

DISTRIBUTION LIST

Richard Donovan, Mayor
William Brazill, Trustee
Ronald Cronk, Trustee
John Champagne, Trustee
Eric Christensen, Trustee
Thomas Petterelli, DPW Superintendent
Janet Stanley, Justice
Richard J. Greene, Codes Enforcement Officer
Chief Pat Flannery
Koagel & Vincentini
Minoa Library

EMAIL DISTRIBUTION LIST

Steven Primo, Attorney
Keith Brandis, Paramedic Supervisor
Town of Manlius
Village of Fayetteville
Donna DeSiato, Superintendent ESM School District
Manlius Historical Society
John Regan

**VILLAGE OF MINOA
BOARD OF TRUSTEES
JANUARY 18, 2011**

The regularly scheduled meeting of the Village Board of the Village of Minoa was held at the Municipal Building in the Village Board Room, 240 N. Main St, on January 18, 2011.

PRESENT: Mayor Donovan
Trustee Brazill
Trustee Champagne
Trustee Christensen
Clerk/Treasurer Snider
Attendant Michael Macko

ABSENT: Trustee Cronk
Attorney Steven Primo

ALSO John Sears and Thomas Petterelli

PRESENT:

Mayor Donovan opened the meeting at 7:05 p.m. with the Pledge of Allegiance led by Trustee Christensen.

MINUTES OF VILLAGE BOARD MEETING – JANUARY 3, 2011 A motion was made by Trustee Champagne and seconded by Trustee Christensen to accept the minutes of the January 3, 2011 Village Board Meeting as recorded. All in favor. Motion carried.

SCHEDULE ANNUAL MEETING A motion was made by Trustee Christensen and seconded by Trustee Champagne that the Annual Meeting of the Village Board be held on Monday, April 4, 2011, at 6:30 p.m. All in favor. Motion carried.

SCHEDULE PUBLIC A motion was made by Trustee Christensen and seconded by Trustee Champagne to

**HEARING /
VILLAGE BUDGETS**

schedule the Public Hearing on the Tentative Budgets for Fiscal Year 2011-2012 to be held on Monday, April 11, 2011, at 7:00 p.m. All in favor. Motion carried.

**RATIFY PRIOR
APPROVAL /
AMBULANCE
COLLECTIVE
BARGAINING
AGREEMENT**

A motion was made by Trustee Champagne and seconded by Trustee Christensen ratifying prior approval giving permission for Mayor Donovan to sign the Ambulance Collective Bargaining Agreement with the Town of Manlius Professional Fire Fighters Association for the period of June 1, 2009 – May 31, 2012. All in favor. Motion carried.

**RATIFY PRIOR
APPROVAL / LETTER
OF SUPPORT ESM
SCHOOL DISTRICT**

A motion was made by Trustee Christensen and seconded by Trustee Brazill ratifying prior approval for Mayor Donovan to send a Letter of Support for the ESM School District's grant application entitled "STEM Webs to Improve K-12 Education: Formalizing Comprehensive Collaborations Between School Districts, Higher Education and Business." All in favor. Motion carried.

AMBULANCE

Nothing to report.

FIRE DEPARTMENT

CHANGE IN MINOA FIRE DEPARTMENT MEMBERSHIP STATUS

A motion was made by Trustee Christensen and seconded by Trustee Brazill accepting the resignation of Shane Todd from the Minoa Fire Department effective January 10, 2011. All in favor. Motion carried.

PERMISSION TO USE STATION II FOR A BIRTHDAY PARTY

A motion was made by Trustee Brazill and seconded by Trustee Champagne giving permission for Firefighter David Hess to host a birthday party at Station II on January 21, 2011 from 5:00 p.m. to 10:00 p.m. All in favor. Motion carried.

PERMISSION TO USE STATION II FOR A BIRTHDAY PARTY

A motion was made by Trustee Brazill and seconded by Trustee Champagne giving permission for Firefighter Nick Carulli to host a birthday party at Station II on February 27, 2011 from 1:00 p.m. to 4:00 p.m. All in favor. Motion carried.

