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DRAFT

**CHITTENDEN SOLID WASTE DISTRICT
EXECUTIVE BOARD MINUTES
CSWD Administrative Office & Via Zoom
December 8, 2025**

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

OTHER BOARD MEMBERS: Betsy Paret, Margy Wiener

CSWD STAFF PRESENT: Sarah Reeves, Jen Holliday, Becky Johnston

INVITED GUESTS: Thomas Melloni (General Counsel)

PUBLIC PRESENT: Kelton Bogasky

AGENDA ITEMS:

1. Agenda
2. Public Comment Period
3. Consent Agenda
4. Ordinance Change Review
5. Personnel Rules Change Review
6. Executive Session – Legal Issues
7. Other Business
8. 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 members of the public present elected to address the Executive Board.

Agenda #3. Consent Agenda – Accepted as presented.

Agenda #4 & #5 (Combined for discussion). Ordinance Change Review & Personnel Rules Change Review

S. Reeves introduced the topics for information and discussion only. Ordinance change requests and personnel rules changes will be brought to the full Board of Commissioners in January. Two ordinance changes will be proposed:

(1) Close loophole for multi-residential housing units to co-locate collection receptacles for trash, recycling, and food scraps together and to be reasonably close to the housing units.

(2) Update hauler requirements section to reflect current practice of using an annual decal system that is no longer tied to a specific sticker number.

L. Perry asked what the minimum number of multi-residential housing units is that fall under the ordinance requirements. S. Reeves responded that she believed the number was five but would confirm. T. Melloni confirmed the number was five. L. Perry also asked for the minimum number of containers per property. S. Reeves stated that the minimum number of containers needs to allow for full residential participation.

P. Ruess stated that the impetus for the ordinance change is to close a loophole where a landlord provided food scrap collection for their tenants, but the collection container was located at the landlord's administrative office which was over a mile away from the residence potentially creating a disincentive for the residents to recycle food scraps.

S. Reeves reviewed the proposed changes to CSWD's Personnel Rules and Regulations. Three changes will be proposed that:

- (1) Clarify that overtime for full-time non-exempt employees who work for the District in multiple roles in different departments will have their overtime calculated at a blended rate (full-time rate and part-time rate).
- (2) Change the compensatory time calculation for exempt employees to allow for compensatory time to accrue after working forty hours in a work week.
- (3) Add a new paragraph to Section 4 to define CSWD as an employee's primary employment and to specify that outside employment shouldn't interfere with the employee's CSWD duties, create a conflict with District policies and goals, or constitute a conflict of interest with the District.

Overtime

S. Reeves stated that the District received guidance from the Vermont League of Cities and Towns (VLCT) many years ago about calculating overtime and the District's practice needs to be updated to reflect current laws. P. Ruess asked how the rate would be calculated. S. Reeves answered that of the total hours worked in a single work week any hours in excess of 40 hours would be calculated using a weighted average rate of the full-time hourly rate and the part-time hourly rate. This is only needed for employees working a regularly scheduled part-time position that is in addition to their regularly scheduled full-time position. This change does not apply to full-time employees that may occasionally volunteer to fill in at a Drop Off Center (DOC) or a Rover event, for example.

K. Spencer and M. Wiener expressed concern that the District may not be following employment regulations for calculating overtime. S. Reeves suggested that specific questions be addressed in Executive Session to guard against inadvertently discussing specific personnel in open session. T. Melloni concurred.

Compensatory Time

S. Reeves explained why the Board should consider changing how compensatory time is calculated for exempt employees. Currently, exempt employees do not begin to accrue compensatory time until they have worked 45 hours in a work week even though according to their job offer letters state the normal work week as 40 hours. P. Ruess asked if there were financial ramifications to the change. S. Reeves responded that salaried employees are paid the same amount each pay period, regardless of the hours worked. A. Nye asked if employees that attend Board meetings have been asked to attend by supervisors. S. Reeves replied that generally when an employee attends a Board meeting it is because they have an item on the agenda that they need to speak to, and nearly all employees at Board meetings are exempt employees, however there are exceptions where non-exempt employees are asked to attend a Board meeting without an item to be addressed on the agenda. For example, B.

Johnston regularly attends Board meetings so that she can keep the public session open while the Board moves to meet in an Executive Session. If these additional hours create work totaling more than 40 hours, she is paid overtime. S. Reeves is recommending that exempt employees be permitted to earn compensatory time after working 40 hours in a normal work week.

Outside Employment

S. Reeves recommended adding a new paragraph to the Personnel Rules and Regulations to address outside employment. The language is broad to not unduly restrict employees seeking outside employment opportunities. P. Ruess noted this could be thorny and asked if there would be a requirement to disclose a second job. S. Reeves said no. This change is to prevent potential problems and was raised by a manager. L. Perry stated that the City of Burlington has similar language in their personnel policy regarding second jobs.

#6. Executive Session – Legal Issues

P. Ruess asked for a motion to proceed to Executive Session.

Motion that the Executive Board of Commissioners of the Chittenden Solid Waste District go into Executive Session to discuss ongoing and pending litigation and 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 staff and the Solid Waste District Attorney to be present for this session.

Moved by A. Nye, second by P. Stabler. Motion carried. The Executive Board entered Executive Session at 5:35 p.m.

At 5:53 p.m., a motion to exit Executive Session was made by A. Nye, seconded by P. Stabler. Motion carried.

#7. Other Business

P. Ruess asked if there was any other business. P. Stabler asked for an update on the new Materials Recycling Facility (MRF) project and asked if forms have been put up or foundation poured? S. Reeves responded no. Staff is waiting for one last permit from the Town.

#8. Adjournment

Motion by P. Stabler, second by A. Nye to adjourn the meeting. Motion carried. 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 December 8, 202, meeting held in South Burlington.

Betsy Paret, Assistant Secretary