

APPROVED
CHITTENDEN SOLID WASTE DISTRICT
ZOOM MEETING
June 22, 2022

PRESENT

BOARD MEMBERS:

Bolton	-----
Burlington	Lee Perry
Colchester	Liz Hamlin Volz
Essex	Alan Nye
Essex Junction	Alan Nye
Hinesburg	Rick McCraw
Huntington	-----
Jericho	Leslie Nulty
	Tom Joslin, alt.
Milton	Henry Bonges
Richmond	-----
Shelburne	Tim Loucks
So. Burlington	Paul Stabler
Underhill	Paul Ruess
	Dan Steinbauer, alt.
Westford	Katie Frederick
Williston	Kelton Bogasky
Winooski	Bryn Oakleaf
	Dr. Ron Stotyn, alt.

STAFF:

Sarah Reeves
Amy Jewell
Jen Holliday
Nola Ricci
Michele Morris
Josh Estey
Jeannine McCrumb
Jon Dorwart

OTHERS PRESENT:

Thomas Melloni, Esq.
Mike Casella, Casella Waste Systems
Tim Langlois, Casella Waste Systems
Kelsey McWilliams, Waste-d.com (Burlington)

AGENDA:

1. Agenda
 2. Public Comment Period
 3. Consent Agenda
 4. FY22 Financials
 5. Personnel Rules & Regulations
 6. Solid Waste Management Ordinance
 7. Executive Session
 8. Other Business
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1.0 CALL TO ORDER and AGENDA

Chair Paul Ruess called the Organizational meeting to order at 7:10 pm. The agenda is accepted as presented.

2.0 PUBLIC COMMENT PERIOD

None

3.0 CONSENT AGENDA

The consent agenda was accepted, with the exception of the Executive Director Update, which was removed upon request by P. Ruess. L. Nulty had an additional comment on the Program Update, which will be addressed during S. Reeves's presentation on the Executive Director update.

S. Reeves gave a brief discussion on her Update, including Board email sign ups (all communication will be going to these emails starting in July), bidding updates, requests for the MRF bond vote to be included on their ballot, and recent news articles regarding the MRF projects.

Discussion is held on the decrease of tons of food scraps dropped off at Green Mountain Compost; which is the result of the Casella de-packaging operation. B. Oakleaf adds an additional comment, making note on the moratorium of de-packaging; as a result of the State's legislation to study the effects of de-packaging. Study process to begin in July.

MOTION to accept the Executive Director Update made by Leslie Nulty, seconded by Lee Perry.
VOTING: unanimous; motion passes, and Executive Director Update is accepted as presented and explained.

4.0 FY22 FINANCIALS

N. Ricci provides a presentation reviewing the materials she distributed highlighting the details of the Financials from Quarter 1 to Quarter 3 of FY22. Discussion follows to clarify some financial details – including sale of materials,

which was not included on the slide but was presented verbally (234% over budget) and year to date ACR; and the overall good status of the finances and reserves of FY22. No action was required by the Board, and further information regarding end of year financials will be discussed at a later date.

5.0 PERSONNEL RULES AND REGULATIONS

5.0 a: A Jewell presents the recommended changes to the Personnel Policy to the Board. Changes to the Policy derived from recommendations from the Ad-Hoc Total Compensation Committee, and the Total Compensation Policy. Changes include the change of life insurance from one to two times a staff person's annual salary; moving from a one year to a six-month waiting period for retirement; and a change in vacation practice, which reduces carry over from two times to a one time.

BE IT RESOLVED that the Board of Commissioners approves the proposed changes to CSWD's Personnel Rules and Regulations as presented. MOTION to approve by K. Bogasky; P. Stabler seconds. VOTING: Unanimous, motion passed, and changes accepted.

5.0 b: A second change to Personnel Policy is discussed. This change was recommended by the Ad-Hoc Committee and Gallagher Flynn Study and will reduce vacation carryover year to year from 2x the accrual rate to 1x the accrual rate. This is a onetime request for a payout for the five staff who need it.

BE IT RESOLVED that the Board of Commissioners of the Chittenden Solid Waste District authorizes the Executive Director to distribute a one-time payout of vacation to five employees, for an amount not to exceed \$43,935.68. MOTION by P. Stabler, second by L. Nulty. VOTING: unanimous; motion passed, and changes accepted.

Discussion was held on the staff reception to this change; while the change did not come from staff, staff were receptive and had the chance to either take the vacation time or accept the buy-out.

6.0 SOLID WASTE MANAGEMENT ORDINANCE

J. Estey gives a presentation on the proposed amendments to be voted on and provides an overview on next steps following the vote tonight. Following the presentation, discussion is held on sections removed for follow up comments from the Board.

BE IT RESOLVED THAT the Board of Commissioners ADOPTS the SWMO Ordinance Amendments as presented, except for the proposed amendments in the following sections: 2.1.F; 2.1.R; 2.1.PP; 3.10; 3.14; 4.8.A; 4.8.C; 4.8.F; 4.8.I; 4.8.J; 4.13. MOTION by Paul Stabler, second by Rick McCraw. VOTING: one no; remaining Ayes and motion carries.

Discussion follows on the amendments that were not accepted. For 2.1.F, there was discussion on the scope of the amendment and its enforcement.

