

**CHITTENDEN SOLID WASTE DISTRICT
SOUTH BURLINGTON CITY HALL
MINUTES OF MEETING
February 28, 2007**

APPROVED COPY

PRESENT

BOARD MEMBERS:

Bolton	-----
Burlington	Steve Goodkind
Charlotte	John Hammer, III
Colchester	Al Voegele
Essex Junction	-----
Essex	-----
Hinesburg	Thomas Nostrand
Huntington	-----
Jericho	Bert Lindholm
Milton	Ken Nolan
Richmond	Mary Houle
St. George	-----
Shelburne	-----
So. Burlington	Paul Stabler
Underhill	Dan Steinbauer
Westford	-----
Williston	George Gerecke
Winooski	-----

STAFF:

Tony Barbagallo
Amy Jewell
Thomas Melloni, Esq.

OTHERS PRESENT:

Bill Burbank
Gwen Blankenheim
Miguel Murakami
Deb Terrill

- AGENDA:**
1. Call to Order
 2. Agenda and Public Comment Period
 3. Approval of Minutes (1/24/07)
 4. Finance
 5. Regional Landfill
 6. Program Updates
 7. Other Business
 8. Executive Session & Adjournment

1. CALL TO ORDER

In the absence of Bill Leach, Bert Lindholm called the meeting to order at 7:07 p.m.

2. AGENDA and PUBLIC COMMENT PERIOD

There were no changes to the agenda or comments from the public.

3. APPROVE MINUTES

January 24, 2007 – Regular Meeting

MOTION by Paul Stabler, SECOND by Mary Houle, to approve the 1/24/07 minutes as written. VOTING: all ayes except two abstentions (Richmond – Mary Houle, Williston – George Gerecke); motion carried.

4. FINANCE

a) Finance Committee Report of Warrants

Warrants approved by the Finance Committee. There were no questions from the Board.

b) FY08 Budget Wages & Benefits

Amy Jewell reported the Finance Committee approved the change from 2% of salary as the employee's share for health insurance to 2.25% of salary. Also, two new positions are proposed (both contract positions). The final wage and benefit numbers will change and the revised numbers will be available for Board review at the April meeting.

Bert Lindholm commented on the cost of living increase (3.59%) and the step increase (1.25%) as the rationale for the Finance Committee to support an increase in the contribution from employees toward their health insurance benefit.

5. REGIONAL LANDFILL

a) Landfill Design Financial Update

Tony Barbagallo reported the contract amount with Shaw Environmental is \$614,000 with \$145,000 in add-ons. Payments to date equal \$539,000. The contract is moving along well, but staff has discussed with Shaw that the billings are further ahead of some of the work. Shaw will monitor the situation. Ken Nolan asked if there is a retainage clause in the Shaw contract (i.e. withhold a certain amount of payment until the product is received). Mr. Barbagallo stated there is retainage on Tasks 6 & 7 in the contract.

Regarding the Future Projects operating budget, Mr. Barbagallo reported \$115,000 is budgeted of which \$38,000 has been expended to date because some tasks are not yet initiated, and with the Future Project capital budget, \$5,890,570 is budgeted and \$66,778 expended to date. In regards to additional site investigation, \$60,000 is budgeted of which \$47,515 has been spent in FY06. No further work is contemplated on additional site investigation at this time.

Mr. Barbagallo noted a decision from the U.S. Supreme Court on the flow control issue is anticipated in April.

b) Amendment to Shaw Agreement

To be discussed in Executive Session.

c) Landfill Risk Assessment

To be discussed in Executive Session.

6. PROGRAM UPDATES

The Board received written briefs on programs/projects at the District.

Tonnages

Bert Lindholm commented on the tonnages for FY06 (572.6 per day) and for FY07 (574.1 per day). The increase is not significant.

Gas to Energy

The gas to energy project at the Phase III landfill will begin in March, 2007.

S.136

Tony Barbagallo reported on the recently introduced Senate bill (S.136) to establish a study group (nine person committee) to review solid waste management rules. Staff will keep the Board informed as the bill progresses.

