

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

**APPROVED COPY**

**PRESENT**

**BOARD MEMBERS:**

Bolton	-----
Burlington	Steve Goodkind
Charlotte	John Hammer, III
Colchester	Dirk Reith
Essex Junction	-----
Essex	Alan Nye
Hinesburg	Thomas Nostrand
Huntington	-----
Jericho	Bert Lindholm
Milton	-----
Richmond	Mary Houle
St. George	-----
Shelburne	Paul Bohne
So. Burlington	Paul Stabler
Underhill	Mike Weisel
Westford	-----
Williston	Carlisle "Mike" Coates
Winooski	-----

**STAFF:**

Tom Moreau  
Tony Barbagallo  
Amy Jewell  
Jim Ticehurst  
Thomas Melloni, Esq.

**OTHERS PRESENT:**

Craig Abrahams  
Thomas Hergenrother, Sr.  
Deb Terrill  
David Terrill

**AGENDA:** EXECUTIVE SESSION: Regional Landfill; Other Contracts

1. Call to Order (regular meeting)
2. Agenda and Public Comment Period
3. Approval of Minutes (2/28/07)
4. Bill Leach Resolution
5. Finance
6. Regional Landfill
7. Interval Compost Products
8. General Manager's Deferred Compensation Agreement
9. Administration Building Improvements

10. Biosolids Contract 11<sup>th</sup> Amendment
  11. Program Updates
  12. Other Business
  13. Executive Session & Adjournment
- 

#### **EXECUTIVE SESSION**

**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 p.m.

**MOTION by Mary Houle, SECOND by Paul Stabler, to adjourn Executive Session. VOTING: unanimous; motion carried.**

Executive Session was adjourned at 8:10 p.m.

#### **1. CALL TO ORDER**

In the absence of Bill Leach, Bert Lindholm called the meeting to order at 8:15 p.m.

#### **2. AGENDA and PUBLIC COMMENT PERIOD**

Discussion of the landfill risk assessment was added under “Other Business”.

#### Public Comments

Craig Abrahams, resident of Ledgewood Drive in Williston, asked about initial construction projection costs for the landfill and current figures, noting six months ago the projected cost was \$15.7 million, later in the fall the projection increased to \$21 million, and now according to a presentation to an area selectboard by Tom Moreau the costs is projected between \$30 million and \$50 million. Mr. Abrahams stated CSWD has had nearly 16 years to compile costs, and questioned how the cost projection can double or triple in six months time. Mr. Abrahams also asked how the economic spiraling affects the economies of going forward with the landfill. Bert Lindholm explained there are various activities involved in the design of a landfill. The engineers have been showing options. There is not a final design so costs cannot be finalized. The information will be presented through the Act 250 process. Mr. Abrahams again asked why the cost figures are spiraling, and opined someone or some group in CSWD is not keeping track of the numbers. Mr. Abrahams said he and others would like to see the projections and the numbers on paper. Mr. Lindholm acknowledged Mr. Abrahams comments.

**3. APPROVE MINUTES**

*February 28, 2007 – Regular Meeting*

**MOTION** by Mary Houle, **SECOND** by Dirk Reith, to approve the 2/28/07 minutes as written. **VOTING:** all ayes except three abstentions (Shelburne – Paul Bohne, Underhill – Mike Weisel, Colchester – Dirk Reith); motion carried.

**4. BILL LEACH RESOLUTION**

**MOTION** by Dirk Reith, **SECOND** by Mike Coates, to adopt the following resolution:

*Whereas*, William H. Leach has served on the Board of Commissioners for the Chittenden Solid Waste District for the past 19 years, and as Chairman for the past 16 years, in an outstanding manner;

*Whereas*, he has provided exceptional leadership, dedication, and expertise for the Chittenden Solid Waste District;

*Whereas*, he has exhibited wisdom, fairness, diligence, balance, and commitment; and

*Whereas*, he has been a dedicated and conscientious public servant working continually for the betterment of the community in a non-partisan manner.

*Therefore, be it resolved* that the Chittenden Solid Waste District Board of Commissioners, on behalf of the residents and businesses of 18 communities in Chittenden County, hereby convey their sincere appreciation for exemplary leadership and outstanding service.

And further, to allow staff to sign the resolution along with the Board of Commissioners.

**DISCUSSION:** John Hammer, III, wished there were words to better express the contribution from Bill Leach who has done a magnificent job for CSWD and the communities. The Board concurred, and agreed the staff must also sign the resolution.