PERMISSION FOR ERICH SCHEPP TO TAKE FIREFIGHTER I & II NATIONAL CERTIFICATION TEST

A motion was made by Trustee Christensen and seconded by Trustee Champagne giving permission for Erich Schepp to take the Firefighter I and II National Certification Test on April 23-24, 2011, Clay, NY at a cost of \$100.00. All in favor. Motion carried.

PERMISSION TO ATTEND 3RD ANNUAL ONONDAGA COUNTY FIRE AND EMERGENCY SERVICES LEGISLATIVE BREAKFAST

A motion was made by Trustee Champagne and seconded by Trustee Christensen giving permission for Mayor Donovan and Trustee Brazill to attend the 3rd Annual Onondaga County Fire and Emergency Services Legislative Breakfast on February 12, 2011, Liverpool, NY at no cost for the first two elected officials. All in favor. Motion carried.

DPW

LAST DAY OF WORK / JOSHUA MARKO

A motion was made by Trustee Brazill and seconded by Trustee Christensen accepting the verbal last day of work notice for Joshua Marko, part-time season Trash Thrower, effective January 19, 2011, as he has returned to school full-time. All in favor. Motion carried.

PERMISSION FOR THOMAS PETTERELLI TO ATTEND THE ONONDAGA COUNTY SUPERINTENDENTS ASSOCIATION 2011 GRASSROOTS ADVOCACY CAMPAIGN

A motion was made by Trustee Christensen and seconded by Trustee Brazill giving permission for Thomas Petterelli to attend the Onondaga County Superintendents Association 2011 Grassroots Advocacy Campaign on March 9, 2011 in Albany, NY at no cost. All in favor. Motion carried.

CERF

RATIFY PRIOR APPROVAL / PERMISSION TO ATTEND NYRWA SECURITY & EMERGENCY RESPONSE CLASS

A motion was made by Trustee Champagne and seconded by Trustee Brazill ratifying prior approval giving permission for John Patrick Meehan to attend the New York Rural Water Association's Security & Emergency Response class, Geneva, NY, March 10, 2011, at a cost of \$30.00 per person. All in favor. Motion carried.

RATIFY PRIOR APPROVAL / PERMISSION TO ATTEND NYRWA FILTRATION TECHNOLOGIES FOR WASTE/WASTEWATER CLASS

A motion was made by Trustee Christensen and seconded by Trustee Champagne ratifying prior approval giving permission for John Patrick Meehan to attend the New York Rural Water Association's Filtration Technologies for Waste/Wastewater class, Binghamton, NY, March 18, 2011, at a cost of \$33.00 per person. All in favor. Motion carried.

RFP RESPONSE PROPOSAL / OSWEGO COUNTY / SEALED TESTING OF LEACHATE TREATMENTS

A motion was made by Trustee Christensen and seconded by Trustee Champagne giving permission for Mayor Donovan to submit an RFP Response Proposal on behalf of the Cleanwater Educational Research Facility to Oswego County for sealed testing of leachate treatments for the purpose of ammonia reduction in the amount of \$9,980.00 to be split 25/75 between the Village of Minoa and SKD Environmental Systems LLC and is attached hereto as Schedule "A". All in favor. Motion carried.

(Please note that the RFP Response Proposal was rescinded on January 20, 2011 for further review and discussion.)

TRUSTEES' REPORT

Trustee Champagne reported that the Annual Easter Egg Hunt will be held on Saturday, April 23, 2011, at 10:00 a.m. to Noon and will be held rain, shine or snow.

Trustee Champagne said the pump at the Ripplebrook Station had been repaired and was online and operating correctly.

Trustee Brazill and Trustee Christensen had nothing to report.

MAYOR'S REPORT

Mayor Donovan reported that he had attended a School to College meeting at ESM High

School and they hope to have more participation from the students in the CERF project.

Mayor Donovan said he met with Assemblyman Donald Miller on January 14, 2011 and they toured CERF. He said he hopes Assemblyman Miller will visit again to tour the rest of the Village of Minoa and that Assemblyman Miller is an advocate of the Cleanwater Educational Research Facility.

