T) Other	(T) Other

Classification	Premium Basis
Governmental Entity - 44108	(T) \$24,523,900
Based on 2024 Annual Budget Gross Expenditures	
Less Waste-to-Energy Expenses	
Expiring Exposure \$21,767,000	

# Onondaga County Resource Recovery Agency

## I. Package Policy - Continued

### F. Public Entity Management Liability

Wrongful Act: Any actual or alleged violation of any Federal, State or Local civil rights or breach of duty by the insured in the discharge of duties for the "public entity" individually or collectively.

Type of Form  Occurrence  
 Claims Made

Limits of Liability: \$1,000,000 Each Wrongful Act Limit  
\$1,000,000 Aggregate

Deductible: \$25,000 Each Wrongful Act

Retro Date: 01/01/92

Extensions of Coverage are provided subject to specific policy limits and conditions.



# Onondaga County Resource Recovery Agency

## I. Package Policy - Continued

### G. Employment Practices Liability

Coverage: Claims arising from employment related Wrongful Termination, Discrimination, Harassment and Common Law Violation: all subject to the terms, definitions, conditions, limitations, exclusions and other provisions of the policy.

Type of Form  Occurrence  
 Claims Made

Limits of Liability: \$ 1,000,000 Each Wrongful Employment Practices Offense Limit  
\$ 1,000,000 Aggregate Limit

Defense is included within limits

Retroactive Date: 01/01/92

Deductible: \$25,000 Each Wrongful Employment Practices Offense  
(Damages & Defense Expenses)

Endorsement: Our right to settle claims without your written consent

Extensions of Coverage are provided subject to specific policy limits and conditions.

# Onondaga County Resource Recovery Agency

## I. Package Policy - Continued

### H. Business Automobile

Coverage and Limits: \$ 1,000,000 Combined Single Limit for Bodily Injury and Property Damage Liability

Higher liability limits may be available.

Personal Injury Protection - Statutory Limits by State  
(Owned Autos are subject to No-Fault)

\$ 50,000 Additional Personal Injury Protection

\$ 10,000 Medical Payments

\$ 1,000,000 Uninsured / Underinsured Motorists Coverage

Uninsured / Underinsured Motorists coverage is available up to the limit of liability. If the limit selected is less than the Bodily Injury and Property Damage limit, a signed selection / rejection form will be required.

Comprehensive - Actual Cash Value  
Less Deductible - \$5,000

Collision - Actual Cash Value  
Less Deductible - \$5,000

Hired, Non-Owned Vehicles - Liability

Hired Car Physical Damage - \$100,000 Limit  
Deductibles \$100 Comprehensive / \$1,000 Collision

New York Supplemental Spousal Liability Coverage

Subject to policy exclusions.

Basis of Premium: Schedule of autos / vehicles as provided at policy inception.

Extensions of Coverage are provided subject to specific policy limits and conditions.

# Onondaga County Resource Recovery Agency

## I. Package Policy - Continued

### Business Auto Schedule

Year	Description	VIN	Class	Deductibles		Cost New
				Comp	Coll	
2007	Cargo Express	4U01C14217A030662	68499	\$5,000	\$5,000	\$ 7,478
2017	Kenworth T880	1XKZD4OX9HJ140168	50459			\$116,789
2017	Kenworth T880	1XKZD4OX0HJ140169	50459			\$116,789
2017	Kenworth T880	1XKZD4OX7HJ140170	50459			\$116,789
2017	Kenworth T880	1XKZD4OX9HJ140171	50459			\$116,789
2017	Kenworth T880	1XKZD4OX0HJ140172	50459			\$116,789
2016	Titan Trailer	2TVVF4321GD000767	68459	\$5,000	\$5,000	\$ 93,291
2016	Titan Trailer	2TVVF4325GD000769	68459	\$5,000	\$5,000	\$ 93,291
2016	Titan Trailer	2TVVF4321GD000770	68459	\$5,000	\$5,000	\$ 93,291
2017	Kenworth T880	1XKZD40X8HJ165532	50459			\$116,789
2017	Kenworth T880	1XKZD40XXHJ165533	50459			\$116,789
2018	West Star 4700SF	5KKHAVDV0JLJH9766	50459			\$153,471
2018	Kenworth T880	1NKZXPTX4JJ204119	50459			\$157,850
2018	Spec Tec Trailer	1S9WS4320JS188024	68459	\$5,000	\$5,000	\$ 65,750
2018	Spec Tec Trailer	1S9WS4322JS188025	68459	\$5,000	\$5,000	\$ 65,750
2018	Spec Tec Trailer	1S9WS4324JS188026	68459	\$5,000	\$5,000	\$ 65,750
2018	Spec Tec Trailer	1S9WS4326JS188027	68459	\$5,000	\$5,000	\$ 65,750
2019	Kenworth T880	1NKZXPTX9KJ241992	40459			\$157,500
2019	Kenworth T880	1NKZXPTX0KJ241993	40459			\$157,500
2019	Freightliner Box Truck	1FVACWFC0KHKL4874	33459			\$ 80,000
2019	Ford F350	1FDRF3HTXKDA05624	21499			\$ 66,300
2020	Kenworth T880	1NKZXPTX6LJ383427	50459			\$126,000
2020	Kenworth T880	1NKZXPTX8LJ383428	50459			\$126,000
2020	Kenworth T880	1NKZXPTXXLJ383429	50459			\$126,000

