

**Solid Waste and Recycling**  
**Tuesday, April 25, 2023 @ 9:00 AM**  
**Chambers**

**AGENDA**

**9:00 AM Call Meeting to Order**

**Approval of Minutes**

- March 28, 2023 Meeting Minutes

**Solid Waste and Recycling:**

1. Draft RFP Comment Review

**Resolutions:**

1. Authorizing Extension of the Operation Agreement and Ground Lease with the Madison Cortland Chapter , NYSARC, Inc. for Operation of Madison County's Recycling Facility

**Other Committee Business**

**Preferred Agenda**

**Next Meeting:**

1. May 23, 2023 at 9am

**Adjourn**

**Solid Waste and Recycling**  
**Tuesday, March 28, 2023 @ 9:00 AM**  
**Chambers**

**MINUTES**

**9:00 AM Call Meeting to Order**

Chairman Cunningham called the meeting to order at 9:00 AM.

Those attending were Solid Waste Committee Chairman J. Cunningham, Solid Waste Committee Members M. Roberts, E.A. Schwartz, T.J. Stokes and M. During, Solid Waste Director A. Miller, County Administrator M. Scimone, County Attorney T. Wayland-Smith, Assistant Director of Finance K. Lummis, Confidential Secretary to the Board K. Guinto, Town of Lenox Supervisor John Pinard, Deputy Director G. Gelewski, Recycling Coordinator K. Welch, Public Information Officer S. Field and Clerk to the Board E. Burns

**Approval of Minutes**

- February 21, 2023 Meeting Minutes  
Motion by Matt Roberts to approve the February 21, 2023 meeting minutes. Second by Melissa During. The motion was Passed.
- March 14, 2023 Work Session Minutes  
Motion by Matt Roberts to approve the March 14, 2023 meeting minutes. Second by Melissa During. The motion was Passed.

**Solid Waste and Recycling:**

1. Draft RFP Update  
The committee agreed to send the draft RFP to an engineering firm for review after committee members make their comments.
2. 2022 Financial Overview (handouts at meeting)  
A. Miller reviewed the 2022 financial overview with committee members which showed transfer stations still struggling to break even. The committee discussed the financials of the transfer stations and A. Miller will provide further analysis. T.J. Stokes moved to bring this discussion to the Board, seconded by Melissa During.  
  
On the recycling side of operations, the recycling center tonnage went down while expenses went up. At this time with current markets, A. Miller recommends continuing our recycling center operations as there is limited capacity in nearby recycling facilities and transferring recyclables elsewhere would be costly.  
  
A. Miller highlighted the importance of exploring the RFP for a public-private partnership to help keep rates down.

### 3. MRF Discussion

The agreement with the Arc Madison Cortland to operate the recycling center ends June 14, 2023. A. Miller recommended extending the partnership another 2 years with an amended 120 day exit written into the agreement. E.A. Schwartz made a motion for a 2 year extension on the existing agreement with the Arc Madison Cortland, seconded by Melissa During. The committee approved. A. Miller will put together the agreement and will bring back to the committee.

### **Other Committee Business**

#### 1. Designating Disposal of Obsolete and/or Surplus County Personal Property (Solid Waste Dept.)

Motion by Matt Roberts to approve the resolution for the Government Ops Committee. Second by Eve Ann Schwartz. The motion was Passed.

Motion by Matt Roberts to enter into executive session at 9:39 AM to discuss potential contractual arrangements. Second by Eve Ann Schwartz. The motion was Passed.

Motion by Matt Roberts to exit executive session at 10:19 AM. Second by T.J. Stokes. The motion was Passed.

### **Next Meeting:**

#### 1. April 25, 2023 at 9am

### **Adjourn**

Motion by Matt Roberts to adjourn at 10:19 AM. Second by T.J. Stokes. The motion was Passed.

