

**APPROVED**

**CHITTENDEN SOLID WASTE DISTRICT  
EXECUTIVE BOARD MINUTES  
CSWD OFFICE, REDMOND ROAD  
MARCH 21, 2007**

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

**CSWD STAFF PRESENT:** Tom Moreau, Tony Barbagallo, James Ticehurst

**Others Present:** Thomas Melloni, Attorney

**AGENDA ITEM:**

1. Approve minutes of February 21, 2007
2. Finance - FY '07 2nd Quarter Financial
3. Board Chair for April 2007 meeting – Discussion Only
4. Report on Administrative Building Progress and Cost
5. Update on Vermont Solid Waste Legislation S.136
6. Compost Project – Discussion Only
7. Program Updates
8. Other Business
9. **Executive Session** – to discuss ongoing and pending litigation, property purchases, personnel issues, and contract negotiations.
  - a) Regional Landfill
  - b) Personnel Issue

The meeting began at 4:35 p.m.

**Agenda #6: Executive Session – to discuss ongoing and pending litigation, property purchases, personnel issues, and contract negotiations.**

**MOTION by Paul Stabler, SECOND by Mike Coates, 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.**

Executive Session was entered at 4:37 p.m.

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

Executive Session was adjourned and the regular meeting reconvened at 6:00 p.m.

**Agenda #1: Approve minutes of February 21, 2007.** Motion by Mike Coates, second by Paul Stabler. With the following changes, to add Ken Nolan to the list of attendees. Ken came late to the meeting but was there. Approved – All Ayes.

**Agenda #2. Finance - FY '07 2nd Quarter Financial** T. Moreau noted that there were only 12 pay periods in the first six months of FY '07 and there will be 14 pay periods in the second six months resulting in a \$80,000 difference. T. Moreau explained that he would review the 2<sup>nd</sup> quarter FY '07 financials at the full board meeting.

**Agenda #3. Board Chair for April 2007 meeting – Discussion Only** T. Moreau noted that Bert Lindholm will be on vacation for the April meetings and they will bring to the full board meeting in March the recommendation that Paul Stabler be the Chair during the April Executive Board meeting and the full board meeting. B. Lindholm noted that he would be interested to hear from anyone that might be interested in being the Chair. T. Moreau noted that this could happen at the June Organizational meeting.

**Agenda #4. Report on Administrative Building Progress and Cost** T. Moreau noted that P. Stabler had asked about construction costs and although we are very close, we are under budget. P. Stabler noted that he was very pleased with the project. T. Moreau noted that Brian Wright oversaw the project and did a very good job. B. Lindholm had a question on the total cost being \$1,500 under budget and thought it was \$1,250. T. Barbagallo explained that there was a \$250 change order that makes it \$1,500.

**Agenda #5. Update on Vermont Solid Waste Legislation S.136** T. Moreau explained that there is a bill from Senator Lyons to look at Act 78 and that he and Bert went to the Senate Natural Resources & Energy hearing to testify. They included all of Tom's written comments and put them into the proposed legislation verbatim. Tom explained that he wanted to be sure the study committee included the private sector and took into account the siting process, design and operation of existing landfills. He explained that CSWD's landfill will have a robust liner system and active gas collection system. The bill passed at the committee level last weekend and because of certain expenses, it has been assigned to the Senate Appropriations Committee. T. Moreau testified that Act 78 requires the State of Vermont to issue a revised solid waste plan every five years. It was eight years to get the last one done and when the next five year deadline came up, they simply changed the date and renewed the old plan without any new revisions. Jeff Weinberg requested that there be a two year study group rather than the originally proposed one year group. S. Goodkind asked how it will be determined who is on the group from the Solid Waste Districts. T. Moreau said the Association of Solid Waste Managers will decide who goes to the study group and it seems likely that CSWD will be there. T. Moreau noted that he did mention some misstatements of the WNC during his testimony,

one was the reference that there is no construction and demolition recycling in Chittenden County. T. Moreau also noted that he hired Kimball Sherman & Ellis by the hour for lobbying and will track their time.