# Onondaga County Resource Recovery Agency

## I. Package Policy - Continued

---

### Business Auto Schedule

Year	Description	VIN	Class	Deductibles		
				Comp	Coll	Cost New
2021	Spec Tech Trailer	1S9WS4324MS188094	68459	\$5,000	\$5,000	\$ 80,097
2021	Spec Tech Trailer	1S9WS4326MS188095	68459	\$5,000	\$5,000	\$ 80,097
2022	Kenworth T880	1NKZXPTX2NJ457803	50479			\$167,363
2022	Kenworth T880	1NKZXPTX4NJ457804	50479			\$167,363
2023	Kenworth T880	1XKD2D40X0PJ233689	50479			\$140,717
2023	Kenworth T880	1XKD2040X7PJ233690	50479			\$140,717

Renewal based on: 21 Power Units  
9 Trailers

Expiring (subject to audit): 21 Power Units  
10 Trailers

**Physical Damage for medium, heavy and extra heavy vehicles 10 years or newer are on the Inland Marine Schedule. Replacement Cost coverage applies to these vehicles.**

# Onondaga County Resource Recovery Agency

## I. Package Policy - Continued

---

### I. Commercial Umbrella

Coverage: This policy provides coverage for liability losses that exceed the limits of underlying policies.

Subject to policy exclusions.

Coverage is provided over the following”

Automobile Liability  
General Liability  
Employee Benefits Plans Liability  
Public Entity Management Liability  
Employment Related Practices Liability  
Sexual Abuse

Limit of Liability: \$10,000,000  Each Occurrence /  Each Claim  
\$10,000,000 Aggregate  
\$10,000 Retention

Higher liability limits may be available.

Basis of Premium: Premium is not subject to audit.

#### Required Underlying Insurance and Limits:

✓ Commercial General Liability	\$1,000,000	Each Occurrence
	\$1,000,000	Personal & Advertising Injury Liability
	\$3,000,000	General Aggregate
	\$3,000,000	Products/Completed Operations Aggregate
✓ Employee Benefits Liability	\$1,000,000	Each Employee
	\$3,000,000	Aggregate
✓ Public Entity Liability	\$1,000,000	Each Wrongful Act
	\$1,000,000	Aggregate
✓ Commercial Auto Liability	\$1,000,000	Bodily Injury & Property Damage
✓ Employment Practices Liability	\$1,000,000	Each Wrongful Employment Practice
	\$1,000,000	Aggregate

Extensions of Coverage are provided subject to specific policy limits and conditions.

# Onondaga County Resource Recovery Agency

## II. Excess Crime

---

Carrier: Travelers Casualty & Surety Co. (a member of Travelers Group)

Best Rating: A ++ (XV)

Policy Number: 106264822

Policy Period: 04/01/24 to 04/01/25

Named Insured: Onondaga County Resource Recovery Agency

Form Letter	Form Title	Limit	Deductible
A	Employee Dishonesty - Blanket	\$5,000,000	\$105,000

Subject to policy terms, conditions and exclusions

Extensions of Coverage are provided subject to specific policy limits and conditons.

# Onondaga County Resource Recovery Agency

## III. Commercial Excess Liability

---

Carrier: Great American Assurance Co. (a member of Americal Financial Group)

Best Rating: A + (XV)

Policy Number: EXC1680144

Policy Period: 04/01/24 to 04/01/25

Named Insured: Onondaga County Resource Recovery Agency

Coverage: This polciy provides coverage for liability losses that exceed the limits of underlying policies.

Subject to policy exclusions

Limits of Liability: \$15,000,000  Each Occurrence /  Each Claim  
\$15,000 Retention

Higher liability limits may be available

Basis of Premium: Premium is not subject to audit.

### Required Underlying Insurance and Limits:

✓ Commercial Umbrella	\$10,000,000	Each Occurrence
	\$10,000,000	General Aggregate

Extensions of Coverage are provided subject to specific policy limits and conditions.

# Onondaga County Resource Recovery Agency

## IV. Owners & Contractors Protective

---

Carrier: US Specialty Ins. Co. (a member of Tokio Marine US PC)

Best Rating: A ++ (XV)

Policy Period: 04/01/24 to 04/01/25

Named Insureds: Onondaga County Resource Recovery Agency

Limits of Liability: \$1,000,000 Each Occurrence  
\$1,000,000 Existence Hazard Aggregate  
\$1,000,000 General Aggregate

Higher liability limits may be available

Type of Form:  Occurrence  
 Claims Made

Coverage: Traffic Light Permit with the County of Onondaga Rock Cut Road,  
Jamesville, NY

Basis of Premium: Premium is not subject to audit.  
The rating exposures specified in this proposal establish the  
estimated premium charged at policy inception.

