

APPROVED
CHITTENDEN SOLID WASTE DISTRICT
WILLISTON TOWN HALL
WILLISTON, VERMONT
September 25, 2019

PRESENT

BOARD MEMBERS:

| | |
|----------------|---------------------|
| Bolton | Duncan Galbraith |
| Burlington | Lee Perry |
| Charlotte | Abby Foulk |
| Colchester | ----- |
| Essex | Alan Nye |
| Essex Junction | Alan Nye |
| Hinesburg | Doug Taff, alt. |
| Huntington | ----- |
| Jericho | Bert Lindholm, alt. |
| Milton | ----- |
| Richmond | Logan Hegg |
| Shelburne | Tim Loucks |
| So. Burlington | Paul Stabler |
| St. George | ----- |
| Underhill | Paul Ruess |
| Westford | Michelle DaVia |
| Williston | Caylin McCamp, alt. |
| Winooski | Bryn Oakleaf |

STAFF:

Sarah Reeves
Penley Danles
Amy Jewell
Nancy Plunkett
Michele Morris
Josh Estey
Jen Holliday
Josh Tyler
Dan Goossen
Lauren Layn

OTHERS PRESENT:

Thomas Melloni, Paul Frank & Collins
Mike Casella, Casella Waste Management
Renae Marshall, Hinesburg Town Administrator
Merrily Lorell, Hinesburg Selectboard

-
- AGENDA:**
1. Call to Order & Agenda
 2. Public Comment
 3. Consent Agenda
 4. Community Clean Up Fund Revised Guidelines
 5. Presentation: FY19 Unaudited Financials

6. Revised Finance Committee Charge
 7. Expanded Casella Transfer Station Processes in CSWD SWIP
 8. Bottle Bill Discussion
 9. Hinesburg DOC Construction Contract
 10. Other Business
 11. Executive Session (legal matters)
 12. Adjournment
-

1. CALL TO ORDER & AGENDA

Chair Michelle DaVia called the meeting to order at 6 PM and announced the consent agenda was revised to contain only Item 3.1 (Minutes) and to add a brief Executive Session after 'Other Business' on the agenda.

2. PUBLIC COMMENT PERIOD

There were no comments from the public.

3. CONSENT AGENDA

- 3.01 Minutes – August 28, 2019
- 3.2 Finance Committee (handled separately)
- 3.3 Bank Balances as of 8/31/19 (handled separately)
- 3.4 Executive Director Report (handled separately)
- 3.5 Program Updates (handled separately)

The consent agenda with Item 3.01 (Minutes – August 28, 2019) was approved unanimously and without objection.

3.2 Finance Committee

3.3 Bank Balances as of 8/31/19

Alan Nye corrected a mistake on the Solid Waste Management Fee FY20 Budget to Actual figure for the amount per month (should be closer to \$300, not \$676), and mentioned the spreadsheet showing pounds per capita per day was not included in the information packet. Sarah Reeves explained staff is consolidating some reports to be quarterly rather than monthly.

3.4 Executive Director Report

In addition to the written report Sarah Reeves gave a brief update on the visit to a very large "dirty MRF" in South Carolina to view operations.

3.5 Program Updates

No questions or comments.

4. COMMUNITY CLEAN UP FUND REVISED GUIDELINES

Community Outreach Coordinator Lauren Layn and Michele Morris reviewed the revised guidelines that will allow the Clean Up Fund to be used for waste reduction and prevention events, not just clean up. Minor edits were suggested to the document. There was discussion of the reimbursement process. Staff will work with the administrative

staff and selectboard in the Town of Bolton so the town can find a way to use their allotted funds for clean up.

Paul Reuss asked if the new steps will increase utilization of funds. Michele Morris said since the allowed uses of the fund have been expanded, it should promote more use. The amended guidelines will be sent to member towns along with fund balances for each town.

MOTION by Paul Stabler, SECOND by Duncan Galbraith, be it resolved that the Board of Commissioners approves the Community Clean Up Fund Procedures and Guidelines as presented and revised on 9/25/19, and that requests for funds that exceed a community's availability of funds must be approved by the Board of Commission. VOTING: unanimous; motion carried.

5. PRESENTATION: FY19 Unaudited Financials

Penley Danles presented highlights of actual to budget. The consolidated income statement shows favorable revenue and expense to what was budgeted. SWMF was favorable due to waste tonnage 13% over budgeted. Compost was favorable due to not all equipment purchased that was in the budget. MRF Net Income was unfavorable despite favorable revenue because of increased cost due to "market stabilization fee" paid to Casella for ACR. CSWD has a healthy balance sheet. \$11.5 million in current assets, \$12.1 million in fixed assets, \$2 million in current liabilities and no long-term debt. Accounts Receivable are in good shape as most are current.

