

APPROVED
CHITTENDEN SOLID WASTE DISTRICT
19 Gregory Drive South Burlington
MEETING ROOM
MINUTES OF REGULAR MEETING
April 16, 2025

***Hybrid Meeting via Zoom.**

PRESENT

BOARD MEMBERS:	Bolton	-----
	Burlington	Matt Kobzik, Alt. (left meeting before vote) -----
	Charlotte	Ken Spencer
	Colchester	Lauren Eagan
	Essex	Alan Nye
		Wendy Duncan, Alt.
	Essex Junction	Mike Sullivan
	Hinesburg	Rick McCraw
	Huntington	Barb Winters
	Jericho	Leslie Nulty
		Tom Joslin, Alt.
	Milton	-----
	Richmond	Andrew French (left meeting before vote)
	Shelburne	Margaret Wiener
	So. Burlington	Paul Stabler
	Underhill	Paul Ruess
	Westford	Katie Frederick
	Williston	Kelton Bogasky
	Winooski	Bryn Oakleaf

STAFF: Sarah Reeves, Amy Jewell, Jen Holliday, Josh Estey, Jon Dorwart, John Balparda, Dan Goossen, Joey Catania

OTHERS PRESENT: Thomas Melloni, Legal; Joe Sinagra – Myers, Jane Gauthier – Gauthier Trucking

AGENDA:

1. Call to Order & Agenda
2. Public Comment Period
3. Consent Agenda
4. Solid Waste Management Ordinance
6. FY 26 Budget Adoption
7. Other Business
7. Adjournment

1. CALL TO ORDER & AGENDA – Accepted as presented.

2. PUBLIC COMMENT PERIOD – No members of the public commented.

3. CONSENT AGENDA –

- Minutes were removed. Minor amendments will be made and corrected.

Motion by P. Ruess, Second by P. Stabler to accept the minutes with proposed changes. VOTING: All Ayes, except one abstention Winooski: Motion carries.

- Program Updates: P. Stabler asked about potential bill in the house of PFA's. J. Holliday asked about discussion and there is no other alternative and no other place to put biosolids and it did not make cross-over, it **Motion by P. Ruess, Second by P. Stabler, to accept the program updates as presented: VOTING: All Ayes. Motion carries.**

4. **Solid Waste Management Ordinance Discussion** – S.Reeves presented the proposed changes to the Solid Waste Management Ordinance which includes changing the solid waste management fee from \$30/ton to \$40/ton effective July 1st and that CSWD adopt a regular schedule of adjustments by using a CPI during the budget process. She reviewed the rationale for the change, included no longer having infrequent larger jumps in the fee. She noted that this change will also allow for more public process and include a minimum of four months' notice to provide the haulers time to make adjustments. She reviewed the chart showing the SWMF vs CPI Adjusted SWMF, which if followed would have resulted in a \$39.21/ton rate. She said the increase is needed to fill the funding gap for the Materials Recycling Facility and recognized staff and the board for looking at alternative solutions and explained that this is the most fair and viable option because the fee is spread across all generators in Chittenden County.

S. Reeves reviewed and summarized all changes as outlined in the document, which included:
Amendments Summary

- *Section 8.3 SWMO Purposes and Uses* – A new Section 8.3 is added to describe the purposes and uses of the Solid Waste Management Fee imposed on all Solid Waste generated in the District.
- *Section 8.4 SWMO - Amount of Fee* –The amendments to the SWMO amend the amount of the Solid Waste Management Fee (the "SW Management Fee") from \$30/ton to \$40/ton, effective July 1, 2025. The SW Management Fee is subject to annual adjustment as part of the District's annual budget approval process.
- Each January 1, the District is to indicate the expected Solid Waste Management Fee for the coming fiscal year. That fee will be part of the annual budget public hearing held on or before January 31 of each year. After such hearing, the Board will consider comments and develop the annual budget, including adjustments, if any, to the SW Management Fee. If no adjustment is made, the SW Management Fee will remain at the then current rate.
- In establishing the SW Management Fee, the Board will consider such factors as the purposes and need to collect the SW Management Fee, tipping fees and other revenues received by the District from solid waste management facilities owned or operated by the District, as well as any changes in Consumer Price Indices as determined and published by the U.S. Bureau of Labor Statistics, referencing both the Northeast Urban Class B/C Consumer Price Index and the Garbage and Trash Index (or a reasonable equivalent index) for the twelve (12) month period immediately preceding January 1 of the current fiscal year.