Extensions of Coverage are provided subject to specific policy limits and conditions.



# Onondaga County Resource Recovery Agency

## V. Owners & Contractors Protective

---

Carrier: US Specialty Ins. Co. (a member of Tokio Marine US PC)

Best Rating: A ++ (XV)

Policy Period: 04/01/24 to 04/01/25

Named Insured: Onondaga County Resource Recovery Agency

Policyholder: The People of the State of New York, all municipal subdivisions thereof: Commissioner and Department of Transportation  
New York Thruway Authority and New York Bridge Authority

Limits of Liability: \$1,000,000 Each Occurrence  
\$1,000,000 Existence Hazard Aggregate  
\$1,000,000 General Aggregate

Higher liability limits may be available

Type of Form:  Occurrence  
 Claims Made

Coverage: Highway Permit for the Thruway Authority

Description of Work: Divisible load weight permit

Basis of Premium: Premium is not subject to audit.  
The rating exposures specified in this proposal establish the estimated premium charged at policy inception.

Extensions of Coverage are provided subject to specific policy limits and conditions.

# Onondaga County Resource Recovery Agency

## VI. Pollution Liability

---

Carrier: Navigators Ins. Co. (a member of Navigators Group)

Best Rating: A + (XII)

Policy Period: 04/01/24 to 04/01/25

Named Insured: Onondaga County Resource Recovery Agency

Limits of Insurance: \$5,000,000 Each Pollution Incident Loss Limit  
\$5,000,000 Aggregate Loss Limit  
\$1,000,000 Defense Costs Outside the Limits

Higher liability limits may be available

Coverage: Subject to policy terms, conditions and exclusions

Deductible: \$250,000 Each Pollution Incident  
3 Day Deductible Period Business Interruption

Delineation Date: 04/01/07

**NOTE:**

Carrier added a "Capital Improvement Exclusion" last year which excludes any clean-up costs arising from pollutants that are released within or discovered within the project area at 5158 Ley Creek Drive. There is a give back for clean-up that is required by governmental entity for materials outside the "project disturbance area".

Extensions of Coverage are provided subject to specific policy limits and conditions.

## VII. Cyber Liability

---

Carrier: Trisura Specialty Ins. Co.

Best Rating:

Policy Period: 04/01/24 to 04/01/25

Named Insured: Onondaga County Resource Recovery Agency

See Attached Quote



## Cyber Insurance Quote

Insurance coverage underwritten by At-Bay Specialty Insurance Company | 1209 Orange Street | Wilmington, DE 19001

This Cyber Insurance Quote is issued and delivered as surplus lines coverage pursuant to applicable surplus lines statutes. The surplus lines broker responsible for placement of this coverage is responsible for compliance with applicable surplus lines laws and regulations including completion of any declarations/affidavits and payment of any taxes.

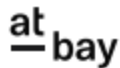
Quote Number:	1001934920
Quote Issue Date:	01/02/2024
Quote Expiration Date:	03/31/2024
Home State:	NY

This Cyber Insurance Quote proposes a **Policy** with coverage as follows:

ITEM 1: <b>Named Insured</b>	Onondaga County Resource Recovery Agency
DBA:	Not Applicable
	100 Elwood Davis Rd.
	N. Syracuse, NY13212
ITEM 2: <b>Policy Period</b>	
Effective Date:	04/01/2024 at 12:01 AM local time of the <b>Named Insured</b>
Expiration Date:	04/01/2025 at 12:01 AM local time of the <b>Named Insured</b>
ITEM 3: <b>Policy Premium:</b>	\$11,580.00
<b>Embedded Security Fee:</b>	\$460.00
Total Policy Cost:	\$12,040.00
ITEM 4: <b>Aggregate Limit of Insurance</b>	\$1,000,000.
ITEM 5: Notice of <b>Claim</b> or <b>Cyber Event</b>	claims@at-bay.com
	At-Bay Insurance Services, LLC
	1 Post Street, 14th Floor
	San Francisco, California 94104

If the amount for ITEM 3, Embedded Security Fee is displayed as "N/A", there is no charge and no **Embedded Security** applicable to this **Policy Embedded Security** includes access to At-Bay Stance™ Exposure Manager and At-Bay Stance™ Managed Security as described in the Embedded Security endorsement.

