

**UNAPPROVED**  
**CHITTENDEN SOLID WASTE DISTRICT**  
**WILLISTON TOWN HALL**  
**WILLISTON, VERMONT**  
**May 27, 2020**

**Meeting held via teleconference.**

**PRESENT**

|                       |                |                  |
|-----------------------|----------------|------------------|
| <b>BOARD MEMBERS:</b> | Bolton         | Duncan Galbraith |
|                       | Burlington     | Lee Perry        |
|                       | Charlotte      | Abby Foulk       |
|                       | Colchester     | Tim Moran        |
|                       | Essex          | Alan Nye         |
|                       | Essex Junction | Alan Nye         |
|                       | Hinesburg      | Doug Taff        |
|                       | Huntington     | Roman Livak      |
|                       | Jericho        | Leslie Nulty     |
|                       | Milton         | -----            |
|                       | Richmond       | Logan Hegg       |
|                       | Shelburne      | Tim Loucks       |
|                       | So. Burlington | Paul Stabler     |
|                       | St. George     | -----            |
|                       | Underhill      | Paul Ruess       |
|                       | Westford       | Michelle DaVia   |
|                       | Williston      | Jeremy Hulsey    |
|                       | Winooski       | Bryn Oakleaf     |

|               |                   |
|---------------|-------------------|
| <b>STAFF:</b> | Sarah Reeves      |
|               | Amy Jewell        |
|               | Dan Goossen       |
|               | Jennifer Getty    |
|               | Josh Estey        |
|               | Jennifer Holliday |
|               | Michele Morris    |
|               | Jon Dorwart       |
|               | Josh Tyler        |
|               | Nancy Plunkett    |

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|------------------------|---------------------------------------|
| <b>OTHERS PRESENT:</b> | Thomas Melloni, Paul, Frank & Collins |
|                        | Ken Spencer                           |

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| <b>AGENDA:</b> | 1. | Call to Order         |
|                | 2. | Agenda                |
|                | 3. | Public Comment Period |
|                | 4. | FY21 Budget Adoption  |

5. Board Operating Norms
  6. Executive Session: Legal and Personnel Matters
  7. Other Business
  8. Adjournment
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**1. CALL TO ORDER**

Chair Michelle DaVia called the teleconference meeting to order at 6 PM.

**2. AGENDA**

There were no changes to the agenda.

**3. PUBLIC COMMENT PERIOD**

There were no comments from the public.

**4. FY21 BUDGET ADOPTION**

Sarah Reeves presented the FY21 budget, explaining the budget represents the best understanding of where the District is right now and where it is anticipated to be in the next few months. The budget will need constant monitoring and potential adjustment. The Board will be kept updated. The assumptions in the budget are conservative and reflect reduction in waste across all sectors (residential, commercial, industrial, institutional) though the residential sector did not decrease as much as was anticipated. Main revenue sources for CSWD are the solid waste management fee (SWMF), user fees (tip fees), and material sales. Anticipated revenue shown in the FY21 budget will be 3.5% lower than FY20 budget estimates. Conservative estimates were used for tonnages. The flat fee implemented in March will be maintained at the DOCs for the foreseeable future. FY21 budget expenses are lower than initially planned due to cuts made to the early budget estimates (e.g., not filling vacancies and reducing hours for seasonal staff, advertising cuts, reduction in transportation costs, travel, training, and mileage costs, and postponing database development, capital program costs and deferrals). The budget shows increased expenses in hauling costs (moving materials), salaries and benefits, and administrative costs. The bottom line is expected revenues of \$12 million and expenditures of \$11.8 million; there is a small anticipated budget shortfall of \$80,500 which will be covered by a transfer from the SWMF Rate Stabilization Fund.

There was discussion of the following:

- Holding the SWMF amount for a long time period but increasing tip fees – Staff explained the MRF and DOC fees cover the cost to run these facilities. SWMF is for CSWD operations. The Board made a decision several years ago to do a substantial increase in the SWMF and hold that for a minimum of five years. Due to excess revenue received from SWMF, those excess funds were transferred to the SWMF rate stabilization fund to be used in future years to stave off an increase to the SWMF.
- Increasing the flat fee at the DOCs – Staff said the move is away from dealing with coins so if cash is continued then the fee amount will be rounded up or down to the nearest dollar. Credit card acceptance is being fast-tracked at the DOCs.