Additional Changes reviewed and discussed at the meeting:

- Removal of the paragraph allowing mid-year changes for extraordinary circumstances.
- Removal of grants and further refining revenues of the District when considering purposes and uses of the Fee.
- Insert of “a reasonable equivalent” to address if current CPI indices are no longer published.
- Change in date of annual proposed adjustment from January 31 to January 1 to allow time for public input on the annual budget hearing to be held on or before January 31 of each year; and
- Inclusion of the language that the adjustment shall be as set forth in the final annual budget approved by the Board.

Discussion held:

- It was estimated that the average homeowner would see a \$15 annual increase by changing the rate from \$30/ton to \$40/ton and not knowing what the homeowner increase will be given haulers charging by volume.
- Westford concern regarding the Town contract and the impact on the increase based on CSWD’s shortfall.
- Concern that the language doesn’t allow for an alternative pricing mechanism if the CPI is not available.
- Concern for additional unanticipated MRF costs
- Myers representative Joe Sinagra expressed on the impact to businesses and homeowners with a 33% increase to the solid waste management fee.

Motion by L. Nulty, Second by P. Stabler to approve staff to initiate a public comment period on the proposed revisions to the Chittenden Solid Waste Management Ordinance.

Discussion was held on process of a public comment period. T. Melloni noted that any amendment to the Ordinance takes 60 days to become effective and would be at least 60 days and publication of notice for changes and gives opportunity for petition of a special meeting of the District. Discussion was held on withdrawing the motion. Discussion was held on funding a long-term capital investment with current revenue and providing additional information to the board on the details of this process. Discussion was held on raising the fee and not changing the language, but it was noted that there is a process that requires a change in the Ordinance regardless. It was noted that we have provided public comment opportunity on this in multiple board meetings and an additional public comment period is not required for this process. The language on the memo was intended for the board action to approve the solid waste changes as presented. **L. Nulty withdrew the motion. P. Stabler withdrew his second.**

Motion by P. Stabler, second by K. Spencer that we approve the changes to the Solid Waste Management Ordinance as presented in the packet with the changes as discussed at the meeting this evening.

Voting: Ayes: Charlotte- 1, Colchester -4, Essex Town-3, City of Essex Jct. -3, Hinesburg-1, Huntington-1, Jericho-2, Shelburne-2, South Burlington-5, Underhill-1: Nays: Westford-1, Williston-2, Abstentions: Winooski. Motion Carries: 23 to 3.

Final approved changes attached to this document.

- 5. FY 26 Proposed Budget** – S. Reeves introduced the Proposed FY 26 Budget and presented a PowerPoint, which reviewed all financials in summary and by program. The projected revenue is \$16,249,150, with total expenses at \$15,964,814. The three main revenue sources are the solid waste management fee, tipping fees and sale of material and expenses are led by materials management, payroll expenses, and equipment and fleet. She noted that expenses the majority of expenses as materials management and payroll expenses. Revenue is projected at a 1.8% increase over the FY 25 Budget and Expenses are down -0.7%. She compared the FY 26 to the FY 25 Budget and noted that expense are down 0.7% and revenue is up 1.8%.

S. Reeves reviewed the Operations Budgets and highlighted the following:

- MRF tip fee remaining at \$90/ton and has anticipated a modest increase in revenue from sales, budgeted revenue is \$97/ton.
- Hazardous Waste program budgeting a 5% increase from business waste revenue and included increased disposal costs.
- ORF tip fee remains at \$70/ton with increase costs for trash disposal, as a result of tariffs.
- DOC will increase small bag fee from \$3/13 gallon bag t \$4/18 gallon bag and increase to mattresses.
- Maintenance & Roll-Off has revenue from organics hauling program and increase expense for tire replacement schedule.

S.Reeves stated that Wages and Benefits are \$6,294,309, which is a 3.2% increase from FY 25 and includes 56.23 full-time equivalents, which is a decrease of .5 FTE and includes a 3.06% COLA.

- Property Management no longer includes revenue after the sale of Flynn Avenue.
- Biosolids – pass through program with four years remaining in current service agreement.

S. Reeves reviewed the Administration Budgets, which are relatively flat and highlighted the following:

- Administration: Added an HR Coordinator
- Compliance now includes 2 FTEs with additional costs budgeted for legal services with enforcement actions.
- Finance- increase in interest revenue of \$171,000 and decreased software costs.
- O&C – decreasing staffing by 1 FTE, increase to consulting costs.