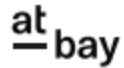
# Onondaga County Resource Recovery Agency



ITEM 6: Insuring Agreements, Sub-Limits of Insurance, and **Retentions** included:

Insuring Agreements:	Inclusion:	Sub-Limits of Insurance:	Retentions
<b>A. Information Privacy</b>			
A.1. Information Privacy Liability	Included	\$1,000,000.	\$5,000.
A.2. Regulatory Liability	Included	\$1,000,000.	\$5,000.
A.3. Event Response and Management	Included	\$1,000,000.	\$5,000.
A.4. PCI-DSS Liability	Included	\$1,000,000.	\$5,000.
<b>B. Network Security</b>			
B.1. Network Security Liability	Included	\$1,000,000.	\$5,000.
B.2. Event Response and Recovery	Included	\$1,000,000.	\$5,000.
<b>C. Business Interruption</b>			
C.1. Direct Business Interruption	Included	\$1,000,000.	\$5,000.
C.2. Contingent Business Interruption	Included	\$1,000,000.	\$5,000.
<b>D. Cyber Extortion</b>			
D.1. Cyber Extortion	Included	\$1,000,000.	\$5,000.
<b>E. Financial Fraud</b>			
E.1. Social Engineering	Included	\$250,000.	\$10,000.
E.2. Computer Fraud	Included	\$250,000.	\$10,000.
<b>F. Media Content</b>			
F.1. Media Liability	Included	\$1,000,000.	\$5,000.
F.2. Media Event Response	Included	\$1,000,000.	\$5,000.

If any Inclusion field for an Insuring Agreement is displayed as "Not Included," there is no coverage for such Insuring Agreement.



ITEM 6: Continued

Insuring Agreement:	Inclusion:	Sub-Limit of Insurance:	Retention:
G. Reputational Harm			
G.1. Reputational Harm	Included	\$1,000,000.	\$5,000.

If, in ITEM 6 Continued, the Inclusion field for the G.1. Reputational Harm Insuring Agreement is displayed as "Not Included," there is no coverage for such Insuring Agreement.

Reputational Harm Indemnity Period
180 days.

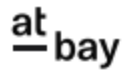
System Failure Enhancement to Business Interruption Insuring Agreements I.C.1. and I.C.2.

System Failure <b>Policy</b> Form:	Inclusion:
Contingent and Direct System Failure:	Included
System Failure Coverage Details:	Value:
<b>Direct System Failure Limit</b>	\$1,000,000.
<b>Contingent System Failure Limit</b>	\$1,000,000.
<b>System Failure Waiting Period:</b>	8 hours.

If the Inclusion field for the Contingent and Direct System Failure **Policy** Form is displayed as "Not Included," it is not included as part of this **Policy**.

Ransomware Event Coverage Details:	Value:
Ransomware Event Sub-Limit Endorsement	
Ransomware Sublimit	Full Limit

# Onondaga County Resource Recovery Agency



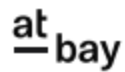
ITEM 7: Claims Made Dates:

Claims Made Dates:	Date:
Retroactive Date	Not Applicable
Continuity Date	06/01/2021
Prior and Pending Litigation Date:	06/01/2021

ITEM 8: **Policy** Forms:

Form Title:	Form Identification:	Form Edition Date:
Cyber Insurance Policy Declarations	AB-CYB-004	09/2023
Cyber Insurance Policy	AB-CYB-001.2	08/2023
Terrorism Risk Insurance Act Disclosure	AB-CYB-002	03/2022
Service of Process Endorsement	AB-CYB-029.2	12/2023
Reputational Harm Insuring Agreement	AB-CYB-034	03/2022
AmWINS Amendatory Endorsement	AB-CYB-AMWINS-002	03/2022
New York Changes Amendatory Endorsement	AB-CYB-NY	03/2022
PCI-DSS Betterment Coverage (\$25,000)	AB-CYB-081	03/2022
Contingent Bodily Injury Coverage (Sub-Limit)	AB-CYB-068	03/2022
Invoice Manipulation Coverage	AB-CYB-059	03/2022
Funds Transfer Fraud Coverage	AB-CYB-061	03/2022
CryptoJacking & Utility Coverage (Full Limits)	AB-CYB-067	03/2022
Breach Costs Outside (Additional Limit)	AB-CYB-069	03/2022
OFAC Exclusion Endorsement	AB-CYB-095	03/2022
Government Action & Licensing Exclusion	AB-CYB-096	03/2022

# Onondaga County Resource Recovery Agency



Amendment to Pollution and Nuclear, Biological, and Chemical Contamination Exclusions Endorsement	AB-CYB-097	03/2022
Biometric Privacy Violation Exclusion	AB-CYB-098	08/2023
Business Interruption Waiting Period Endorsement	AB-CYB-084	05/2023
Contingent and Direct System Failure (for use with Business Interruption Waiting Period Endorsement)	AB-CYB-085	05/2023
Embedded Security Endorsement	AB-CYB-111	05/2023



