

**CHITTENDEN SOLID WASTE DISTRICT
EXECUTIVE BOARD MINUTES
CSWD OFFICE, REDMOND ROAD
JANUARY 16, 2008**

EXECUTIVE BOARD PRESENT: Mike Coates, Paul Stabler, Bert Lindholm, Ken Nolan

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

OTHERS PRESENT: Mike Burak, Burak, Anderson & Melloni

AGENDA ITEM:

1. Approve minutes of December 12, 2007
2. Intervale Compost Status Update
3. DOC Fees for Recycling & Biodegradable Organics
4. Alternative or emerging Technologies for solid waste
5. Homeowner request for well training
6. New Deferred Compensation Plan
7. Program Updates
8. Other Business
9. Executive Session

Agenda #1: Approve minutes of December 12, 2007. Motion by Bert Lindholm, second by Steve Goodkind. Approved – All Ayes.

Agenda # 3: DOC Fees for Recycling & Biodegradable Organics

T. Moreau said that he would like to bring to the full board a request for a change in two fees at the Drop-Off Centers. The first is the recycling-only fee, which brings in about \$12,000 in revenue but sends the wrong message to customers and while visiting towns during budget season towns have questioned this fee. T. Moreau said the second change would be the drop-off compost fee which brings in about \$1,500 per year and removing the fee may help to jump-start the program. It was agreed that this be brought to the full board.

Agenda #9: Executive Session – to discuss ongoing and pending personnel issues and contract negotiations.

MOTION by Paul Stabler, SECOND by Steve Goodkind, 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 4:45 p.m.

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

Executive Session was adjourned and the regular meeting reconvened at 5:10 p.m.

Agenda # 2: Intervale Compost Status Update – T. Barbagallo informed the board that the ACT 78 application for re-certification was completed and sent in by the due date of January 11, 2008. Also, included was the Hydrogeologic Site Characterization and Water Quality Evaluation by Heindel & Noyes and the Potential Water Quality Impacts Due to a 100 year flood and the Hydraulic Report by Stone Environmental Inc. T. Barbagallo said the studies show there is no significant environmental impact in relation to all studies conducted. The State has 15 days to determine that this is administratively complete and Tony believes they will fast-track the review. T. Barbagallo reviewed the next step of working on the Act 250 process, which is suggested to be done by submitting an application for all criteria except the archeological issues. B. Lindholm asked what the archeological piece would entail. T. Barbagallo said they would look at any past damage and whether there is any impact from the current operations. The State will then have to determine how much of a fine, if any, they want to impose for past infractions. S. Goodkind asked when the Intervale should have had an Act 250 permit. T. Moreau answered 1994.

T. Moreau said that the Intervale Center asked for an additional 2-4 weeks of T. Barbagallo's time. P. Stabler said he is also opposed to additional time. S. Goodkind agreed. B. Lindholm stated that Tony's time is needed here, but perhaps CSWD could use the Intervale Compost with Tony's time for one day a week as a consultant. T. Moreau said they also asked for the recent \$45,000 loan to be turned into a grant. T. Moreau told them no and the Executive Board agreed.

Agenda # 4: Alternative or emerging Technologies for Solid Waste – T. Moreau said that M. Coates asked that this be placed on the agenda and he is unable to attend the meeting and asked that it be postponed. T. Moreau said there is a gasification system in Sherbrooke, Quebec known as EnerKem but they have said it would be two years before they get back to CSWD on gasifying trash and they are currently focusing on using wood as a feedstock. T. Moreau said that there is a lot of literature on emerging technologies and that solid waste entities have been approached across the country but no one has signed. New Orleans is looking at a plasma gasifier. S. Goodkind thought that CSWD might be doing a comprehensive facilities plan, which would include information on these alternatives to include in our plan. T. Moreau said this would be discussed later in the meeting.

Agenda # 5: Homeowner request for well training T. Moreau said Gwen Blankenheim from Ledgewood Drive sent him an e-mail requesting that CSWD test their well based on her concern for heavy metals and VOC in the well water. Tom mentioned that he heard that they have also requested copies of the groundwater testing results done by CSWD on the old phase 1, 2 & 3 landfills in Williston from the State of Vermont. T. Moreau said that the Ledgewood folks wells are in bedrock at varying depths and some go to a depth below the Winooski River. T. Moreau reviewed maps of the area including landfill and their property. The ground water is at 610 feet mean sea level (MSL). Shaw Environmental said that the Phase III landfill would be 370 MSL which means over 200 feet head pressure. Shaw concluded that from a hydrological analysis that the old landfills would not affect the wells on Martel hill because there is too much head pressure. If Phase I, II, or III were to leak, the direction of flow would be towards the Winooski River and not towards the wells of the Ledgewood homeowners.

T. Moreau spoke with Craig Heindel and discussed the low yielding wells. T. Barbagallo had four water wells installed in the bedrock for the proposed phase IV landfill. Shaw Environmental has run complete testing on two of the wells at three different times. The tests show no organics. Iron was found all three times, nickel once, chromium, thallium.

