

DRAFT

**CHITTENDEN SOLID WASTE DISTRICT
EXECUTIVE BOARD MINUTES
VIA ZOOM & CSWD Administrative Office
March 17, 2025**

EXECUTIVE BOARD PRESENT: Alan Nye, Paul Ruess, Paul Stabler

OTHER BOARD MEMBERS: Lauren Eagan

CSWD STAFF PRESENT: Sarah Reeves, Amy Jewell, John Balparda, Jen Holliday, Joey Catania, Ethan Hausman, Jon Dorwart, Steve Ellis (General Counsel)

PUBLIC PRESENT: Chef Chris & Sven Kvinlaug, Pickled Perch; Maggie Birch, Our House Bistro

AGENDA ITEMS:

1. Agenda
2. Public Comment Period
3. Consent Agenda – 1/2025 minutes
4. NetSuite
5. MRF Update
6. Public Hearing
7. Other Business
8. Adjourn

Paul Ruess called the meeting to order at 6:02 p.m.

Agenda #1. Agenda – Accepted as presented.

Agenda #2. Public Comment Period – No public comments.

Agenda #3. Consent Agenda – Accepted as presented.

Agenda #4. NetSuite – J. Balparda introduced the new contract with NetSuite, CSWD's accounting and budgeting software and explained upcoming increase costs. This new contract eliminates the NetSuite Planning and Budgeting Module to reduce total contract fees by \$52,000. J. Balparda is working with Jon Dorwart to produce a series of spreadsheets and use SQL to build a budgeting tool and forecasting model. Discussion was held on spreadsheet reliability and security. S. Reeves confirmed that due the cost of these two modules, CSWD money can be better utilized by in-house options. It was requested that documentation of this process be thoroughly completed for continuity.

Motion by P. Stabler, seconded by A. Nye to accept the Oracle American NetSuite renewal estimate as presented and authorize Sarah Reeves, Executive Director, to execute the annual renewal at a total cost of \$50,062.80. Voting: All ayes; Motion Carried.

Agenda #5. MRF Update – S. Reeves provided an update on the increased new MRF Build costs of \$3-\$4 million due to increased price of steel from tariffs, other revised architectural work, and a delay in the timeline. She said this will be discussed at the Full board meeting and that following the land purchase closing, CSWD will send a request for a jurisdictional opinion on whether an Act 250 permit is needed. She said that the March Board Meeting will include discussion on covering increases in the MRF project.

Agenda #6. Public Hearing – Notice of Alleged Violation from three parties.

Motion by P. Stabler, Second by A. Nye to open the Public Hearing. VOTING: All Ayes. Motion Carries. The Executive Board opened the public hearing at 6:48 p.m.

P. Ruess said that the Public Hearing will follow established Enforcement Hearing Process recently approved by the Board. He noted that all three respondents received a notice of alleged violation and requested this public hearing to review the alleged violation. The Executive Director and CSWD Staff will present information regarding the alleged violations, and the respondents will have a chance to speak and provide a rebuttal. The Executive Board will ask any questions before going into deliberative Executive Session to discuss and render a decision. He noted that this is a quasi-judicial hearing, and parties will be asked to swear that the information that they give is truthful.

First Hearing – Pickled Perch – Colchester

CSWD staff and Picked Perch representatives affirmed that the testimony they give will be truthful and honest to the best of their understanding and knowledge.

J. Catania states that CSWD staff has documented the Pickled Perch Restaurant and Bar has not been routinely separating and diverting food waste. Attempts to contact the Pickled Perch management were unsuccessful until the Notice of Alleged Violation that was issued on February 28, 2025. Pickled Perch has been responsive since then and, in their request for a hearing, referenced steps that they are now taking to come into compliance. Staff recommend the Executive Board find the Pickled Perch in violation of CSWD's Ordinance and require them to come into compliance through implementation of a Correction Action Plan with verification by CSWD Staff.