# Onondaga County Resource Recovery Agency

## VIII. Premium Summary

### **Premium as Proposed:**

<u>Coverage</u>	<u>2023-2024 Premium</u>	<u>2024-2024 Premium</u>
Package Policy		
A. Property *	\$ 12,788.00	\$ 15,419.00
B. Contractor's Equipment	\$ 15,422.00	\$ 17,265.00
C. Electronic Data Processing	\$ 7,151.00	\$ 8,876.00
D. Crime	\$ 883.00	\$ 1,107.00
E. Commercial General Liability	\$ 88,100.00	\$ 98,339.00
F. Public Entity Management Liability	\$ 7,746.00	\$ 10,161.00
G. Employment Practices Liability	\$ 6,878.00	\$ 7,678.00
H. Business Automobile + MV Fee	\$ 12,601.00	\$ 12,214.00
I. Commercial Umbrella	\$ 36,471.00	\$ 37,191.00
NY Fire Fee	\$ 76.36	\$ 94.59
Excess Crime	\$ 4,014.00	\$ 4,014.00
Excess Liability (25% Minimum Earned)	\$ 48,000.00	\$ 52,000.00
Owners & Contractors Protective – Rock Cut Rd.	\$ 505.00	\$ 505.00
Owners & Contractors Protective T-way Authority	\$ 505.00	\$ 505.00
Pollution Liability (2 Yr. Policy) (25% Min. Earned)	\$ 29,250.00	\$ 0.00
Cyber Liability	\$ 11,580.00	\$ 11,580.00
Est. E&S Taxes/Fees	\$ <u>584.25</u>	\$ <u>1,061.50</u>
Premium Total:	\$281,894.00	\$276,854.00
Taxes & Fee Totals:	\$ 660.61	\$ 1,156.09

Payment Plan: Agency Bill - Annual Payment

Carrier applied inflation factor to Property values.  
Values increased from \$15,496,355 to \$17,083,093 (10.24%)

General Liability exposure increased from \$21,767,000 to \$24,523,900 (12.67%)

**RESOLUTION APPROVING INVESTMENT GUIDELINES AND INVESTMENT REPORT OF ONONDAGA COUNTY RESOURCE RECOVERY AGENCY FOR CALENDAR YEAR 2023**

**WHEREAS**, the Onondaga County Resource Recovery Agency did, pursuant to Resolution No. 135 of June 12, 1991, adopt formal Investment Guidelines to protect and safeguard Agency investment assets; and

**WHEREAS**, the Administration Committee, at its February 27, 2024 meeting, reviewed the 2023 Annual Investment Report and the Investment Guidelines submitted by staff and found that the Investment Report properly reflects the financial investments of the Onondaga County Resource Recovery Agency during 2023 and also found compliance of those Agency investments with the updated Agency Investment Guidelines; and

**WHEREAS**, the Administration Committee has therefore recommended that the Agency Investment Report for 2023 be approved; now, therefore be it

**RESOLVED**, that the Onondaga County Resource Recovery Agency hereby accepts and approves the Investment Report of our Agency's funds and accounts conducted by staff for the calendar year 2023 and authorizes its Treasurer to submit copies of said report to the appropriate officials as required under New York Public Authorities Law Section 2925. The Agency also approves the Agency's existing Investment Guidelines to govern future investments of Agency funds, which guidelines will ensure that those Agency assets are prudently invested and adequately safeguarded. This Resolution shall take effect immediately.

**Resolution Adopted Date:** \_\_\_\_\_

**Vote: Ayes:** \_\_\_\_\_ **Nays:** \_\_\_\_\_ **Abstentions:** \_\_\_\_\_

**Signed:** \_\_\_\_\_

# **2023 Annual Investment Report**

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| <b>III. Annual Investment Audit</b> | <b>Page 8-9</b> |

# OCRRA 2023

## ANNUAL INVESTMENT REPORT

Prepared utilizing the Agency Audited Financial Statements and work papers for 2023

### OVERVIEW

This report serves to up-date the Agency's Board on investment activities and practices during 2023. Pursuant to **Resolution #135 of June 12, 1991**, the Agency adopted formal *Investment Guidelines* to protect and safeguard Agency investable assets. Annually, the Board of Directors is to be provided a Summary of *Investment Activities*.

### LIMITATIONS ON INVESTMENTS

The Board desires the Agency to adhere to some of the restrictions of NYS Comptroller Investment Guidelines and General Municipal Law, but adherence to these is not required by law as the Agency is a Local Authority. The investment nature of the Agency's funds and accounts are governed by and are restricted by a combination of requirements, including:

- Public Authority Law
- Trust Documents (Master Bond Resolution, Indentures)
- Tax Representative Letter
- OCRRA Investment Guidelines adopted by Resolution
- NYS Banking Law

### INVESTMENT PRIORITIES

Having responsibility for significant fund/account balances, the Agency continues to review our investment program under the following criteria:

- **Safety** - Preservation of principal.
- **Liquidity** – Availability of funds as needed.
- **Return on Investment** - Best rate of return throughout budgetary and economic cycles, considering cash flow characteristics. Maximize yield where possible within guidelines.
- **Diversification**-Spreading out investments among several banking institutions to minimize risk.

