

**CHITTENDEN SOLID WASTE DISTRICT
EXECUTIVE BOARD MINUTES
CSWD OFFICE, REDMOND ROAD
September 20, 2006**

EXECUTIVE BOARD PRESENT: Mike Coates, Paul Stabler, Bill Leach,

CSWD STAFF PRESENT: Tom Moreau, James Ticehurst, Amy Jewell,
Tony Barbagallo

OTHERS PRESENT: Bert Lindholm, Vice Chair – Jericho Rep
Kevin Ellis, Kimball Sherman & Ellis
Kelly Brady, Brennan Woods, Homeowner

AGENDA ITEM:

1. Approve minutes of July 19, 2006
2. FY 06 Year End Financials – Projected surplus and recommended reserve funds
3. Regional Landfill – Update
4. Recycle Bank - Update
5. Program Updates
6. Other Business
7. Executive Session

**Agenda #1: Approve minutes of July 19, 2006. Motion by Mike Coates, second by Paul Stabler.
Approved – All Ayes.**

Agenda #2: FY '06 Year End Financials – Projected surplus and recommended reserve funds –
T. Moreau explained that we would not hand out the projected surplus tonight but would have it prepared for the full board meeting. Normally the annual surplus is put in each program's facility improvement reserves. This year we will have a projected \$300,000 to \$400,000 and will recommend that this goes into the Property Management Improvement Reserves. Tom noted that the MRF Facility Improvement Reserve as of 6/30/06 would be \$1.2 million.

Agenda # 3: Regional Landfill

T. Barbagallo reviewed the memo that was included in the packet. The Landfill Oversight Committee met and Shaw had three conceptual designs that included: 1) revised waste disposal rates, which have decreased from original proposal, 2) recognition of too much glacial till material that has to be removed so they suggest bringing up the bottom elevation of the landfill to make it more reasonable, and 3) attempting to keep as much of the Redmond sand in place rather than stockpiling it.

T. Barbagallo explained that there were three designs proposed and the committee selected one that they prefer. Shaw is redoing the design. If this design works, CSWD can possibly stockpile a significant quantity of sand on site 21 and therefore much less on the Velco parcel. This landfill concept could have a 50 year life, and will achieve the \$20 ton discount of current rates. Shaw is looking at another meeting on November 2, 2006.

Tom said that CSWD is balancing a number of issues including; collecting enough tonnage to keep the tip fee down, balanced with our central mission, which is to recycle, providing HS&G their sand, aesthetics, and emerging technologies. Tom explained that this concept design from Shaw had the lowest initial bonding for \$20 million versus the initial \$43 million proposed bonding issue for the other two conceptual designs.

Tony continued that the Shaw design landfill footprint includes some of the properties that CSWD has already purchased. This may result in a change to the Host Town Agreement.

Tony informed the Board of the recent landfill update regarding the recently formed neighborhood group known as the Williston Neighborhood Coalition (WNC). They have stated their goal is to stop the landfill project. Tony noted that they have been very active in running ads in the paper, setting up a web site, speaking at the Williston Town Meeting. Tony explained that the meeting in Williston was a 40 minute presentation by Steve Casale and the Town of Williston Board did not answer questions but said that on issues that were raised they would need to seek legal counsel.

T. Moreau said he did invite them to tonight's Executive Board meeting but received an e-mail from Steve Casale saying that some may attend on their own but the group would not be there. Tom noted that Paul and Tim Casey were at the Williston Selectboard meeting and spoke with the opposition group.

Mike Coates noted that he had a conversation with Williston's Town Manager Rick McGuire regarding Mike's representation of Williston. Mike said that he has communicated through the Town Manager and has never had any direction or feedback from the Selectboard. Mike Coates shared Rick's concern for the consequences of defaulting on the Host Town Agreement, which are significant. Rick need help articulating this to the Town. Tom said that CSWD is planning a response to the WNC's presentation and will do a counterpoint in the Williston Observer.

Tony continued that CSWD has hired Kimball Sherman & Ellis, to assist with the public education of the regional landfill.

Tony explained the final design has not yet been determined to present to the cities and towns. CSWD will be able to answer why we need a landfill. Channel 3 and 5 had clips of both Tom Moreau and the WNC. B. Leach thought they were very positive and stated that Tom did an excellent job of answering points that were raised. P. Stabler felt CSWD should discuss with WNC the intent of reducing the number of truck trips and to share with them that although the visual analysis is not complete that CSWD has already addressed this issue.

B. Lindholm commented that many of the WNC could be folks from out of state that are not familiar with Vermont's process of the local law including Act 250, which will provide its' own set of hurdles and answer many questions.

Mike Coates commented that the WNC has portrayed this as a 65 acre open pit and that it needs to be explained to the Coalition how the landfill will work with different cells.

Kelly Brady joined the meeting. Introductions were held and she explained that she is attending the meeting as a representative from Brennan Woods Homeowners Group, as a citizen of Williston, and as a homeowner.

She said she is familiar that landfills are filled in cells. She expressed concern for methane, liner tears, the stench, and taking out of state trash.

Tom Moreau explained that CSWD has hired Shaw Environmental and O'Leary & Burke to come up with a conceptual design that will work economically to ensure that we will have enough tonnage to make bond payments, but was not designed for out-of-district waste. However, this option is left open in case it becomes necessary to do so.