ATTORNEY'S REPORT Absent

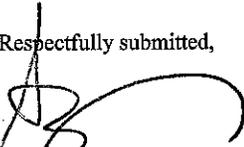
AUDIT CLAIMS A motion was made by Trustee Champagne and seconded by Trustee Brazill that claims on Abstract # 16 in the amounts of General Fund - \$39,334.73 (Vouchers 667-707); Sewer Fund - \$5,953.24 (Vouchers 235-247); and Capital Fund HQ - \$7,472.00 (Voucher 002) for a total of \$52,759.97 be audited and paid. All in favor. Motion carried.

TRANSFERS OF APPROPRIATIONS A motion was made by Trustee Champagne and seconded by Trustee Christensen to approve the requested transfer of appropriations in the General Fund and the Sewer Fund attached hereto as Schedule "B". All in favor. Motion carried.

PUBLIC COMMENTS Let the record show that there were no comments from the public.

ADJOURNMENT A motion was made by Trustee Christensen and seconded by Trustee Brazill that the Village Board Meeting be adjourned at 7:15 p.m. All in favor. Motion carried.

Respectfully submitted,



Suzanne M. Snider
Village Clerk/Treasurer

VOIDED

Mayor Board

January __, 2011

Oswego County Purchasing Office
Attn: Mr. Fred Maxon, Director
County Office Building
46 East Bridge Street
Oswego, New York 13126

Re: Proposal responding to RFP #1-11 sealed testing of leachate treatment for the purpose of ammonia reduction.

Dear Sir/Madam:

The Village of Minoa submits this proposal in response to RFP #1-11 for sealed testing of leachate treatment for the purpose of ammonia reduction.

This proposal is submitted in quadruplicate (this original and three copies). Attached are the following Exhibits:

- (A) Vendor Reply Cover Sheet
- (B) Vendor Information Sheet
- (C) Non Collusion Certification
- (D) Certified Municipal Resolution of Village of Minoa and Limited Liability Company Resolution of Sub consultant SKD Environmental Systems LLC
- (E) References – Village of Minoa; SKD Environmental Systems LLC
- (F) Principal/Staff CV/Resumes of Steven Giarrusso, Klaus Doelle, and David L. Johnson.
- (G) Proposal of SKD Environmental Systems LLC supplementing/supporting this submission (and incorporated by reference where appropriate) (G-1), subcontract with Village of Minoa for such services (G-2).

The Village of Minoa, New York proposes to perform the work outlined in the above referenced RFP on an intermunicipal contract basis pursuant to Article 5-G of the (NYS) General Municipal Law. Village of Minoa facilities will be utilized by the Village and Sub consultant SKD Environmental Systems LLC, in performance of the services hereunder.

By way of background, the Village of Minoa historically, due to the cooperative efforts of the Village Board and Administration, with its waste water treatment plant operator Steven Giarrusso (“Giarrusso”), a research scientist, have over the past twelve (12) years or so utilized the Village wastewater treatment plant (formerly the Minoa WWTP, recently renamed the “Clean Water Environmental Research Facility”) (“CERF”) not only for treatment of Village of Minoa and outside Village user waste water, but also as an experimental “proving ground” for various innovative methods and technologies in wastewater treatment and removal of specific contaminants from waste water. More recently, over the past two (2) or so years, Giarrusso, a

SCHEDULE “A”

LeMoyne College graduate, biologist and licensed treatment plant operator, together with Klaus Doelle (“Doelle”) and David L. Johnson (“Johnson”), professors at SUNY ESF, have introduced even more innovation at the CERF including the incorporation of renewable energy concepts and with an objective of eventually converting the Minoa CERF facility to a zero waste model with capability of removing a wide variety of historically resistant contaminants. Recent efforts in removal of such contaminants have shown great promise and successful results.

