



MADISON COUNTY BOARD OF SUPERVISORS

JOHN M. BECKER

Chairman

MARK SCIMONE

County Administrator

EMILY C. BURNS

Clerk

138 N. Court St., PO Box 635

Wampsville, NY 13163

Phone: 315/366-2201

Fax: 315/366/2502

MADISON COUNTY BOARD OF SUPERVISORS

Meeting Agenda - Tuesday, December 19, 2023

Meeting Schedule

6:00 P.M. - Board Meeting - Chambers

6:00 P.M. - Public Hearing - A Local Law Amending Local Law No. 3 for the Year 2004 by Repealing Section III (4) (c)

6:05 P.M. - Public Hearing - The Proposed Award of an Operations, Maintenance, and Lease Agreement to New England Waste Services of N.Y.

Resolutions - Preferred Agenda

Resolutions – Regular Agenda

1. Authorizing Adoption of a Negative Declaration Pursuant to the State Environmental Quality Review Act
2. Adopting Local Law No. 8 for the Year 2023
3. Authorizing Award of an Operations, Management and Lease Agreement to New England Solid Waste Services of New York, Inc.

PUBLIC COMMENT PERIOD

ANY OTHER BUSINESS

Emily C. Burns, Clerk

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For Public Comment please contact the Madison County Board of Supervisors by email at publiccomment@madisoncounty.ny.gov

RESOLUTION NO. 23-_____

**AUTHORIZING ADOPTION OF A NEGATIVE DECLARATION
PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT**

WHEREAS, The County of Madison issued public notice of a Draft Request for Proposals (P5-23) pursuant to General Municipal Law § 120-w on May 24, 2023 and a Final Request for Proposals on August 23, 2023, seeking proposals for the lease and operation of the Madison County Landfill and related solid waste facilities, and

WHEREAS, qualified proposals were received from two vendors and thereafter reviewed by the Department of Solid Waste and the Solid Waste Committee of the Board of Supervisors, and

WHEREAS, the proposal of New England Waste Services of N.Y., Inc. was determined to be the proposal most responsive to the Request for Proposals and providing the best value in meeting the needs of the County in terms of financial benefit and technical merit, and

WHEREAS, Companion Resolution No. 23-_____ has been placed before this Board for consideration of an award of an Operations, Management and Lease Agreement to New England Waste Services of N.Y., Inc., and

WHEREAS, the Operations, Management and Lease Agreement to New England Waste Services of N.Y., Inc. contemplates the initial transfer of operation and management of the Madison County Landfill, County transfer stations, and other facilities to the vendor, subject to all existing environmental permits and conditions, together with the right to make a future application to modify such permits to increase the annual tonnage limits applicable to the Landfill, subject to future environmental review pursuant to Article 8 of the Environmental Conservation Law, and

WHEREAS, the Operations, Management and Lease Agreement to New England Waste Services of N.Y., Inc., contemplates the future acceptance at the Landfill of solid wastes generated outside of the geographic boundaries of the County of Madison, thereby requiring the amendment of Local Law No.3 of 2004 to repeal the provisions of section 4(c) of such law, and

WHEREAS, Companion Resolution No. 23-_____ has been placed before this Board for consideration of the amendment of Local Law No.3 of 2004 to repeal the provisions of section 4(c) of such law, and

WHEREAS, the County has prepared a Full Environmental Assessment Form (EAF) and delivered said EAF for coordinated review to interested and involved agencies, and declared the intention of the County to serve as the lead agency for the award of the Operations, Management and Lease Agreement with New England Waste Services of N.Y., Inc. and the amendment of Local Law No.3 to repeal section 4(c) thereof,

NOW, THEREFORE BE IT RESOLVED, that the annexed Negative Declaration is hereby adopted and declared for the award of an Operations, Management and Lease Agreement to New England Waste Services of N.Y., Inc. through Companion Resolution No. 23-_____ and for the amendment of Local Law No. 3 of 2004 to repeal section 4(c) thereof through companion Resolution No. 23-_____, and be it

FURTHER RESOLVED that this Resolution be effective immediately and that the Clerk is hereby authorized and directed to publish and distribute this Negative Declaration as required by law.