**VOTING:** unanimous; motion carried.

The resolution was signed by the Board and staff.

**5. FINANCE**

a) Finance Committee Report of Warrants

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

b) Bank Balances Ending 2/28/07

The Board reviewed the account balances. There were no questions from the Board.

c) FY07 Second Quarter Financials

Jim Ticehurst reviewed the 2<sup>nd</sup> quarter financials for FY07 noting there is a surplus, but there are major items not incurred until spring so the surplus will decrease. Mr. Ticehurst explained the footnote on the budget spreadsheet regarding the 13<sup>th</sup> payroll and percentage of budget used to date. An error in the budgeted revenues amount for the MRF was noted. Staff will make the necessary correction.

Tom Moreau mentioned the \$36,000 surplus as of the end of February in the MRF fund (the amount in January was \$16,000), noting the increase in the funds is temporary and due to the significant demand for paper by China presently. Once China meets their capacity, the price will drop.

Bert Lindholm asked about the computer system maintenance line item in the budget. Amy Jewell explained there were extra expenditures due to dealing with the database (\$5,000) and a contractor. Tom Moreau added CSWD is out to bid for a new server.

d) FY08 Budget Update

Jim Ticehurst reported the Finance Committee has been meeting and is on track with the various dept./program budgets. It is hoped to have a budget ready for approval in April.

e) Authorization for Vice Chairperson to Sign Bank Documents

**MOTION by Dirk Reith, SECOND by Alan Nye, to authorize Bert Lindholm, Vice Chairman, to sign official documents as necessary in the absence of the CSWD Board of Commissioners Chairperson. VOTING: unanimous; motion carried.**

Bert Lindholm mentioned since he is acting as Chairman in the absence of Bill Leach, a Vice Chairperson needs to be appointed.

**MOTION by John Hammer, III, SECOND by Mike Coates, to appoint Paul Stabler as Vice Chairman until the annual CSWD organizational meeting is held in June, 2007. VOTING: unanimous; motion carried.**

There was brief discussion about providing the Vice Chairman with the same authorization for signing official documents as extended to the Chairman. Bert Lindholm mentioned the positions of Chairperson, Vice Chairperson, Secretary, and membership on the Finance Committee will be determined at the annual organizational meeting. Interested candidates should submit their name.

**6. REGIONAL LANDFILL**

Tom Moreau noted Shaw Environmental indicated their willingness to do the extra landfill design work for no difference in the cost previously discussed (\$37,000).

**MOTION by Mike Weisel, SECOND by Dirk Reith, to authorize the General Manager to amend the Shaw Environmental agreement as presented. VOTING: unanimous; motion carried.**

**7. INTERVALE COMPOST PRODUCTS**

Tom Moreau stated the height of the season at ICP is April, May, and June. The District wants to continue sending food and leaf waste even though ICP is dealing with some major issues and is in permitting processes. CSWD is a lender to ICP, but feels the loan is secured by the equipment purchased, the product itself and by the parent company. If necessary the loan could be offset by selling the equipment, the product or by tapping the parent company. Steve Goodkind urged keeping the original leaf and brush composting

operation intact and running in the City of Burlington as the program is valuable. There was discussion of the quality of the product produced by ICP and the negative impact if this is lost. The composting facility is an integral part of the waste management system. Alan Nye observed ICP provides an avenue of disposal of organic material in a recycling manner. If the current operation is not viable in another location, then staff will investigate how to keep the program in operation where it is presently. Tom Moreau briefly explained the components of the compost product includes food and leaf waste as well as other organic materials. Other options that are becoming available include sending food waste to farms operating anaerobic digesters. Presently, there are four sites in Vermont with three more in construction moving forward this spring. Without the food waste coming to ICP, the recipe for the compost will be out of balance and could result in a less premium product. Bert Lindholm noted the staff is researching the options, including the potential for a new facility. Tom Moreau noted it may be beneficial for the county to have an organic processing facility for potentially two products; hi-grade compost and biosolids. Mr. Moreau discussed the recovery rate of organics (which is very low) and the efforts by municipalities across the country to increase the capture rate for organics. Staff proposed to hire a consultant to investigate having a facility to handle biosolids and organics in the same location. Though it is very preliminary, Milton has asked to be considered as a host town for such a facility.