Giarrusso, Doelle and Johnson are principals in a newly formed services company SKD Environmental Systems LLC (“SKD”). SKD, as part of its cooperative arrangement with the Village of Minoa conducts certain of its experimentation and modeling at the Village of Minoa CERF facility, and proposes under sub consultant/contract from the Village of Minoa to personally perform the work described in the subject RFP.

- (1) Consultant’s experience with waste water treatment systems as relates to the proposal: See previous paragraphs; also attached resume/CV materials (Exhibit “F”).
- (2) Personnel assigned to this project will be Doelle, Johnson, and Giarrusso. See attached reference/CV materials (Exhibit “F”).
- (3) The proposers description of the approach to the project, and flow note of leachate per cubic foot of filter media to be used in the test are: testing flow per cubic foot of media is expected to be between 0.1 gal/min and 3 gal/min.
- (4) The proposed project timeline is: (per Exhibit “G”) – Phase One (1) – 30 days; Phase Two (2) – 30 to 60 days.
- (5) The feasibility of a full scale treatment system including preliminary cost estimate, due to the variables in the leachate (ionic content, trace metals, etc.) of the Oswego landfill and accordingly, the response of the microbiological system cannot presently be predicted. The contemplated testing will dictate a future system need be designed and the process components for such system. Both feasibility and cost can then be determined.
- (6) Cost breakdown of the proposed work is as follows: See Exhibit “G” – Phase One (1) - \$4990.00; Phase Two (2) - \$4990.00. These costs are all inclusive and assume Oswego County is a tax exempt entity.
- (7) Staff assigned to work on the project will be the principals of SKD (Doelle, Johnson and Giarrusso), possibly with certain assistance from graduate students at SUNY ESF.
- (8) Staff qualifications, education, training, expertise and experience that qualify such staff for work on this project are: See previous paragraphs; also Exhibit “F”, CV/Resume.

It is proposed that the Village of Minoa shall contract for the services with Oswego County. Giarrusso, Doelle and Johnson, through their consulting entity SKD Environmental

Systems, LLC, shall enter into a subcontract with the Village of Minoa. Insurance coverage shall be provided through the Village of Minoa naming SKD Environmental Systems, LLC and the County of Oswego as additional insureds and will substantially comply with the insurance requirements detailed in the RFP.

The Village of Minoa has reviewed and is agreeable to the General Provisions under Section 4 of the RFP subject to the following:

- (1) The contemplated intermunicipal services contract between the Village of Minoa and Oswego County not prohibiting the Village of Minoa's subcontract of work as proposed to SKD and its principals, such offsite work to be performed at the CERF.
- (2) Waiver of any professional liability insurance requirements.
- (3) Waiver of any bond requirements given the nature of the work. However, if required by the County of Oswego, in lieu of commercial bonds relative to performance and payment for materials and labor, the proposer (Village of Minoa) and SKD will provide sworn to affidavits relative to payment for all sub consultants, subcontractors, materials, equipment supplies and lien waiver(s) as a condition precedent to payment from County. The proposer and SKD consent to a 100% retainage requirement for a period of thirty (30) days following completion of the work and acceptance by the County.
- (4) The County of Oswego acknowledging and agreeing in the contract for the work contemplated hereunder that the work product of the proposer and its sub consultant/contractor SKD is proprietary in nature and as such shall be subject to reasonable confidentiality requirements requiring (a) a signed confidentiality/non-disclosure agreement or contract provisions to that effect, (b) the provisions to also provide that any disclosure to third parties by the County of Oswego shall be subject to execution of a like confidentiality non-disclosure provision and (c) that the County of Oswego will exercise commercially reasonable efforts to prevent any breach of confidentiality or disclosure in violation of such agreement or contract provisions. Such confidentiality provisions shall not prohibit the possession and use of such work product in the future by the County of Oswego relative to the subject matter of the RFP and any facilities contracted and operated relative to same.
- (5) The County of Oswego acknowledges and agrees that although the proposer, and its sub consultant/contractor SKD will exercise commercially reasonable efforts relative to their scientific/academic expertise and credentials and believe in good faith that the proposed testing can result in a successful design of facilities intended to achieve Oswego County's objectives, the work subject of the contract is in certain respects innovative, experimental and unique, and as such no other representations and no warranties as to the recommendations, results or conclusions of or based upon the work is or can be made.

