

**CHITTENDEN SOLID WASTE DISTRICT  
CSWD ADMINISTRATIVE/CONFERENCE CALL  
1021 REDMOND ROAD  
MINUTES OF MEETING  
OCTOBER 6, 2008**

**APPROVED COPY**

**PRESENT**

**BOARD MEMBERS:**

Bolton	-----
Burlington	Steve Goodkind
Charlotte	Stephen Brooks
Colchester	Dirk Reith
Essex Junction	John Lajza
Essex	Alan Nye, via teleconference
Hinesburg	Thomas Nostrand
Huntington	-----
Jericho	Bert Lindholm
Milton	Ken Nolan
Richmond	Peter Parent
St. George	-----
Shelburne	Mark Brooks
So. Burlington	Paul Stabler (Chairman)
Underhill	Mike Weisel
Westford	Michelle DaVia
Williston	Carlisle "Mike" Coates
Winooski	Erik Heikel

**STAFF:**

Tom Moreau  
Tony Barbagallo  
Thomas Melloni, Esq.  
Amy Jewell

**OTHERS PRESENT:**

- AGENDA:**
1. Call to Order
  2. Agenda & Public Comment
  3. Update on Intervale Compost
  4. Other Business
  5. Adjournment

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**1. CALL TO ORDER**

Paul Stabler called the meeting to order at 4:32 p.m.

**2. AGENDA & PUBLIC COMMENT**

There was no comments from the public. T. Moreau noted that Board Action Requested should have been placed on the agenda under 2B, requesting approval of the FEMA Flood Plan and the FEMA timeline.

### **3. Update on Intervale Compost**

T. Moreau commented that some things came together Friday afternoon, including the letter from the State stating that CSWD will not need a storm water permit because this will fall under ACT 78.

T. Moreau stated that all of the documentation from CFNE was received and is in escrow until money changes hand. The issue with the Attorney General's office and staying open is fine. Thomas Melloni stated that the AG's office did give some pushback regarding operations on the third year but stated that if the other contingencies appear to be met including FEMA and CSWD is still interested in taking over operations of the IC, they would come back with allowances of operations for the third year. CSWD will need interim certification for the additional year.

T. Moreau said that if Saputo Cheese had closed this may have been a deal breaker. It would have created an additional \$105,000 deficit to operate compost in addition to the \$240,000 subsidy required over FY 09 & FY 10. T. Moreau has talked with managers and they will not shut down. The cheese plant may be partially closed from one month to four months.

T. Moreau summarized that of all issues in the MOU there are three that are not resolved:

1. CSWD is awaiting the IC's written Definitive Agreement. He noted that signatures and approval should be done tomorrow.
2. CSWD is awaiting the Attorney General's final Agreement in Principle, which should be in tomorrow.
3. CSWD is finalizing the FEMA issue and sent a complete package to them on Thursday and spoke with them on Friday. Rob Evans from FEMA State of Vermont decided that CSWD Board approval of the Flood Preparation Plan and FEMA timeline was necessary, thus the calling of this meeting. FEMA is writing a letter today to give us approval in concurrence with the City of Burlington.

John Lajza commented that he does not trust the Attorney General and that they have promised for three weeks that CSWD would have something in writing and we have not seen it.

**MOTION BY Alan Nye that the Board of Commissioners approve the FEMA flood preparation and the FEMA timeline. Second by John Lajza. MOTION carried All Ayes.**

Discussion: T. Moreau said there were no changes to the information that CSWD presented to FEMA and they were satisfied with it as it was written. Bert Lindholm asked whether they indicated that they would do a new mapping and any ideas of when that will be done. T. Moreau said this should be done within the next year. T. Moreau said that if everything goes as planned CSWD could close by Thursday morning. And then CSWD

will be operating it. T. Barbagallo requested a definition for commencement date, which he believed would be the consent decree and what risk would be involved by signing the contract with the IC based on the Agreement in Principle and then having the Consent Decree be different. Thomas Melloni said that he believed the change had been made to refer to the Agreement in Principle and that the substance of the Consent Decree will have to match the Agreement in Principle or CSWD would be subject to a court hearing.

Bert Lindholm asked if the FEMA work is included in the budget. T. Moreau said yes this is included in the budget.

**13. ADJOURNMENT**

**MOTION by Mike Coates, SECOND by Bert Lindholm, to adjourn the meeting.**

**VOTING: unanimous; motion carried.**

The meeting was adjourned at 4:51 p.m.

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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 \_\_\_\_\_.*

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*Carlisle "Mike" Coates, Secretary/Treasurer*