**8. GENERAL MANAGER'S DEFERRED COMPENSATION AGREEMENT  
MOTION by Dirk Reith, SECOND by Mike Weisel, to adopt the termination amendment to the deferred compensation agreement as presented.**

**DISCUSSION: There was brief discussion of taxes to be paid on the funds.  
VOTING: unanimous; motion carried.**

**9. ADMINISTRATION BUILDING IMPROVEMENTS**

Tom Moreau referred to the memo from Brian Wright, dated 3/22/07, summarizing the project and associated costs. The project was completed under budget by \$1,250 and more work was done than originally anticipated. The Board commended Brian Wright on a job well done concerning this project.

**MOTION by Mike Coates, SECOND by Dirk Reith, to instruct staff to draft a resolution commending Brian Wright for his work on the Administration Office project. VOTING: unanimous; motion carried.**

**10. Biosolids Contract 11<sup>th</sup> Amendment**

Tom Moreau reported New England Organics has indicated biosolids will not be transported to Canada for composting, but will be temporarily landfilled until land application is feasible. CSWD is seeking land application potentially in the Town of Essex, South Burlington Airport Parkway, Burlington North, and/or Burlington East once certification by these towns is secured. Shelburne may try to obtain certification as well. Due to the change regarding the transportation of biosolids, the contract with New England Organics must be amended.

**MOTION by Dirk Reith, SECOND by Paul Stabler, to accept the 11<sup>th</sup> amendment to the Residuals Management Agreement as presented. VOTING: unanimous; motion carried.**

**11. PROCESSED GLASS AGGREGATE SALES AGREEMENT WITH PIKE**

Tom Moreau reported on the difficulty in finding a market for recycled glass. The cost to ship the product to a processor is prohibitive. CSWD crushes glass to a fine sand and often the product is given away for free. The agreement with Pike Industries includes the purchase of equipment by Pike (reimbursement of \$28,000 by CSWD). Pike will install the equipment at their cost exclusively. CSWD received a block grant from the state. Staff identified the arrangement with Pike (equipment reimbursement) as the highest and best use of this year's allocation. The block grants are 17 % of what the State collects in statewide franchise fees (\$6/ton). Tony Barbagallo noted the project was budgeted in the Capital Budget (MRF Facility Improvement Fund), but then the block grant became available. CSWD gets a pro-rated share of funding returned if the project ends before five years. The glass will be used in the base coat of black top in paving projects.

**MOTION by Dirk Reith, SECOND by Mike Coates, to authorize the General Manager to enter into an agreement with Pike Industries, Inc. to provide funding to purchase the feed bin equipment to handle the processes glass aggregate (PGA) material at a cost not to exceed \$25,800 in return for purchasing PGA product from the District over a five year period. VOTING: unanimous; motion carried.**

**12. PROGRAM UPDATES**

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

Thermostat Legislation

Tom Moreau noted the thermostat legislation passed out of the House.

S.136

Tom Moreau briefed the Board on the status of S.136. Mr. Moreau stated his suggested additions to the language in the bill were accepted. The bill looks at solid waste infrastructure such as siting, design, and operations. Tom Moreau spoke in support of the study.

**13. OTHER BUSINESS**

Landfill Risk Assessment

The Board received a memo from Shaw Environmental, dated 3/28/07. Tom Moreau reported on the difficulty in finding a firm capable of doing a risk assessment of a landfill. Shaw Environmental is a very capable firm and has the expert staff, however, it may not be appropriate for Shaw to do an assessment on a landfill they are designing. The matter could be construed as a conflict of interest, cautioned Tom Moreau, adding a firm with health experts and access to knowing how engineered landfills work, without having a vested interest in the landfill, is the optimum way to move forward with the assessment. Tom Moreau stated he has identified two other firms and asked that the action to hire Shaw to do a health assessment of the landfill be rescinded by the Board.

**MOTION by Dirk Reith, SECOND by Paul Bohne, to rescind the action to hire Shaw Environmental to do a health assessment of the landfill and to authorize the General Manager to present to the Executive Board for final approval another company, and further, to pay Shaw Environmental a minor stipend for the scope of work already provided. VOTING: unanimous; motion carried.**

**14. EXECUTIVE SESSION and ADJOURNMENT**

**MOTION by Paul Stabler, SECOND by Dirk Reith, 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 9:20 p.m.

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

Executive Session was adjourned and the regular meeting reconvened at 10:12 p.m.

**15. ADJOURNMENT**

**MOTION by Mary Houle, SECOND by Paul Stabler, to adjourn the meeting. VOTING: unanimous; motion carried.**

The meeting was adjourned at 10:15 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*