The following investment vehicles were utilized during 2023:

TYPE OF INVESTMENT	Investments at January 1, 2023	Investments at December 31, 2023
Demand Deposits-Trustee	1,324,536	2,356,075
Treasury Bills-Trustee	-0-	3,578,299
Certificates of Deposit-Trustee	5,920,735	173,125
Government Bonds-Trustee	-0-	-0-
Treasury Bills-M&T	8,597,612	8,980,579
Public Fund Money Market Account-M&T	6,446,173	5,487,813
Public Fund Money Market Acct.-NBT Bank	5,715,796	5,938,636
Public Fund Money Market Account-Chase Bank	267,543	267,543
<b>Total Invested Cash</b>	<b>28,272,395</b>	<b>26,782,070</b>
<b>Total Non-Invested Cash Balances</b>	<b>1,575,943</b>	<b>1,214,469</b>

**RECONCILIATION OF INVESTMENTS TO GENERAL LEDGER:**

Total Invested Cash Balances \$26,782,070

Total Non-Invested Cash Balances: 1,214,469

**Investment Report 2023 Grand Total:** **\$27,996,539**

Cash and Cash Equivalents G/L: \$21,889,040

Revenue Fund G/L Balance: \$3,670,784

Renewal/Project Fund G/L Balance: \$ -0-

Debt Service Fund 2015 G/L Balance: \$1,934,568

Debt Service Fund 2019 G/L Balance: \$ 502,147

**General Ledger 2023 Grand Total:** **\$27,996,539**

## **INTEREST EARNINGS**

The Agency recorded the following interest earnings for invested funds during 2023:

Money Market & Demand Accounts (various institutions)	\$ 327,345
Treasury Bills M&T	\$ 445,446
Trustee (U. S. Bank)-all forms of investments	<u>\$ 55,513</u>
Total for 2023	\$ 828,304

## **AUTHORIZATION PROCESS**

All investment transactions in 2023 requiring dual signatures were completed under prescribed protocols.

## **COLLATERAL REQUIREMENTS**

1. All investments entered into (other than investments in obligations of New York State or the United States Government, or obligations the principal and interest of which are guaranteed by New York State or the United States Government) require full collateralization (generally 102%) regardless of investment type, and a formal third-party collateral agreement.
2. Collateral reports are received regularly from investors and all funds were properly collateralized during the year and at year-end.
3. The Agency Accountants monitor and maintain documentary evidence files of collateralization.

## **Trustee (US Bank) Related Holdings and Investments**

The balances held by the Trustee in accordance with the Indenture of Trust, and invested in Treasury Bills, Demand Deposits, or other permitted investments were as follows:

	2022	2023
Revenue Fund 2015 (undistributed System revenues)	3,967,471	3,670,784
Debt Service Fund 2015 (Sinking Fund for scheduled debt)	1,877,318	1,934,568
Renewal/Capital Fund 2019	928,122	-0-
Debt Service Fund 2019 (Sinking Fund for scheduled debt)	472,360	502,147

## **Fees Paid to Banks/Brokers/Financial Advisors**

The Agency did not utilize brokers for investment advice, but rather made internal investment decisions recognizing restrictions, limitations and guidelines, with assistance provided by Fiscal Advisors, Inc. Amongst other duties the Trustee, with direction from the Agency is responsible for

investing the moneys held for various purposes under the Indenture of Trust. The following includes the fees that were paid during 2023 for investment related services.

<b>Bank</b>	<b>2023</b>	<b>Service</b>
U.S. Bank, NA. (Trustee)	\$5,978	Trustee for the Restructured Debt and invests balances
Fiscal Advisors, Inc.	\$2,000	Financial consulting services/filing services

### **INVESTMENT GUIDELINES**

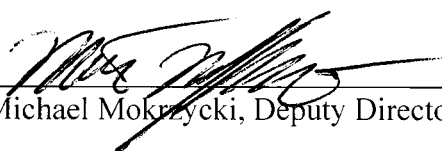
The Agency had adopted a document titled “Investment Guidelines” through Board resolution. This document is reviewed and approved annually by the Board and contains the following information: document purpose, types of permitted investments, authorization, procedures for contracting for securities, standards for investments, monitoring and reporting investment activity.

The 2023 financial audit being performed by Grossman St. Amour CPAs PLLC has not noted any control deficiencies or problems regarding Agency investments.

### **SUMMARY**

The Agency believes we are fully compliant with the established Investment Guidelines.

In conjunction with this annual report, the Administration Committee is advised of investment activity with subsequent recommendations to the Board to adopt by resolution.

  
\_\_\_\_\_  
Michael Mokrzycki, Deputy Director

Dated: 02/01/2024

**ONONDAGA COUNTY  
RESOURCE RECOVERY AGENCY  
INVESTMENT GUIDELINES**

**Purpose**

These investment guidelines are intended to:

1. Establish a system whereby current funds on hand, in excess of immediate needs, and funds required to meet current obligations are invested or placed in appropriate interest-bearing accounts to produce maximum earnings on all such funds.
2. Assure that such investment assets are adequately safeguarded.
3. Assure that adequate accounts and records are maintained which accurately reflect all transactions.
4. Assure that an adequate system of internal control is maintained.
5. Conform to guidelines established by the office of the (NYS) Comptroller.