This submission has been duly authorized by resolution of the Village Board of the Village of Minoa, New York, adopted on January 18, 2011.

Richard Donovan, Mayor

CERTIFICATE OF INCUMBENCY AND RESOLUTION

OF

SKD ENVIRONMENTAL SYSTEMS LLC

A New York Limited Liability Company

THE UNDERSIGNED DO HEREBY CERTIFY as follows:

1. That the undersigned are all of the Members of **SKD ENVIRONMENTAL SYSTEMS LLC**, a limited liability company formed under the laws of the State of New York, having its principal place of business at P.O. Box 26, Minoa, New York 13057 ("the Company").
2. That the undersigned as Members and custodians of the records of the Company and do hereby state that Articles of Organization were filed on September 13, 2010 at the Office of the New York Secretary of State.
3. The aforesaid Articles of Organization have not in any way been modified, repealed or rescinded and are in full force and effect.
5. The Members below named have entered into an Operating Agreement governing the operations of the Company. The Operating Agreement and Articles of Organization provides for the Limited Liability Company to be member managed as is otherwise in all respects in accordance with applicable law.
6. I hereby certify that there is no provision in the Articles of Organization or the Operating Agreement in the laws of the state of its formation requiring any vote or consent of any person other than the undersigned members to authorize the acts contemplated on behalf of the Limited Liability Company.
7. I do further certify that following are the names and signatures of the members of the Limited Liability Company; such persons are empowered and authorized to enter into and to execute instruments/documents and to finalize the transactions contemplated herein:

Steven Giarusso

David L. Johnson

Klaus Doell

8. That by this instrument, the undersigned, as all of the Members of the Company do

hereby, pursuant to the Limited Liability Company Law of the State of New York, by their respective signatures below, adopt, ratify and confirm the following resolutions:

RESOLVED, RATIFIED and CONFIRMED that the Company is hereby authorized and directed to perform and any and all acts and execute and deliver any and all documents and/or instruments whatsoever in connection with this submission of a bid or proposal and to enter into and perform under a certain sub consulting/subcontract with the Village of Minoa relating to the Village of Minoa's responsive submission to the County of Oswego RFP#1-11 "Sealed Testing of leachate treatment for the purpose of ammonia reduction," and in the event of and upon acceptance of such proposal, to perform in accordance with same as provided in the submission and subcontract and for the consideration recited therein;.

RESOLVED, that the Company, through any officer or member thereof, is hereby authorized and directed to execute such contracts, amendments, documents and instruments, s, and to do and perform any and all such acts and/or things as may be necessary or advisable to perform the duties and obligations of the Company under the foregoing and to accomplish the purposes of the foregoing Resolutions and including, without limitation, to include in such bid or proposal submitted, the certificate as to non-collusion required by Section 103-D of the General Municipal Law, and that for any inaccuracies or mistakes in such certificate this Limited Liability Company submitted to bidder shall be liable under the penalties of perjury; and, it is further,

FURTHER RESOLVED, that the execution by any such officer and/or member of the Company of any such paper or documents or the doing by him of any act in connection with the foregoing matter(s), shall conclusively establish his authority therefore for the Company and the approval and ratification by the Company of the papers and documents so executed and the action taken; and, it is further,

RESOLVED that any and all actions heretofore or hereafter taken by any such officer or member of the Company within the terms of the foregoing Resolutions (including the certification thereof) be and hereby are ratified and confirmed as the act and deed of the Company.

Dated: January ____, 2011

Steven Giarrusso, Member

David L. Johnson, Member

Klaus Doelle, Member

CERTIFICATION

The foregoing is a true and correct copy of the resolution adopted by the Company at a meeting held on January 17, 2011, and is still in force on this ___ day of _____, 2011.

Steven Giarrusso, Member, Authorized Agent