T. Moreau stated that attorney T. Melloni felt that CSWD could and probably should conduct the test on some of the Ledgewood wells. Craig Heindel also felt that some wells should be tested. T. Barbagallo asked what one we were going to sample. S. Goodkind suggested a plan that would be useful and pointed out that testing the requested well will not show CSWD what we are looking for. K. Nolan agreed that CSWD should bring in a professional firm to statistically determine how many and what wells should be tested. T. Moreau said Ben Seibecker from Shaw will come up with a plan to bring to the full board in February.

Agenda # 6: New Deferred Compensation Plan B. Lindholm stated that CSWD had to end the Deferred Comp plan that was set up for the General Manger because it no longer met the new IRS regulations. T. Moreau and B. Lindholm have been meeting with Brian Murphy on the IRS regulations and have tried to summarize the changes to include in a new plan for staff. B. Lindholm noted that certain employees would sign a contract specifically written for the individual. The premise behind this separate compensation is an enticement for employees to remain employed at CSWD and if they stay for X number of years, they would receive this additional compensation. T. Moreau would make the recommendations to the Executive Board and the Executive Board would be the administrator of these contracts. P. Stabler said that he supported this going to the full board for further discussion. S. Goodkind clarified that the full board would be voting on the framework of the contracts, but all of these would have to be approved by the Executive Board. This will go to the full board.

Agenda #6: Program Updates – no discussion was held.

Agenda #7: Other Business

- Jim handed out a pie chart of expenses as requested by P. Stabler.
- T. Moreau handed out a graph of the Value of Equities Investment at Smith Barney for July 1, 2006 through January 15, 2008. CSWD removed \$105,000 out of equities and took out for cash. CSWD will be calling an investment committee meeting because initial criteria were set that if the Dow went below 10,500 a change would be considered. This standard needs to be raised. CSWD will discuss whether to lock in profits or play the equity game.
- T. Moreau said the he has hired Heindel & Noyes to look at the data for Phase I, II, and III of landfill groundwater data. They will be doing another round of physical testing and will be another set of eyes to look at the data.
- P. Stabler summarized that ANR Secretary George Crombie requested a meeting with he, Steve Goodkind and Tom Moreau. At the meeting, Mr. Crombie acknowledged the potential value of a local landfill, but mentioned the difficulty in getting it permitted. He said that would like to see CSWD and the State partner together to develop a comprehensive plan on how to best deal with solid waste for the next 20 years. P. Stabler said that George Crombie will write the board a letter that will probably be included in the February board packet. Discussion was held on the Analysis of

Alternatives and the best approach for this. P. Stabler said that a comprehensive plan will be presented to the full board at the March meeting.

T. Moreau said that George's concept is a facility plan, which will look at what we have now and then will include looking at where we are going. The State has offered expertise in one aspect of the plan, which is a carbon or environmental cost and benefits analysis, including carbon or energy credits. The State feels they may be able to help find money to assist with this addition. T. Moreau handed out sheet on analysis of alternatives path versus a specific project analysis. Discussion was held on a project oriented analysis, where we already know where we are going in some areas.

P. Stabler said there are four things he would like to see in a plan:

- waste acquisition;
- organics and biosolids;
- recycling, which will include a proposal or alternatives of purchasing carts once a cart pilot project is complete and shows the data; and
- C&D processing.

George feels that CSWD should hire a consultant to identify the best components for the whole system, which when completed should yield more credibility. B. Lindholm felt that this was being done to use in combining facilities across various counties. P. Stabler said that he likes the project-oriented analysis and would consider partnering with the State on emerging technologies, where costs could be shared. P. Stabler did not feel that we needed to review areas that we have already done in the study. T. Barbagallo felt that if we looked at the entire system, the report would then conclude that we do the project-oriented analysis anyway, some of which are already done. S. Goodkind strongly disagreed and felt that CSWD needs a comprehensive document that identifies the best components for the entire system. Further discussion was held on looking at the entire system or only the parts that have not already been done.

T. Moreau said that there are probably only a few firms that could do the work and said we need to consider the cost versus the value of the returned report. S. Goodkind said it was necessary to do this and to pay the price so that everything is looked at. B. Lindholm commented that CSWD could put most of the plan together for the Chittenden County area but that volumes drive the process and there may be a benefit to partnering with the State. K. Nolan expressed concern for the motivation behind the State partnership and changing the plan to a comprehensive analysis of alternatives.

- P. Stabler attended the first hauler meeting dinner and said that he hopes it is an annual event that CSWD holds.
- T. Barbagallo handed out a letter from Ken Robie from the State of Vermont regarding the circ highway. In summary the wetlands along corridor has doubled and the Army Corp has suggested looking at moving the circ path to a new location that would go through Redmond Road and the landfill project. Burak, Anderson, & Melloni are working on this and the issue will be brought to the full board for further discussion.

ADJOURNMENT

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

The meeting was adjourned at 6:58 p.m.