

APPROVED

**CHITTENDEN SOLID WASTE DISTRICT
EXECUTIVE BOARD MINUTES
VIA ZOOM & CSWD Administrative Office
June 16, 2025**

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

OTHER BOARD MEMBERS: Margie Wiener

CSWD STAFF PRESENT: Sarah Reeves, Amy Jewell, Joey Catania, Ethan Hausman, John Balparda, Thomas Melloni (General Counsel)

PUBLIC PRESENT:

AGENDA ITEMS:

1. Agenda
2. Public Comment Period
3. Consent Agenda – 4/15/2025 minutes
4. Notice Of Violation for Unlawful Conduct
5. Executive Session – Personnel
6. Other Business
7. Adjourn

Paul Ruess called the meeting to order at 5:00 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. Notice of Violation unlawful conduct – Lighthouse Restaurant and Lounge

J. Catania explained that this is the second Notice of Violation that has been sent to the Lighthouse. On April 16, 2025, a proposed order was issued to the Lighthouse for failure to separate and divert food waste. The proposed order found the Lighthouse to have committed unlawful conduct by violating Sections 3.8 and 3.9 of the Solid Waste Management Ordinance (SWMO) and required the lighthouse to come into compliance with CSWD's SWMO and submit a corrective action plan to staff within 15 days of that proposed order as of the date of this memo. He noted that as of today no corrective action plan has been submitted to staff, despite several attempt. J. Catania outlined the process compliance used to determine proof of the violations and outlined the various financial penalties that the Executive Board can decide on. He noted that staff recommends an \$800 per violation fine for the two violations totaling \$1,600 and that staff is not pursuing the daily continuing of civil penalties P. Ruess asked if they had been invited to attend a public hearing. J. Catania stated that they were invited and did not respond. K. Spencer asked how we communicated with them. E. Hausman said that they have responded to e-mail and confirmed that we have the correct mailing address when sending by mail. P.

Stabler asked if there was any communication. A. Jewell noted that they e-mailed on April 17, 2025, that there is a composting tote onsite. J. Catania noted that it could be the Hampton Inn's tote and Outreach is working with the Hampton Inn to be sure they are in compliance.

It was noted that it is not necessary for a motion to go into deliberative session, but the motion can be made. P. Ruess said he prefers the motion be made.

Motion by P. Stabler, Second by A. Nye, to move that the Executive Board and its Counsel go into executive session to discuss the pending civil violation where premature public knowledge may put either the District or the respondent involved at a substantial disadvantage, and further, that the Executive Board may discuss records prepared for deliberations by the Executive Board in its capacity as acting in a judicial or quasi-judicial capacity, such records being exempt from public inspection and copying. VOTING: All Ayes, Motion Carries.

The Executive Board entered Deliberate Executive Session at 5:10 p.m.

MOTION by P. Stabler, seconded by A. Nye, to exit deliberate session at 5:18 p.m. Motion carries.

P. Ruess stated that the Executive Board has met in its Executive Deliberative Session to consider the Notice of Violation for unlawful conduct, and announced the decision of the Executive Board:

The Executive Board has determined that unlawful conduct has occurred in violation of the Solid Waste Management Ordinance sections 3.8 and 3.9, and that the Executive Board imposes a civil penalty of \$800 per violation for a total civil penalty of \$1,600. The Executive Board further requires that the Lighthouse must come into compliance with all Solid Waste Management Ordinance requirements, submit a corrective action plan as defined by CSWD staff, and allow for a scheduled onsite review of the implemented corrective action plan with CSWD staff and the Lighthouse management within 15 days of receipt of the proposed order and as Chair Paul Ruess will issue a written proposed order within the next 7 days.

That is the determination of the Executive Board. No further action is required on this matter.

Agenda #5. Executive Session – Personnel Matters

MOTION that the Executive Board of the Chittenden Solid Waste District go into Executive Session to discuss personnel matters, 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 to permit authorized staff, and other invited interested parties to be present for this session.

The Board entered Executive Session at 5:20 p.m.

Motion by P. Stabler, Second by A. Nye to adjourn the Executive Session and reconvene the meeting. VOTING: unanimous; motion carried.

The Board exited Executive Session at 5:53 p.m.

#6. Other Business - No other business was discussed.

#7. Adjournment - Motion by P. Stabler, Second by A. Nye to adjourn the meeting.

The meeting was adjourned at 5:54 p.m.

I agree that this is an original copy of minutes, and they have been approved by the Executive Board at the July 21, 2025 meeting held in South Burlington.

Amy Jewell

Amy Jewell, Recording Secretary