7. OTHER BUSINESS

a) Meeting with Railroad Companies

Bert Lindholm reported on recent meetings with New England Central Railroad and Vermont Railway to discuss the potential of shipping municipal solid waste by rail from Williston to Coventry. In summary, the endeavor will be quite expensive (equal to the cost of building a landfill) due to the design and construction of sidings in Williston and Coventry. Also, per the train schedule a rail car would be loaded at 6 p.m. and picked up by the northbound train going to St. Albans. The filled rail car would overnight in St. Albans and then be picked up by the southbound train to travel to White River Junction after which it would travel up to Coventry 100 miles away. The car would arrive in Coventry 24 hours after it was loaded initially. The train can hold three tractor trailer trucks over two rail cars. The District would need an additional 80 tractor trailer trucks to make rail transport feasible. Each truck holds approximately 25 tons of material. Hopper cars may be another option to investigate. Each hopper car holds 100 tons of material. One problem is there is no way to unload a hopper car at Coventry. The railroad companies are compiling some estimated cost figures for the District. Ken Nolan noted there will be environmental issues with rail cars filled with trash sitting on the tracks for days before being emptied into a landfill. Tony Barbagallo noted the transfer station in Williston is designed to accommodate rail and has been modified for trucks. The District did extensive studies in 1995 on the potential for rail transport, and found it was not an economical option. Even to ship by rail to the "mega-landfills" in other parts of the country is cost prohibitive due in part to the poor condition of the rail system in Vermont.

8. EXECUTIVE SESSION and ADJOURNMENT

MOTION by Paul Stabler, SECOND by Mary Houle, that the Board of Commissioners of the Chittenden Solid Waste District go into Executive Session to consider pending civil actions, contract negotiations, and potential real estate acquisition where premature general public knowledge would clearly place the District, its member municipalities, and other public bodies or persons involved at a

substantial disadvantage, and further, to seek and discuss the advice of attorneys on various legal issues where premature public knowledge could adversely affect the outcome of such civil action against the District, and to permit staff and the Solid Waste District attorney(s) to be present for this session. **VOTING: unanimous; motion carried.**

The Board entered Executive Session at 7:35 p.m.

MOTION by Mary Houle, SECOND by John Hammer, to adjourn Executive Session and reconvene the regular meeting. VOTING: unanimous; motion carried.

Executive Session was adjourned and the regular meeting reconvened at 9:15 p.m.

9. REGIONAL LANDFILL – b.) Approve Amendment to Shaw Agreement

MOTION by Ken Nolan, SECOND by Paul Stabler, to table approving the amendment to the Shaw Agreement. VOTING: unanimous; motion carried.

c) Landfill Risk Assessment – T. Barbagallo explained that CSWD will consider hiring Shaw to do Phase I of the proposed scope of the proposal for a not-to-exceed amount of \$20,000, which will include preparing a report on the Literature Review of the Health Effects. M. Houle asked that the study use new technology and lined landfills, not information from un-lined landfills. S. Goodkind asked for further information on Phase II and Phase III. T. Barbagallo explained that Phase II would be an additional \$10,000 and Phase III would include development of a scope of work for future studies. T. Barbagallo explained that at this time CSWD is only recommending Phase I of the study be complete and that the study would be done by the time the conceptual design is complete.

MOTION by Dan Steinbauer, SECOND by Mary Houle, to approve Phase I of the Shaw proposal for a not-to-exceed amount of \$20,000 for the Health Effects Evaluation Review.

Discussion: S. Goodkind expressed concern over having Shaw perform the study when they are firm hired to design the landfill. T. Barbagallo noted that another section of the company would conduct the study, but there are other firms. CSWD felt that Shaw would be a good choice to do the study because of their familiarity of our landfill project, and they are a reputable company. CSWD does have money for a peer review and could hire someone to review the study once complete. A. Voegle noted that risk assessments are not generally published and the outcome of the study could make CSWD confused or could even create legal problems. B. Lindholm felt that it was important to conduct the study knowing they are using the best research available today.

VOTING: unanimous; motion carried.

9. ADJOURNMENT

MOTION by M. Houle, SECOND by A. Voegele, to adjourn the meeting. VOTING: unanimous; motion carried.

The meeting was adjourned at 9:35 p.m.

M.E.Riordan, Recording Secretary

I agree that this is an original copy of minutes and they have been approved by motion of the Board of Commissioners at the _____ meeting held in _____.

Carlisle "Mike" Coates, Secretary/Treasurer