RESOLUTION NO. \_\_\_\_\_

**AUTHORIZING EXTENSION OF THE OPERATION AGREEMENT AND GROUND LEASE  
WITH MADISON CORTLAND CHAPTER, NYSARC, INC. FOR OPERATION OF MADISON  
COUNTY'S RECYCLING FACILITY**

**WHEREAS**, Madison Cortland Chapter, NYSARC, Inc. (also known as The Arc of Madison Cortland) having its office and principal place of business at 701 Lenox Avenue, Oneida, NY 13421, has, for over thirty years, operated Madison County's Materials Recycling Facility at the Madison County Landfill site in order to process source separated recyclable materials that are generated in Madison County; and

**WHEREAS**, in 2016, Madison County began funding the electronic waste collection and recycling program operated by The Arc of Madison Cortland (LoJo Technology at 634 Birchwood Dr, Oneida, NY 13421), under the Operation Agreement, such that Madison County residents can properly recycle electronic waste at no cost; and

**WHEREAS**, both parties desire to extend the Operation Agreement and Ground Lease for an additional two year period, through June 14, 2025; and

**WHEREAS**, both parties desire to have the option to terminate the Operation Agreement and Ground Lease upon one hundred twenty (120) days written notice to the other party, should recycling markets or workforce conditions change substantially;

**NOW, THEREFORE BE IT RESOLVED**, that the Chairman of the Board be and is hereby authorized and directed to enter into a Modification and Extension Agreement with the Madison Cortland Chapter, NYSARC, Inc. in the form as is on file with the Clerk of the Board.

Dated: May 9, 2023

\_\_\_\_\_  
James J. Cunningham, Chairman  
Solid Waste and Recycling Committee

## **MODIFICATION AND EXTENSION AGREEMENT**

**THIS AGREEMENT** made this \_\_\_\_ day of May, 2023 by and between the County of Madison, a municipality of the State of New York, whose mailing address is PO Box 635, Wampsville, NY 13163, by John M. Becker, Chairman, Madison County Board of Supervisors, hereinafter called the “County” and Madison Cortland Chapter NYSARC, Inc. (also known as The Arc of Madison Cortland) having its office and principal place of business at 701 Lenox Avenue, Oneida, NY 13421, hereinafter call the “Contractor”;

### **WITNESSETH:**

**WHEREAS**, the County and Contractor entered into an Operation Agreement and Ground Lease for the operation of Madison County’s Materials Recycling Facility at the Madison County Landfill site for the term of June 15, 2014 through June 14, 2019; and

**WHEREAS**, both parties desired to extend the Operation Agreement and Ground Lease for two additional two year periods, through June 14, 2021 and then through June 14, 2023; and

**WHEREAS**, both parties now desire to extend the agreement for another two year period, through June 14, 2025; and

**WHEREAS**, both parties desire to have the option to terminate the Operation Agreement and Ground Lease upon one hundred twenty (120) days written notice to the other party, should recycling markets or workforce conditions change substantially;

**NOW, THEREFORE**, in consideration of the foregoing and other good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1) The term of both the Operation Agreement and Ground Lease shall be extended for two additional years through the 14<sup>th</sup> day of June, 2025.

2) Both parties shall have the ability to terminate the Operation Agreement and Ground Lease upon one hundred twenty (120) days written notice to the other party.

2) All of the other terms, conditions and provisions of the Operation Agreement and Ground Lease shall remain unchanged and in full force and effect, and the parties hereto do hereby ratify and affirm, as modified, extended and amended by the provisions of this Modification and Extension Agreement, ratify and affirm the Lease Agreement, its terms and provisions.

**IN WITNESS WHEREOF**, the parties have executed this Agreement as of the day and year first above written.

COUNTY OF MADISON

DATED: \_\_\_\_\_

By: \_\_\_\_\_

John M. Becker  
Chairman, Board of Supervisors

Madison Cortland Chapter, NYSARC, Inc.

DATED: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF NEW YORK    )  
COUNTY OF MADISON    )

On the \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned, personally appeared **John M. Becker**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public, State of New York  
Appointed in \_\_\_\_\_ County  
My Commission Expires:

\_\_\_\_\_  
Notary

STATE OF NEW YORK    )  
COUNTY OF MADISON    )

On the \_\_\_\_ day of \_\_\_\_\_, 2023, before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public, State of New York  
Appointed in \_\_\_\_\_ County  
My Commission Expires:

\_\_\_\_\_  
Notary