**Types of Permitted Investments**

1. Certificates of Deposits with banks or trust companies authorized to do business in New York State, which are also Members of the Federal Deposit Insurance Corporation (FDIC). Collateralization is required for amounts over and above FDIC coverage.
2. Time/Demand deposits in interest-bearing checking/savings account of a commercial bank or trust company authorized to do business in New York State, pending further transfer to maximize earnings.
3. Deposits in "Money Market" accounts of banks or trust company authorized in New York State specified in Item 1. Collateralization is also required as in Item 1.
4. In Repurchase Agreements involving the purchase and sale of direct obligations of the United States.
5. Obligations of New York State or the United States Government, or obligations the principal and interest of which are guaranteed by New York State or the United States Government. Obligations of the United States Government include Treasury Bills (T-bills) and Treasury Bonds and Notes.
6. Qualified investments made on behalf of the Agency by the trustee named in the Trust Indenture.
7. Savings and/or demand deposit accounts placed through a depository institution that has a main or branch office in this state and that contractually agrees to place funds in federally insured depository institutions through the Insured Cash Sweep service, or ICS.

**Note:** Banking Law §5237 (2) prohibits a savings bank from accepting deposits from governmental agencies.



## **Authorization**

The Treasurer, Business Officer (Chief Fiscal Officer), or Executive Director shall be authorized to commit the Agency to purchase or liquidate investments. All oral instructions concerning investments shall be promptly followed up with written confirmations, conforming to proper signature levels (over \$100,000 requires dual signatures), with a copy of appropriate documents to the Agency's Treasurer (Board Member), and Agency Confidential Internal Controls Compliance Officer.

Any new, roll over or add on, investments over \$100,000 other than routine transfers of funds to, or between Money Market accounts initiated by the Business Officer and approved by the Executive Director shall be made known to the Treasurer, and Agency Confidential Internal Controls Compliance Officer.

## **Procedures for Contracting for Securities**

Each purchase, sale, or transfer shall be promptly confirmed in writing by the Agency. The investment agent shall promptly send a confirmation of each transaction to the Agency Business Officer.

The Agency requires contracts to be drawn with the financial institutions with which it transacts business. Such contracts and procedures provisions shall include provisions for the monitoring, control, deposit and retention of investments and collateral.

All holders of collateral, or the custodian, shall be required to submit a semi-annual report to the Agency comparing the market value of the collateral to the principal plus accrued interest of the investment.

The Agency will utilize contracts supplied by the financial institutions upon Agency Counsel review and approval.

## **Standards for Investments**

In making permitted investments, selection of investments shall be competitively based. A complete and continuous record of all bids and quotes, both solicited and unsolicited, shall be maintained. Not less than three (3) investment firms or banks shall be solicited prior to an investment transaction and such placement shall be awarded to any firm or bank offering the highest yield amount after consideration of transaction processing costs (such as wire transfer costs).

All investments of the Agency that require collateral (amounts over FDIC limits) shall be so collateralized at least at 100% of the higher of maturity or market value of the investment including accrued interest.

The Agency shall spread permitted investments among two or more financial institutions if possible (please refer to page one of Investment Guidelines for a listing of the types of permitted investments. The Agency will strive to diversify between these types of investments). This will minimize risk of a loss from over-investing with one institution in case of that institution's failure. Although all Agency investments/deposits are either FDIC insured or fully collateralized, diversification of investments among different institutions will minimize the Agency's exposure to risk if unforeseen economic problems occur.

Investment bankers utilized by the Agency will include only nationally recognized highly rated financial institutions. Brokers, agents, dealers, and other investment advisers and agents will include only those that are recognized, highly rated and well established for at least ten years.

## **Monitoring**

### ***Audit***

An independent audit of the Agency's investments shall be conducted annually by the Agency Confidential Internal Controls Compliance Officer.

The report of said audit shall be presented to the Audit Committee and made available to the Board.

Investments and cash balances shall be fully (100%) secured by collateral, except as provided below. ( \* )

Collateral may consist of obligations of, or guaranteed by, the United States of America or the State of New York.

\* FDIC insurance may be substituted for collateral as available and up to its limit.

Collateral will be valued to market on a semi-annual basis by the Agency's Business Officer.

## **Reporting**

1. The Business Officer shall annually prepare and present to the Administration Committee and the Board of Directors shall annually approve an investment report which shall include the Agency's investment guidelines, amendments to such guidelines since the last investment report, the investment income record of the Agency, and a list of the total fees, commissions or other charges paid to each investment banker, broker, agent, dealer and adviser rendering investment-associated services to the Agency since the previous annual investment report.
2. Annually, the Business Officer shall report to the Agency Board on the investment program. The report shall include a listing of all current investments and the selection of investment bank(s).
3. Annual report of investments shall be submitted to the Office of the State Comptroller, the County Executive, and the County Chief Fiscal Officer. Such report shall include:
  - a. Investment Guidelines and Amendments including explanation.
  - b. The results of the annual independent audit.
  - c. Investment income record.
4. Copies of the Agency's annual investment report shall be made available to the public upon reasonable request, in accordance with Agency policy regarding the Freedom of Information Law.

Amendments to the Investment Guidelines may be made at any time with the approval of and by resolution of the Agency Board after appropriate review by the Administration Committee.