**Agenda #6. Compost Project – Discussion Only** T. Moreau explained that there will be a meeting tomorrow to discuss the permit status of the compost project. He mentioned that the Intervale Compost has come under recent scrutiny by a representative of the Abenaki Nation. They have raised the issue of processing, what they consider waste, on land deemed very important to their ancestors. This person has contacted various permitting agencies. The Intervale has hired an attorney and a solid waste permit expert to help them navigate the complex permit process. T. Moreau explained that CSWD's Williston Drop-Off Center/Special Waste Landfill Area (DOCSWALA) in Williston, is already permitted to do some limited composting. T. Barbagallo said we would elaborate on this in our plan for our permit renewal.

T. Moreau expressed concern that he and Tony Barbagallo have about the outcome of the permitting process and that CSWD should be prepared for alternate options should the need arise. B. Lindholm asked about the Williston Special Waste site capacity compared to the Intervale. T. Barbagallo explained that CSWD's current alternate site could possibly accept just leaves and post-consumer food waste compared to the Intervale, which takes waste from Ben & Jerry's, cow, horse & chicken manure, and restaurant waste. S. Goodkind asked about the agreement. T. Barbagallo explained that they own the facility and CSWD owns some of the equipment, which could be used at the CSWD site should that become necessary.

**Agenda #7. Program Updates** T. Moreau asked if there were questions on the program updates. There were none. He added that North East Waste Services is owned by AIG. AIG has just purchased Interstate Waste Services and have merged the two companies. Tony and Tom will meet another new Chief Operating Officer on Tuesday. T. Moreau noted that it is a good practice to take the time to establish relationships with the people who operate facilities that accept our waste.

**Agenda #8. Other Business** T. Moreau explained that news on the biosolids continues to change. As mentioned at the last Board meeting, GSI the subcontractor for Casella, was going to stop servicing the contract April 1, 2007. Casella would honor the contract but would take our material to their landfill in Coventry. T. Moreau noted that the original contract states that both Casella and CSWD have to give a 2 ½ year notice to get out of agreement but the series of amendments have cut this down to 1 ¼ years. If the notice is not given then the towns have to stay with the agreement for the next five years. T. Moreau felt that there is an ethical issue in that towns signed up with CSWD with the understanding that their biosolids would be beneficially reused and now that is changing. CSWD might consider terminating the contract to give the towns some other options.

T. Moreau explained that he has been in contact with Jay Kilbourn to discuss the existing agreement and that New England Organics (NEO) said that they will landfill CSWD's biosolids for the same cost as composting, which they are obligated to do through June 30, 2008. T. Moreau said there have been discussions on the potential disposal cost after 6/30/08

and termination flexibility. T. Moreau said he will bring yet another amendment to the contract at the upcoming Board meeting that would extend to June 30, 2007 as the time to accept or deny a contract extension. In the 3 month period from April 1 thru June 30, 2007 CSWD & NEO would try to come up with a long term amendment that both parties could benefit from.

T. Moreau summarized that as of April 1, 2007 CSWD will not be sending biosolids to Quebec for composting but will now go to a landfill at least for the next few months. NEO is obligated to take CSWD sludge through June 30, 2008<sup>th</sup> and will honor the \$65 per ton beneficial reuse cost and will determine how much of CSWD's sludge can they effectively utilize in a land application program at the \$56 per ton cost. T. Moreau noted that he has been in contact with Paul Senesac, who may be able to assist CSWD for the short-term by using lime stabilization. However, in the long term, this methodology requires a number of vehicles and a lot of land.

T. Moreau said that Kimball Sherman & Ellis (KSE) was approached by CLF Ventures, which is a for-profit group. They have offered to assist KSE with help mediating the landfill issue. Neither Mike Coates nor Steve Goodkind felt that this was reasonable at this time.

Bert Lindholm noted that he had included a letter in the packet that he would like to send out to the Select Board Chairs regarding their town's participation on the CSWD Board. Bert felt that if they could not find a Representative or Alternate that perhaps the Select Board Chair could attend and vote. Discussion was held on this and the potential Charter change. T. Barbagallo felt that we should encourage towns to appoint a representative and alternate. It was agreed that the letter be sent encouraging cities/towns to appoint representatives and alternates to our Board and to continue to encourage participation at our meetings.

**ADJOURNMENT**

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

The meeting was adjourned at 6:45 p.m.