Be it resolved that the Board of Commissioners accepts the amendment 2.1.F as presented. MOTION by L. Nulty, second by P. Stabler. VOTING: unanimous; motion passes.

Amendment discussion on 2.1.R; with a question as to why the specific focus on meat products. This will relate to home compost and state restrictions on composting meat products.

Be it resolved that the Board of Commissioners accepts the amendment 2.1.R as presented. MOTION by A. Nye, second by P. Stabler. VOTING: unanimous; motion passes.

Amendment discussion on 2.1.PP; question regarding separating items in this structure and the relation of this structure to state regulations. The recommendation is to leave this structure to avoid confusion. Clarification on what materials this ordinance addresses-both legacy, current, and future materials (re: fluorescent tubes with mercury).

Be it resolved that the Board of Commissioners accepts the amendment 2.1.PP as presented. MOTION by P. Stabler, second by L. Nulty. VOTING: unanimous; motion passes.

Discussion on logistics and feasibility for providing structure to managers in amendment 3.10, with a recommendation for active over passive information sharing. Defers to staff recommendations.

Be it resolved that the Board of Commissioners accepts the amendment 3.10 as presented. MOTION by P. Stabler; second by R. McCraw. VOTING: one nay; all other Ayes. Motion passes.

Discussion is held on Amendment 3.14 re change of list in hazardous waste materials from this amendment to another list in 2.1.P. Staff are comfortable removing this second list and keeping the first, but J. Estey clarifies that the list in this amendment refers to the list of state accepted items. Other materials are discussed, including sheet rock. Clarification between CSWD and state ordinances were noted.

This amendment will not be accepted today.

Discussion was held on 4.8.A; a new proposed change that reflects better how the state treats hauler decal licenses. Staff believes general community and haulers will not have an issue getting only one sticker.

Be it resolved that the Board of Commissioners accepts the amendment 4.8.A as presented. MOTION by L. Nulty; second by L. Perry. VOTING: unanimous Ayes. Motion passes.

Discussion was held on 4.8.C regarding questions from Casella and Myers regarding what is enforceable or what might be aggressively burdensome. Regarding this section, questions of reporting came up and why this section was objectionable to haulers. Staff clarify the process of adding this amendment, found that CSWD is within its regulatory rights.

Be it resolved that the Board of Commissioners accepts the amendment 4.8.C as presented. MOTION by L. Nulty; second by P. Stabler. VOTING: unanimous Ayes, with K. Bogasky abstaining. Motion passes.

Discussion was held on 4.8.F, with a question on changes to the wording that might be controversial; but staff notes that no changes are being proposed to this section. There is a recommendation for staff to not mandate collection frequencies, with disagreement from other Board members. Vote was only for changing the word “customers’ to “Generators”.

Be it resolved that the Board of Commissioners accepts the amendment 4.8.F as recommended by staff. MOTION by B. Oakleaf; second by L. Perry. VOTING: unanimous Ayes. Motion passes.

Discussion was held on 4.8.I on whether the language used is a standard for solid-waste management districts, or if it could be unduly burdensome. S. Reeves clarifies the change, the addition of a definition which resulted from Act 250, which requires the change.

Be it resolved that the Board of Commissioners accepts the amendment 4.8.I as recommended by staff. MOTION by P. Stabler; second by A. Nye. VOTING: unanimous Ayes, with K. Bogasky abstaining. Motion passes.

Discussion was held on 4.8.J; issues regarding color of hauler containers. This has been removed from consideration, but the amended section is being voted on. The lid color discussion was updated, which aligns with state regulations. Further discussion is held on what burden this change might create for haulers; for example, Myers would have to change their lid cover after a lengthy grace period. goal of this change is to reduce confusion on consumers; T. Loucks requests numerical values of material changed and a question of focus on the wrong things.

Language clarification questions are discussed, noting that changes noted on Board packet 74 would amend the language. A no vote would get rid of the color requirement and just keep the labeling.

Be it resolved that the Board of Commissioners accepts the amendment 4.8.J as recommended by staff. MOTION by P. Stabler; second by L. Nulty. VOTING: Ayes, “no” votes. with K. Bogasky and T. Loucks abstaining. This motion fails to pass.

Discussion was held on amendment 4.13; due to a concern that the proposed change in language weakens the protection of health and safety of the workers. Staff disagrees with this, believes this sentence being removed was redundant. Additional discussion regarding a disagreement with a facility retaining the whole fee in this amendment was also held, due to concern about oversight.

Be it resolved that the Board of Commissioners adopts the Solid Waste Management Amendment as recommended in section 4.13. MOTION by P. Stabler; second by R. McCraw. VOTING: 2 Ayes; remaining Nos. This motion fails to pass.

7.0 EXECUTIVE SESSION

None

8.0 ADJOURNMENT

MOTION by K. Bogasky to adjourn the meeting; second by P. Stabler. **VOTING:** unanimous; motion carried.

The meeting was adjourned at 9:50 PM.

Amy Jewell

Becky Johnston, Recording Secretary

I agree that this is an original copy of minutes and they have been approved by motion of the Board of Commissioners at the 08/24/22 meeting held in Williston.

Amy Jewell

Amy Jewell, Secretary