S.Reeves summarized that the capital projects will include critical work of the MRF, the ORF concrete pad replacement, and maintenance hook truck. She noted the Reserve Fund Activity budget to net \$70,389 to reserve funds. She explained the SWMF increase of \$40/ton and that \$10 increase would go into SWM fee. She outlined the Reserve Fund Balance.

Motion by P. Stabler, second by K. Spencer to approve the FY 26 Proposed Budget.

Voting: Ayes: Charlotte- 1, Colchester -4, Essex Town-3, City of Essex Jct. -3, Hinesburg-1, Huntington-1, Shelburne-2, South Burlington-5, Underhill-1: Westford-1, Williston-2, Winooski-2.
Nay: 0 Abstentions: Jericho Motion Carries: 26 votes

8. Other Business – None.

CSWD will be meeting with cities/towns to review the Budget and board members are encouraged to attend their towns selectboard meeting.

Green Up Day is Saturday, May 3rd. Discussion was held on town programs.

9. ADJOURNMENT

MOTION by P. Stabler, SECOND by A. Nye, to adjourn the meeting. VOTING: All Ayes. Motion Carried.

The meeting was adjourned at 7:55P.M.

I agree that this is an original copy of minutes, and they have been approved by motion of the Board of Commissioners at the May 28, 2025, meeting held in South Burlington, VT.



Amy Jewell, Secretary/Treasurer

**CHITTENDEN SOLID WASTE DISTRICT
AMENDMENTS TO SOLID WASTE MANAGEMENT ORDINANCE**

The following amendments to the Chittenden Solid Waste District Solid Waste Management Ordinance were approved by the Board of Commissioners at a meeting held April 16, 2025.

Red type indicates additions or modifications.

Green type indicates provisions were moved.

Strike-out indicates deletions.

CSWD Solid Waste Management Ordinance, Amendments effective July 1, 2025:

ARTICLE II DEFINITIONS

Add:

ZZ. "Tipping Fees" shall mean the per unit fee charged on Waste received at waste management Facilities.

ARTICLE VIII SOLID WASTE MANAGEMENT FEE

8.1. Establishment. As provided in the District's Charter, Article I, CREATION AND POWERS, Section 5. POWERS, ~~In~~in order to provide for the efficient, economical, and environmentally sound Management and regulation of Solid Waste within the District and its member municipalities, there is hereby established a Solid Waste Management Fee. The Solid Waste Management Fee is imposed on all Solid Waste generated in the District including, but not limited to, Solid Waste that is collected for Disposal, however, only twenty-five percent (25%) of the fee shall be imposed on all of the 1) Solid Waste approved by the State for use as landfill daily cover and used as landfill daily cover at Facilities within or without the District and 2) construction and demolition debris fines, derived from the processing of mixed construction and demolition debris for Recycling, and processed concrete

contaminated with lead paint, when approved by the State for use in landfill site improvements. ~~The following categories of Solid Waste shall be exempt from the Solid Waste Management Fee: 1) Recyclables that are separated from other Solid Waste and recycled; 2) Compostables that are separated from other Solid Waste and Composted or anaerobically digested at Composting Facilities; 3) Biosolids; 4) nonlandfilled Untreated Wood; 5) Hazardous Waste and non-hazardous Solid Waste delivered to certified Hazardous Waste Facilities as defined in the Vermont Hazardous Waste Management Regulations; 6) Regulated Medical Waste delivered to certified Regulated Medical Waste treatment or Regulated Medical Waste Disposal Facilities; 7) Inert Materials, stumps, root masses, rotted wood, and animal carcasses delivered to certified categorical disposal Facilities; 8) Inert Materials approved by the District Executive Director that are used for landfill site improvements; and 9) screened municipal street sweepings, that are approved by the Vermont Agency of Natural Resources to be used in clean fill applications, as well as alternative daily landfill cover, when used as alternative daily landfill cover.~~ The Board of Commissioners may exempt or partially exempt other materials from the imposition of the Solid Waste Management Fee upon good cause shown. The Solid Waste Management Fee is also imposed on 1) any Solid Waste residues generated and collected in the District that are mixed with Recyclables and exceed ten percent (10%) of those Recyclables delivered to Recycling end market Facilities and 2) mixed Solid Waste used in the production of raw materials or products.

