

**CHITTENDEN SOLID WASTE DISTRICT
EXECUTIVE BOARD MINUTES
CSWD OFFICE, REDMOND ROAD
JANUARY 17, 2007**

EXECUTIVE BOARD PRESENT: Mike Coates, Paul Stabler, Steve Goodkind

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

OTHERS PRESENT: Bert Lindholm, Vice Chair – Jericho Rep

AGENDA ITEM:

1. Approve minutes of December 12, 2006
2. Finance
 - FY '06 Audit
 - FY '07 1st Quarter Financial
3. Uniform Schedule of Charges - To receive comments and discuss charges
4. KSE Contract – Approve Contract
5. Colchester DOC Relocation – Discussion Only
6. Program Updates
7. Other Business
8. **Executive Session** – to discuss ongoing and pending litigation, property Purchase, personnel issues, and contract negotiations.
 - a) Regional Landfill
 - b) MRF Contract

Agenda #1: Approve minutes of December 12, 2006. Motion by Mike Coates, second by Paul Stabler. Approved – All Ayes.

Agenda #3. Uniform Schedule of Charges – T. Moreau explained that CSWD will be holding a public hearing at the full Board meeting in January to discuss the uniform schedule of charges based on numerous requests for information from the public. Currently CSWD follows the State rate which charges a standard minimal fee for staff time. CSWD is requesting that time spent researching and preparing documents be charged the actual fully-loaded rate of the employee doing the work. P. Stabler suggested adding headings to the hourly charges before sending to the Board that would include title, per hour charge Title/ Per Hour/ & Date.

Agenda #4: KSE Contract – Approve Contract - T. Moreau explained that CSWD is considering retaining the services of Kimbell, Sherman, & Ellis at a reduced rate of \$4,500 per month, when the initial contract was \$7,500 per month. The initial contract ended in December and CSWD had not needed their services much since then so they had been working on an hourly basis. T. Moreau noted that CSWD pays dues to the Solid Waste District Association and there is a lobbyist that is hired to deal with solid waste issues. The concern is that there may be a fair amount of legislation that would be

introduced. Tom noted that there might be legislation introduced that no new landfills be built in Vermont. T. Moreau has spoken with Senator Lyons, who was on the Williston Select Board when the Host Town Agreement was signed, to bring her up to speed on the landfill issue. There is a chance that Act 78 will be reviewed this legislative session. Senator Lyons may ask George Crombie, the new Secretary of the Agency of Natural Resources to look at Act 78 and see what can be done to reduce the amount of trash being generated in Vermont. T. Moreau explained that we don't know what the future issues will be but is considering hiring KSE on a monthly basis.

P. Stabler asked what KSE has done for CSWD since we initially hired them. T. Moreau answered that, among other things, they have attended four to five meetings, advised CSWD on to frame the public discussion and they have great contacts. T. Moreau said he is comfortable going back to an hourly rate with KSE. P. Stabler felt that it was important to correct any errors that were being made by the Williston Neighborhood Coalition as they are made so that the public does not assume that they have correct information when they do not. T. Moreau summarized that based on this discussion staff would reconsider a contract and bring this back to the board for further discussion.

Agenda #5. Colchester DOC Relocation – Discussion Only

T. Barbagallo summarized that CSWD received notice from the Town of Colchester that the Drop-Off Center (DOC) would need to be relocated by the end of March. Over the past two years CSWD has done some research on property knowing that this was coming but not knowing when exactly it would occur. T. Barbagallo explained that while searching for property at that time the Executive Board felt the economic sustainability of relocating the DOC was uncertain and asked to look at temporary relocations. CSWD looked at land near Heineberg Road by VTrans. At that time VTrans was not interested in leasing land to CSWD. T. Barbagallo has recently spoken with AOT and Ken Roby, and they are interested in leasing the property. The site was contaminated but has been cleaned. This means that CSWD could not dig or excavate but this would work for a temporary site. Questions that need to be answered include whether we try to make a weight based system work on this temporary site and that we would have to build up since we can't dig. This could mean that customers might have to carry their stuff about 5 feet up grade. The other question is how long we envision being there. It appears that a temporary site, open three days per week at \$100,000 capital costs would be reasonable. The Colchester DOC relocation will go on to the full board for further discussion.

Agenda #6. Program Updates

No discussion was held.

Agenda #7. Other Business

1. Finance Department – T. Moreau noted that an employee in our Finance Department is out on intermittent Family Leave and CSWD will be hiring the 24 hour per week contract employee to a 30 hour per week permanent part-time position and will be paying this person at a pay grade 7 and a step 3 in order to attract the person to the position.
2. T. Moreau explained that he and Mike Coates met with the Town of Williston on the Host Town Agreement. CSWD was asked by the Town to provide buy-out

costs. T. Moreau handed out a summary sheet with three potential costs: 1) Expenses incurred by CSWD since the Host Town Agreement was signed; 2) The cost to address the impact on Hinesburg Sand and Gravel; and 3) the future savings of the proposed landfill.

Mr. Moreau first addressed the past expenses for the proposed Regional Landfill from July 1992 to December 2006. T. Moreau explained that we signed the Host Town Agreement in December of 1992. CSWD has the computer records going back to July 1994 but has the backup paperwork only back to 1996. Between 1992 and 1994, a spreadsheet prepared by the former finance director was used. The Town of Williston knows that these numbers could be adjusted up and down. Land purchase and options are not included in the spreadsheets. As to what might be the cost to satisfy Hinesburg Sand & Gravel, CSWD has verbally requested a number but has had no response. Mr. Moreau suggested asking HS&G via a registered letter. The Exec Board suggested that it may be better to request that the Town of Williston indemnify CSWD against all past and future actions by HS&G in regard to the proposed landfill on Redmond Road.

Williston wants to know if they could pay CSWD over time because they can't bond when there is no asset. T. Moreau noted that this will go to the full board for review. Mike Coates felt that this should be discussed with the Board and asked if they are considering abandoning this project, otherwise CSWD should let the Town of Williston know that we have no interest in the buyout. T. Barbagallo said that since the voters approved this project this should go out to the voters to reject the project. S. Goodkind said that he felt the Town of Williston would not want to do any of this and that we should be clear that we are not interested in a buy out. Further discussion will be brought to the full board.

3. Mike Coates said that CSWD should have a fall back position for the landfill project and that might be to use trains to haul the trash to the privately owned landfills. Mr. Coates said that he and T. Moreau spoke with John Casella about this and Mr. Casella in open to look into the option of moving trash from Williston to Coventry by rail. Though his initial thought that it may not work out economically

Agenda #8: Executive Session – to discuss ongoing and pending litigation, property purchases, personnel issues, and contract negotiations.

a) Regional Landfill

b) Other Issues

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.**

The Board entered Executive Session at 6:00 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 7:25 p.m.

10. ADJOURNMENT

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

The meeting was adjourned at 7.15 p.m.