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**APPROVED**

**CHITTENDEN SOLID WASTE DISTRICT  
EXECUTIVE BOARD MINUTES  
VIA ZOOM & CSWD Administrative Office  
August 18, 2025**

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

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

**PUBLIC PRESENT:**

**AGENDA ITEMS:**

1. Agenda
2. Public Comment Period
3. Consent Agenda – 7/20/2025 minutes
4. Public Hearing - Notice Of Violation for Unlawful Conduct
  - a. Spanked Puppy Restaurant, Colchester
  - b. Burnett Scrap Metal, LLC, Hinesburg
  - c. Acker Waste Management, LLC, Williston
5. Other Business
6. Adjourn

**Paul Ruess called the meeting to order at 4:05 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 for Unlawful Conduct – Spanked Puppy Restaurant**

**A. Spanked Puppy Restaurant, Colchester**

Chair P. Ruess reviewed the public hearing process. E. Hausman reviewed the Notice of Violation issued to the Spanked Puppy Restaurant. He explained that CSWD Outreach staff was aware there was no comprehensive food waste diversion program in place, they were nonresponsive to Outreach in August and September of 2024 and was referred to Compliance in September 2024. Compliance reached out and also received no response. He did note that in January 2025 a food waste tote was seen onsite but was not being serviced frequently enough for the amount of food generated and Mr. Tomlinson was non-responsive. Since then, the organics tote has been removed. E. Hausman concluded that, based on CSWD having received no Corrective Action Plan nor other communication from the Spanked Puppy about steps taken to come into compliance, staff recommends a total possible fine of \$800.

T. Tomlinson acknowledged responsibility and said he did not give this the attention deserved. He said that he has contacted his hauler, will have food totes delivered this week, and is becoming fluent in the law. He assured that weekly pickup is implemented. He noted prior systems in place for delivering to a farm, but that market is no longer available. He asked for leniency on the fines and noted this attorney suggested requesting 60-days to come into compliance, but they have already changed how they are doing things and new systems are in place. J. Catania said that he stopped by today and a food tote was not in the trash/recycling area. T. Tomlinson explained the location of the tote to be near the back door for scraping plates and food prep and then is moved after closing.

E. Hausman said that with this information, and the steps taken to come into compliance, CSWD is prepared to reduce the fine to 25%, for a total of \$400.

A. Nye asked about the guidance that Outreach provides and how businesses are informed about what is required in a Corrective Action Plan. J. Catania said that Gabby Stevens provides materials from CSWD that outline what is required and offers assistance setting up the program. E. Hausman and J. Catania also noted that, in this case, the Spanked Puppy was emailed instructions about what needed to be included in a Corrective Action Plan in response to an email from T. Tomlinson.

**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 4:25 p.m.

**MOTION by P. Stabler, seconded by A. Nye, to exit deliberate session at 4:55 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 \$200 per violation for a total civil penalty of \$400.00. The Executive Board further requires that the Spanked Puppy 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 30 days of receipt of the proposed order and as Chair Paul Ruess will issue a written proposed order within the next 30 days.**

P. Ruess said that this is the determination of the Executive Board. No further action is required on this matter.

**B. Burnett Scrap Metal, LLC, Hinesburg**

E. Hausman said that Burnett Scrap Metal missed the hauler license application deadline of June 19, 2025, and CSWD issued a NOV on August 1, 2025. Chris Burnett submitted the haulers application as of

August 12, 2025, and they are now in compliance. CSWD has no history of previous compliance issues with Burnett and recommends waiving the fee with the understanding that the 8/1/2025 NOV be taken into consideration as part of the compliance history in the event there they fail to meet future hauler licensing requirements for FY 27, or is otherwise the subject of future enforcement action.

P. Ruess stated that no further action is necessary at this time.

**C. Acker Waste Management, LLC, Williston**

E. Hausman said that Acker Waste Management missed the hauler license application deadline of June 19, 2025, and CSWD issued a NOV on August 1, 2025. They did submit the haulers application as of August 14, 2025, and they are now in compliance. Although Acker was previously late renewing their hauler license for FY25, CSWD recommends waiving the fee with the understanding that the 8/1/2025 NOV be taken into consideration as part of the compliance history in the event there they fail to meet future hauler licensing requirements for FY 27, or is otherwise the subject of future enforcement action.

P. Ruess stated that no further action is necessary at this time.

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

**#5. 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 5:03 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.

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Amy Jewell, Recording Secretary