8.2. Exemptions. The following categories of Solid Waste shall be exempt from the Solid Waste Management Fee: 1) Recyclables that are separated from other Solid Waste and recycled; 2) Compostables that are separated from other Solid Waste and Composted or anaerobically digested at Composting Facilities; 3) Biosolids; 4) non-landfilled Untreated Wood; 5) Hazardous Waste and non-hazardous Solid Waste delivered to certified Hazardous Waste Facilities as defined in the Vermont Hazardous Waste Management Regulations; 6) Regulated Medical Waste delivered to certified Regulated Medical Waste treatment or Regulated Medical Waste Disposal Facilities; 7) Inert Materials, stumps, root masses, rotted wood, and animal carcasses delivered to certified categorical disposal Facilities; 8) Inert Materials approved by the District Executive Director that are used for landfill site improvements; and 9) screened municipal street sweepings, that are approved by the Vermont Agency of Natural Resources to be used in clean fill applications, as well as alternative daily landfill cover, when used as alternative daily landfill cover.

8.3. Purpose and Uses. The purpose of the Solid Waste Management Fee is to generate revenue to defray some or all of District costs other than those to be defrayed by the Tipping Fees, by the sale of goods, or by revenues, receipts and other income received by the District from District owned or operated solid waste management facilities. In establishing the annual budget the Board will include all or portions of the costs which it desires to defray by the Solid Waste Management Fee, which may include, but are not limited to: debt service (principal and interest), capital reserves, any portion of the costs of operation not being defrayed by the Tipping Fees, Special Waste programs, Recycling programs, educational programs, administration costs, and other District Facilities, programs, and service costs.

8.4. Amount of Fee. The Solid Waste Management Fee is Forty Dollars (\$40.00) per ton; the Solid Waste Management Fee is subject to change as follows: \$30 per ton.

The Solid Waste Management Fee shall be subject to annual adjustment in accordance with the budget appropriation procedures in Article IV of the District Charter. Adjustments to the fee shall be at the discretion of the Board when it is reviewing its annual financial position, and be determined by the Board which shall consider the Purpose and Uses of the Solid Waste Management Fee as identified in Section 8.3, and Consumer Price Indices as determined and published by the U.S. Bureau of Labor Statistics, referencing both the Northeast Urban Class B/C Consumer Price Index and the Garbage and Trash Index (or a reasonable equivalent index) for the twelve (12) month period immediately preceding January 1 of the current fiscal year. The proposed adjustment shall be calculated as of

January 1 for the subsequent fiscal year. The actual adjustment to the Solid Waste Management Fee shall be set forth in the final annual budget that is approved by the Board for adoption.

All fee adjustments shall become effective on July 1 of the same calendar year in which the calculation is made, and as set forth in the adopted budget.

8.35. Waiver of the Solid Waste Management Fee. For good cause shown, the District Executive Board may waive or partially waive the imposition of the Solid Waste Management Fee to provide economic incentives to comply with the provisions of this Ordinance, any other ordinance or regulations adopted by the District, District policies, or to reduce the cost of alleviating a specific environmental hazard.

8.46. Weighing. The District shall license one or more Scales for determining the weight of Solid Waste collected within the District for Disposal within or without the District. Any Person required to obtain a Hauler's License and any Self-Hauler delivering Solid Waste to a Transfer/Disposal Facility shall cause any vehicle that has been or is being used to collect any such Solid Waste to be weighed on a District-licensed Scale. Weighings at any District-licensed Scale shall be performed: 1) before any Solid Waste is removed from such vehicle at a Transfer/Disposal Facility of any kind, either within or without the District, and 2) when such vehicle is empty. In the event weighing of a vehicle is performed at other than a Transfer/Disposal Facility for the Solid Waste in such vehicle, the average tare weight of the vehicle may be used in lieu of actual weighing of the empty vehicle upon approval of the Executive Director. It is presumed that all Solid Waste in every such vehicle was generated within the District. The owner or operator of each such vehicle shall have the burden to demonstrate to the District, by a preponderance of the evidence, that any Solid Waste in any such vehicle was generated outside of the District. If weighing facilities are not readily available, or upon a showing of undue burden, a Hauler may request the approval of the District to pay the Solid Waste Management Fee based upon the estimated weight of Solid Waste such Hauler will collect within the District. Such request shall be made in a License application or an amendment to an existing License. Estimated weights shall be based upon information and evidence reasonably satisfactory to the District and shall be valid for no longer than one (1) year, or such shorter period of time as the District may designate. If weighing facilities are not readily available, or if an undue burden would be imposed on the Hauler, the District Executive Director may authorize the Hauler to use estimated weights for specific and isolated loads of Solid Waste for purposes of calculating the Solid Waste Management Fee due the District.

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