Dated December 19, 2023

James J. Cunningham, Chairman

James J. Cunningham, Chairman
Solid Waste and Recycling Committee

RESOLUTION NO. 23-_____

ADOPTING OF LOCAL LAW NO. 8 FOR THE YEAR 2023

WHEREAS, the provision and regulation of solid waste services in and by the County of Madison are governed by Local Law No 3 of 2004, and

WHEREAS, Section III (4)(c) of Local Law No.3 of 2004 provides that “Solid Waste generated outside the County will not be accepted at the County Landfill or at any other Facility located in the County, except pursuant to approval by the Board of Supervisors.” and

WHEREAS, after due consideration of the environmental, administrative and financial circumstances affecting the solid waste program of the County, it is the opinion of this Board that the management of the solid waste program can be supported and enhanced through the acceptance at the County Landfill of limited quantities of waste generated outside of the County, subject to the conditions of the operating permit for the County Landfill issued by the New York State Department of Environmental Conservation, and

WHEREAS, it is the opinion of this Board that the acceptance at the Landfill of waste generated outside of the County can provide a greater benefit to the County in the form of long term agreements, including agreements for the lease, operation and management of the Landfill authorizing and limiting the volumes of waste generated outside of the geographic boundaries of the County, made without the limitations of Section III(4)(c), and that repeal of Section III(4)(c) is in the public interest.

NOW THEREFORE, BE IT ENACTED, that Local No. 8 of 2023 is hereby adopted to amend Local Law No.3 of 2004 to read as follows:

Local No. 8 of 2023

Section III(4)(c) of Local Law No.3 of 2004 is hereby repealed and amended to strike the language stating “Solid Waste generated outside the County will not be accepted at the County Landfill or at any other Facility located in the County, except pursuant to approval by the Board of Supervisors” and amended to read as follows “III(4)(c): RESERVED.” and all other provisions of said law shall remain in full force and effect. and be it

BE IT FURTHER RESOLVED, that this Local Law No. 8 of 2023 shall take effect on filing with the Office of the Secretary of State.

Dated December 19, 2023

James J. Cunningham, Chairman

James J. Cunningham, Chairman
Solid Waste and Recycling Committee

RESOLUTION NO. 23-_____

**AUTHORIZING AWARD OF AN OPERATIONS, MANAGEMENT AND LEASE AGREEMENT
TO NEW ENGLAND WASTE SERVICES OF N.Y., INC.**

WHEREAS, The County of Madison issued public notice of a Draft Request for Proposals (P5-23) pursuant to General Municipal Law § 120-w on May 24, 2023 and a Final Request for Proposals on August 23, 2023, seeking proposals for the lease and operation of the Madison County Landfill and related solid waste facilities, and

WHEREAS, qualified proposals were received from two vendors and thereafter reviewed by the Department of Solid Waste and the Solid Waste Committee of the Board of Supervisors, and

WHEREAS, a statement of particularized findings describing the procurement process, the evaluation of the proposals received, and the basis for this award is annexed hereto, and

WHEREAS, the proposal of New England Waste Services of N.Y., Inc. was determined to be the proposal most responsive to the Request for Proposals and providing the best value in meeting the needs of the County in terms of financial benefit and technical merit, and

WHEREAS, the County has prepared a Full Environmental Assessment Form (EAF) with respect to this action and this Board has adopted by Resolution No 23-_____ a Negative Declaration pursuant to Article 8 of the Environmental Conservation Law,

NOW THEREFORE, BE IT RESOLVED, that the annexed statement of particularized findings is hereby adopted and the award of the annexed Operations, Management and Lease Agreement with New England Waste Services of N.Y., Inc. is hereby approved, subject to approval as to form by the County Attorney, and

BE IT FURTHER RESOLVED, that Chairman of the Board of Supervisors be and is hereby authorized and directed to execute the Operations, Management and Lease Agreement on behalf of the County of Madison, as is on file with the Clerk of the Board.

Dated: December 19, 2023

James J. Cunningham, Chairman

James J. Cunningham, Chairman
Solid Waste and Recycling Committee