J. Catania said CSWD is recommending the board motion to find the Pickled Perch in violation of Solid Waste Management Ordinance sections 3.8 and 3.9 and hold the financial penalties associated with those violations in abeyance pending the submission and approval of a Corrective Action Plan, a scheduled on-site review of the implemented Corrective Action Plan by CSWD staff and the Pickled Perch management, and the Pickled Perch's continued compliance with the Solid Waste Management Ordinance for a 180-day probationary period.

Pickled Perch Sven Kvinlaug states that Pickled Perch has complete compliance at this point. They contacted Myers and now have compost bin for their food waste. They have explained this to their staff and chefs. P. Stabler asks if they are training the waitstaff. S. Kvinlaug states that they had a meeting with all staff, the wait staff and chef understand and S. Kvinlaug will be keeping track of it to make sure it is done properly. CSWD staff affirmed that they would act as a resource to help Pickled

Perch create and implement a corrective action plan. S. Kvinlaug notes they have issues with illegal dumping in their dumpster, as it is not locked by building owners.

Motion by P. Stabler, seconded by A. Nye that the Executive Board of Commissioners of the Chittenden Solid Waste District go into deliberative executive session to weigh, examine, and discuss the facts and testimony provided as part of this public hearing, as it pertains to the notice of violation, issued to the Pickled Perch in Colchester, Vermont.

The Executive Board entered Deliberate Executive Session at 6:59 p.m.

MOTION by P. Stabler, seconded by A. Nye, to exit deliberate session at 7:37 p.m. Motion carries.

P. Ruess states that the Executive Board finds that the Pickled Perch was in violation of Solid Waste Management Ordinance sections 3.8 and 3.9. We find that the respondent has provide assurances that they have and will continue to comply with the Solid Waste Management Ordinance. They further indicated that they will cooperate with district staff and allow access at reasonable times to assured continued compliance. Therefore, the Board determines that we will waive the civil penalty, and direct that the Pickled Perch remain in compliance and continue to cooperate with district staff and allow reasonable access to Pickled Perch facility to assure continued compliance. A written order will be issues within the next 30 days to Pickled Perch. The Pickled Perch does have the option to appeal this decision to the Full Board.

Second Hearing – Light House Restaurant and Lounge

CSWD Staff has documented that the Lighthouse Restaurant and Lounge does not have a composting program in place. Multiple attempts by CSWD Outreach and Compliance in 2024 to contact management received no responses.

J. Catania said CSWD is recommending the board motion to find the Lighthouse Restaurant and Lounge in violation of Solid Waste Management Ordinance sections 3.8 and 3.9 and hold the financial penalties associated with those violations in abeyance pending the submission and approval of a Corrective Action Plan, a scheduled on-site review of the implemented Corrective Action Plan by CSWD staff and the Lighthouse management, and the continued compliance with the Solid Waste Management Ordinance for a 180-day probationary period.

No Representative from the Lighthouse in attendance. A. Nye asks if they have started a program and/or there might be a willingness to. J. Catania informs the Board that the owner was traveling out of the country just after receiving the Notice of Alleged Violation and has been unreachable but responsive as a result. P. Stabler when will the owner and will be back in town and can respond and be back in town. E. Hausman noted that she is back as of a few days ago. P. Stabler asks if we are getting cooperation, and optimistic Lighthouse will implement a plan. J. Catani stresses importance of Board requirement to implement a plan. E. Hausman notes how the process is to issue a warning letter, request a response about the deficiency, and only issue an NOV if efforts to verify a program have been stonewalled.

Motion by P. Stabler, seconded by A. Nye that the Executive Board of Commissioners of the Chittenden Solid Waste District go into deliberative executive session to weigh, examine, and discuss the facts and testimony provided as part of this public hearing, as it pertains to the notice of

violation, issued to the Lighthouse Restaurant and Lounge in Colchester, Vermont and to permit Solid Waste District attorney to be present for this session.

The Executive Board entered Deliberate Executive Session at 7:47 p.m.

MOTION by P. Stabler, Second by A. Nye to exit deliberate session at 7:57 p.m. Motion carries.