## **OCRRA**

### **Investment Guidelines**

**(Revised January 14, 2014, Approved March 19, 2014 by Resolution No. 1880)**

# ONONDAGA COUNTY RESOURCE RECOVERY AGENCY

## AUDIT REPORT

TO: Mike Mokrzycki, Deputy Director

FROM: Maria Cirino, Confidential Internal Controls Compliance Officer

AUDIT: Investments

AS OF DATE: December 31, 2023

DATE OF ISSUE: March 4, 2024

### PURPOSE

Onondaga County Resource Recover Agency (“OCRRA” or “The Agency”) has established a system whereby current funds on hand, in excess of immediate needs, are invested or placed in appropriate interest-bearing accounts to produce maximum earnings on such funds. The investment nature of OCRRA is governed by and restricted by a number of requirements, including New York State laws. Included in the investments of OCRRA are the Bonds which have all its investments in either US Treasury Bills or cash, as determined by the bondholders. The verification of these assets was traced to bank statements; however the review of authorized signers was not completed during this audit. Review of authorized signers for the bond investments will occur during an audit of the Bonds.

### SCOPE

The audit of investments was confined to those investments as of December 31, 2023 and included compliance with Section 2045-k of Public Authorities Law, Section 75 of NY Jurisprudence 2<sup>nd</sup>, Section 2925 of Public Authorities Law and Section 98a of State Finance Law. The audit included review of OCRRA's investment guidelines, the annual investment report, reporting of investments to the Board, County Executives, and NYS Comptroller and the review of investments and sufficient collateral as of December 31, 2022.

The Confidential Internal Controls Compliance Officer (CICCO) also reviewed the collateral agreements and/or municipal resolutions to determine if appropriate personnel from OCRRA have authorization to approve transactions. Verification of receipt of the 2022 annual investment report by Onondaga County Executives and the State Comptroller was examined during this audit.

### DISCUSSION WITH MANAGEMENT

The results of the audit were distributed to Mike Mokrzycki, Deputy Director, on March 4, 2024.

## **FINDINGS AND RECOMMENDATIONS**

### **I. Authorized Signers**

Signature cards and/or municipal resolutions were reviewed to determine if appropriate personnel from the Agency have authorization to initiate transactions, approve wire transfers and/or endorse checks. All signature cards with whom the Agency had investments at the end of 2023 contained the names of current Agency employees. No exceptions noted.

### **II. Compliance with Applicable Laws**

The CICCOCO reviewed the investment guidelines and 2023 investment report for compliance with the following laws and Section 74 of NY Jurisprudence: Section 2045-k of Public Authorities Law, Section 2925 of Public Authorities Law and Section 98a of State Finance Law.

The CICCOCO found that the Agency's documents are in compliance with the above laws and Section 74 of NY Jurisprudence.

Approval and distribution of the Agency's 2022 investment report was completed in a timely manner and by the appropriate party (the Board). The approval of the 2023 investment report is anticipated at the March 2024 Board meeting.

The Agency's investment procedures are found in the investment guidelines document and they include internal controls.

A quarterly investment report for the 2022 4<sup>th</sup> quarter, 2023 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> quarters were reviewed by the Administration Committee. No exceptions were noted.

### **III. Review of Investments**

The CICCOCO reviewed the year-end bank statements and tied the amount of the investments to the Agency's 2023 investment report as well as the Agency's general ledger accounts. No exceptions were noted.

The CICCOCO reviewed the collateral statements for December 31, 2023, and found that the Agency's investments were sufficiently collateralized. No exceptions were noted.

CC: Audit Committee

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE CHANGE ORDERS WITH INTELICA ENGINEERING FOR ADDITIONAL SAMPLING SERVICES**

**WHEREAS**, the Onondaga County Resource Recovery Agency (“Agency”) has an agreement with Covanta to operate its Waste to Energy Facility located in the Town of Onondaga; and

**WHEREAS**, Covanta notified the Agency that there was some damage to the flues at the Waste to Energy Facility and that they now need repairs and possible remediation; and

**WHEREAS**, the Board has previously approved Resolution #2432 authorizing a contract with Intelico Engineering of Newark, New Jersey for the review and investigation int the damages to the flues at the Onondaga County Resource Recovery Facility; and

**WHEREAS**, during their investigation, Intelico has recommended metal sampling. This is both more voluminous and more expensive than anticipated in their proposal, and

**WHEREAS**, the Agency and the Administration committee have reviewed the additional sampling requests and recommend allocating an additional \$29,000 for sampling related costs to the Intelico contract through one or more change orders, now therefore be it

**RESOLVED**, that the Agency does hereby authorize the Executive Director to execute one or more change orders with Intelico Engineering of Newark, New Jersey for additional sampling costs related to their forensic investigation of the damaged flues at the Waste to Energy Facility in a combined amount not to exceed \$29,000, for a new total contract value not to exceed \$224,125. This Resolution shall take effect immediately.

**Resolution Adopted Date:** \_\_\_\_\_

**Vote:** Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Abstentions \_\_\_\_\_

**Signed:** \_\_\_\_\_