- Increasing the MRF tip fee – Staff indicated the \$80 fee is the amount needed to pay bills and put money aside for capital. The \$80 fee covers fluctuation of the average commodity revenue. As long as the ACR stays at or above \$30/ton, the tip fee of \$80/ton is adequate to meet the MRF needs.
- Recycling container grants – Staff confirmed the grants have been eliminated in the FY21 budget. The Community Clean Up Fund has not been cut. Staff will send each town their balance in the fund.
- Overhead costs – Staff explained administrative services and staff time provided are budgeted to the programs as appropriate, however certain programs use administrative, outreach, education, and compliance services that are not specifically allocated as part of the program’s budget. The MRF, Biosolids, and Closed Landfill programs do not rely on the use of solid waste management fees to fund their programs, and yet all use varying amounts of staff time. These three programs contributed a portion of their budgets (10%, 1%, 1% respectively) towards overhead costs.
- Balance in Post-Closure Landfill Fund – Staff noted the final number is fluid. Direction is needed from ANR on what happens beyond Year 29 of the 30-year post-closure commitment. A good assumption is additional funds will be needed for landfill closure long term planning.
- Borrowing from the SWMF – Staff stated this is the first time that the balance has been tapped to cover a shortfall in the budget but noted that the fund is healthy. There was caution noted that using the rate stabilization funds to cover budget shortfalls should not become routine.

**MOTION by Leslie Nulty, SECOND by Alan Nye, to accept the FY21 budget as presented by the Executive Director.**

**DISCUSSION:**

- **There was mention of the two new loaders included in the capital expenditures, one for the MRF and one for Organics, and whether consideration was given to a capital lease for these types of purchases.**
- **Leslie Nulty urged having a discussion of how much cash to pay now for which capital acquisitions and which can be postponed.**

**VOTING by roll call: Bolton – aye, Burlington – aye, Charlotte – aye, Colchester – aye, Essex Town – aye, Essex Jct. – aye, Hinesburg – aye, Huntington – aye, Jericho – aye, Richmond – aye, Shelburne – aye, So. Burlington – aye, Underhill – aye, Westford – aye, Williston – aye, Winooski – aye; motion carried.**

The Finance Committee and staff were commended for the budget brought forth under difficult circumstances. Budget presentations to member towns will begin.

**5. BOARD OPERATING NORMS**

Michelle DaVia stated endnotes have been added to the document to show how the rules are authorized (most are from Roberts Rules or the CSWD charter). It would be helpful to have agreement on codifying the rules.

Paul Ruess suggested clarification to Item #8 under “General Organization of the Board” by inserting “the committee’s” before “commissioners are present” so it is clear that 50% of the commissioners assigned to the committee are present to take action.

Alan Nye observed expenditures by the commissioners is not included.

Leslie Nulty commented that a proper set of bylaws to govern operations would cover expenditures. Most of the wording in the document mirrors the charter language which is very vague and out of date. A future agenda item should be about convening a bylaw committee to craft a modern set of bylaws that would govern conduct by the Board. The operating norms document and the memo creating the charge of the Finance Committee could be incorporated into the bylaws. Michelle DaVia assured the intent is that there be a foundational document which is the first step to lead to bylaws. The June Board meeting is the annual organizational meeting and the bylaws can be addressed then.

Logan Hegg asked how the operating norms will move the Board forward to be more thoughtful and efficient. Michelle DaVia said the operating norms will give structure to the Board and assure order and following a process.

Paul Reuss made a motion to adopt the rules to regulate the Board meetings with the intent to develop bylaws and get more process. The motion was not seconded. Michelle DaVia reiterated bylaws will be added to the agenda for the June meeting.

**6. EXECUTIVE SESSION: Legal and Personnel Matters**

**MOTION by Alan Nye, SECOND by Paul Stabler, that the Board of Commissioners of the Chittenden Solid Waste District go into Executive Session to discuss ongoing and pending litigation and to discuss personnel issues 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 the CSWD Executive Director, Sarah Reeves, and the CSWD attorney, Thomas Melloni, to be present for this session. VOTING: unanimous; motion carried.**

Executive Session was convened at 7:42 PM.

**MOTION by Leslie Nulty, SECOND by Alan Nye, to adjourn Executive Session and reconvene the regular meeting. VOTING: unanimous; motion carried.**

Executive Session was adjourned, and the regular meeting reconvened at 8:28 PM.

*ACTION FOLLOWING EXECUTIVE SESSION*

**MOTION by Leslie Nulty, SECOND by Paul Stabler, be it resolved that CSWD will engage in mediation services to resolve the Notice of Alleged Violation issued by the Agency of Natural Resources regarding the District’s use of processed glass aggregate. VOTING: unanimous; motion carried.**

**7. OTHER BUSINESS**

None.

**8. ADJOURNMENT**

**MOTION** by Bryn Oakleaf, **SECOND** by Alan Nye, to adjourn the meeting.

**VOTING: unanimous; motion carried.**

The meeting was adjourned at 8:30 PM.

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M.E. Riordan, 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 meeting held in Williston.*

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*Amy Jewell, Secretary*