Motion by P. Stabler, seconded by A. Nye that the Board table this to the next Executive Board meeting on April 14, 2025. All ayes; motion carries.

Third Hearing – Our House Bistro 7:58 p.m.

CSWD staff and Maggie Birch, Our House Bistro Representative, affirm that the testimony they intend to give will be truthful and honest to the best of their understanding and knowledge.

CSWD Outreach and Compliance staff have documented that Our House Bistro does not have a program in place for routinely diverting food waste. CSWD staff received no response from Our House Bistro owner throughout 2024, prior to issuing the Notice of Alleged Violation on February 28, 2025.

J. Catania said CSWD is recommending the board motion to find the Our House in violation of Solid Waste Management Ordinance sections 3.8 and 3.9 and to hold the financial penalties associated with those violations in abeyance pending the submission and approval of a Corrective Action Plan, a scheduled on-site review of the implemented Corrective Action Plan by CSWD staff and Our House Management, and Our House's continued compliance with the Solid Waste Management Ordinance for a 180-day probationary period.

M. Birch, representing Our House Bistro, appreciates the opportunity to respond. M. Birch states that Our House does have a program in place but notes that it is developing and is not perfect. States that Our House Bistro has had a bin from Myers for some time, but it often it goes missing which makes it difficult to keep up regular habits in the restaurant. M. Birch states that they do have a program – albeit imperfect- in -place and that she can share their standard operating procedure with CSWD. She said that the Our House Bistro does share waste and recycling receptables with Mule Bar, but that the compost bin on site is theirs is for Our House use only, and they have added a label to indicate this.

E. Hausman said that finding food scraps in the trash and no evidence of a program is what brings us to this point. J. Catania states that the Outreach team heard from an employee that they have not been trained. M. Birch responds that part time college students staff the restaurant, and they do not always have face time, but they have improved their training. P. Stabler asks for the role of the representative. M. Birch is a co-owner. P. Stabler asks CSWD staff if, in recent weeks or months, that they have seen improvements. J. Catania states that they received communication from Our House on Friday of a photo of compost container at their facility. He said that less than a month prior, they had gone and did not see any compost container on site and saw food in the trash consistent with Our House menu. M. Birch states that Our House has full-time back of house staff and 3-4 dishwashers, 12 staff working 1-2 days of week. She also added that included in their response to CSWD is an e-mail from Myers stating they have been a customer of theirs for some time.

Motion by P. Stabler, seconded by A. Nye that the Executive Board of Commissioners of the Chittenden Solid Waste District go into deliberative executive session to weigh, examine, and discuss the facts and testimony provided as part of this public hearing, as it pertains to the notice of violation, issued to Our House Bistro in Winooski, Vermont.

The Executive Board entered Deliberate Executive Session at 8:09 p.m.

MOTION by P. Stabler, Second by A. Nye to exit deliberate executive session at 8:15 p.m. Motion carries.

P. Ruess states that the Executive Board finds that Our House Bistro is in violation of Solid Waste Management Ordinance sections 3.8 and 3.9. We find that the respondent has provide adequate assurances that they have and will continue to comply with the Solid Waste Management Ordinance. They've indicated that they will cooperate with district staff and allow access at reasonable times to assure continued compliance. Therefore, the Board determines that it will waive the civil penalty, and direct that Our House Bistro remain in compliance and continue to cooperate with district staff and allow reasonable access to Our House Bistro facility to assure continued compliance. A written order will be issued within the next 30 days.

Motion by P. Stabler, Second by A. Nye to close the public hearing. Motion Carries. All Ayes.

The Public Hearing was closed at 8:17 p.m.

Agenda #9. Other Business – P. Stabler notes that Casella Waste Management is providing \$1.5 million dollars to UVM to start a program to study sustainability.

Motion by P. Stabler, Second by A. Nye to adjourn the meeting. VOTING: unanimous; motion carried. The meeting was adjourned at 8:18 p.m.

I agree that this is an original copy of minutes, and they have been approved by the Executive Board at the _____ meeting held in South Burlington.

Amy Jewell, Recording Secretary