Tom explained that CSWD's landfill oversight committee has chosen one of the engineer's latest conceptual designs but it needs further work and clarification. This conceptual landfill balances a number of issues, including the homeowner's concerns issues, aesthetics, economics, preserving HS&G's ~850,000 yards of Redmond sand. CSWD has informed the Town of Williston that a presentation will be made to the Selectboard in either November or December.

K. Brady asked if the Town has accepted money for the phase 3 landfill that is closed. T. Moreau answered yes a \$1 million. She asked why the phase 3 landfill had closed and Tom explained that it was full to the permitted capacity.

T. Moreau explained the extra steps that CSWD has taken in the previous landfill that was operated in Williston. The EPA requires owners to set aside money for thirty years of post closure maintenance to be financially responsible for the site. CSWD has taken a different approach beyond that required 30 years and even though the EPA will legally say we don't have any further responsibility, CSWD will have the money and has taken extra steps to remain financially responsible beyond those 30 years.

Kelly Brady asked how CSWD plans to get around the FAA regulations?

Tony Barbagallo explained that CSWD already has dealt with this issue and has a documented memo that he will share with Kelly regarding the approval of the landfill project over the FAA guidelines.

Kelly Brady expressed that the Town was incorrect to not disclose the landfill and if she had known about it they would probably not have purchased their home. Further discussion was held on whether the Town had an obligation to disclose this information.

B. Lindholm explained that part of CSWD's mission is to be responsible for the management of solid waste. Bert stated that over 65 sites were looked at in the process of choosing this one.

Kelly Brady expressed concern over out of State trash, increased taxes, decreased property value, additional fire and police staffing that will be needed, and the effect of the landfill on the community.

Ken Nolan requested further information on the depreciation of property located near the landfill.

Mike Coates explained that he did not feel it was fair to ship 144,000 tons of Chittenden County trash all the way to Coventry or Moretown. He noted the dramatic impact beginning in Williston and listed all affected towns that the trucks would travel through. CSWD feels that there is an obligation and being fair to the other communities in handling our own waste.

Tom Moreau said that he understood the positions that Kelly Brady had presented and would present to the Williston Select Board in either November or December once the conceptual plan has come to the Board for approval.

Kelly Brady said she was concerned about health conditions including Ledgewood drinking water.

Tom Moreau explained that it was our consultant's job to come up with potential problems during the design process and provide suitable solutions to those potential problems. Part of the process will be answering the home owner's concerns including health concerns. Tom summarized that we have come up with what is believed to be the best solution for the County and that is building a landfill but a decision hasn't yet been made on whether that will occur.

Kelly Brady felt that CSWD hasn't taken enough steps to educate the public.

Tom Moreau said that he hoped once the conceptual design had been approved by CSWD, that the Williston Neighborhood Coalition would be willing to meet and discuss the proposed plan. Tom mentioned that for certain concerns, it is difficult to answer specific questions before the conceptual design is completed.

Kelly Brady said the group would be willing to meet and listen.

Mike Coates expressed concern for the tone with some folks in the group and hoped that this could be kept civil.

Agenda #4: Recycle Bank – Update T. Moreau handed out letter from the State of Vermont Office of the Attorney General addressed to Chairman Bill Leach. The AG office is looking into potential anti-competitive practices and desired an opportunity to address the Board about their concerns prior to CSWD entering into a commitment on recycle bank. Tom Moreau stated that CSWD has two contracts with Casella and will need to look into this further before moving forward on Recycle Bank.

Agenda #5: Program Update:

- T. Moreau explained that Jeff Myers bought hauling routes from VT Hauling in exchange he has exclusive contract to bring material there for a number of years. Independent haulers can now go to the transfer station and who will not be competing with them.
- Shelburne had a sludge sample analysis with high results for a lot of metal compounds. Tom suspected incorrect sampling technique as the cause and directed additional samples and analysis to take place. This issue took a fair amount of Tom's time before resolving this issue.
- Tom explained the Biosolids Contract and that neither party wants to continue the contract as it exists. Tom said that he believes that when the contract ends in June of 2008, New England Organics and CSWD may be able to come up with five year extension that meets needs of both parties. District will have to obtain approval from each participating town selectboard if we want to amend you the contract. Tom prefers to find a solution that is closer than the current composting site that is 138 miles away.

Agenda #7: Other Business –

Mike Coates requested that a resolution be brought to the Board acknowledging Linda Leahy and Tim Gerry's dedicated service to CSWD.

T. Moreau mentioned that CSWD has turned over their payroll processing to the Chittenden Bank and have had a disappointing number of small issues. Jim Ticehurst is working with the bank on correcting with them.

B. Lindholm asked if there was any movement on the landfill gas to electricity from the phase 3 landfill with Ed Devarney. P. Stabler requested that CSWD make this more of a priority.

Agenda #8: Executive Session – to discuss ongoing and pending personnel issues and contract negotiations. 6:40 p.m.

a) Regional Landfill

b) MRF Contract Negotiation Update

MOTION by Paul Stabler, SECOND by Ken Nolan, that the Executive Board of the Chittenden Solid Waste District go into Executive Session to consider pending civil actions and contract negotiations 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 issue 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 6:35 p.m.

MOTION by Mike Coates, SECOND by Ken Nolan, to adjourn Executive Session. VOTING: unanimous; motion carried.

ADJOURNMENT

MOTION by Paul Stabler, SECOND by Mike Coates, to adjourn the meeting. VOTING: unanimous; motion carried.

The meeting was adjourned at 7:15 p.m.