6. REVISED FINANCE COMMITTEE CHARGE

Michelle DaVia said the revisions focus on objectives and the structure of the Finance Committee. The focus will be on planning, tracking, and a long-term view of the financial health of the organization. There is flexibility to expand the number of members, hold monthly meetings or more when necessary, and assist during the budget process with member communities when needed.

MOTION by Alan Nye, SECOND by Paul Stabler, be it resolved that the Board of Commissioners approves the structure and functions of the Finance Committee as presented 9/25/19. VOTING: unanimous; motion carried.

7. EXPANDED CASELLA TRANSFER STATION PROCESSES IN CSWD SWIP

Sarah Reeves reported Casella applied to the state to expand their facility on Avenue B in Williston and the major amendment to the permit triggered the SWIP.

Josh Estey reviewed the process for the amendment to be included in the SWIP. Casella will install a de-package machine for organics and a baler. The C&D space will be moved as well. CSWD staff submitted comments to the state on the matter.

Alan Nye asked if organics will continue going to the CSWD compost facility and if there will be any impact on how leaf litter is disposed. Sarah Reeves said the intent by

Casella is to send their material to a digester. Mike Casella said the food will be unpackaged and sent to an anerobic digester. Casella said that he'd brought up the possibility of partnering somehow with CSWD. Sarah Reeves added that the consultant working with CSWD on future organics management strategies will be evaluating whether the county can support two facilities and the tonnage that may be available.

Abby Faulk said Hannaford's has a contract with a company to take their organics to Maine. CSWD should be examining its role in the entire food organics picture (where the material goes, policy questions, best use, lowest carbon footprint, impact on SWIP). Sarah Reeves said staff believes in managing as close to the generation source as possible to reduce the footprint. What is being proposed does not run contrary to what would be needed in the county.

Paul Stabler asked if the amendment will detract from food waste received for use in composting. Sarah Reeves said there is plenty of food generation in the county. It is not known how much is packaged food that needs the Casella facility and which is currently going to the landfill. As of July 2020, all food scraps must be kept from landfill disposal. Paul Stabler asked if any of the material (food scraps) CSWD receives currently is material that would go to Casella. Sarah Reeves said not necessarily. CSWD will continue to support source separation.

Abby Foulk commented it may be better to go to an anerobic digester due to the chemicals in the packaging. Sarah Reeves noted the Salisbury digester will be built and operating by fall of next year.

Bryn Oakleaf asked if a decrease in the material at CSWD is anticipated. Sarah Reeves said an uptick is expected as there is more awareness of the July 2020 deadline for organics.

There was continued discussion of the material anticipated by Casella at the new de-packaging facility.

MOTION by Alan Nye, SECOND by Doug Taff, that the CSWD Board of Commissioners hereby resolves that the All Cycle transfer station on Avenue B in Williston be included in the CSWD Solid Waste Implementation Plan (SWIP) to incorporate their expanded operations as detailed in the solid waste certification application, dated April 19, 2019 and most recently amended on August 14, 2019, contingent upon All Cycle Waste, Inc. obtaining and maintaining compliance with all necessary local, state, federal permits. VOTING: unanimous; motion carried.

8. BOTTLE BILL DISCUSSION

Jen Holliday said distributors and retailers do not support expansion of the bottle bill. There is interest in extended producer responsibility (EPR) or placing an environmental fee on glass or environmental fee on beverage containers.

Alan Nye said CSWD needs to oppose expanding the bottle bill and do more to inform the public on what is being recycled.

Michelle DaVia added transparency is needed on where the money from the bottle bill goes and why. If the state needs to increase funding for the Clean Water Act then that should be addressed directly and not as a side effect of the bottle bill. CSWD should address this. If there is a tax the state should be clear where the tax is going.

There was discussion of expanding the bottle bill to include all glass. An analysis is needed on the objective and what happens to current systems. Jen Holliday said a life cycle analysis is complicated. Including materials in an expanded bottle bill that are highly recyclable is not moving CSWD forward. Focusing on items more difficult to capture and recycle, and influencing upstream designs and decisions should be the focus.

Paul Stabler said CSWD needs to stay true to the mission to decrease waste going into the landfill and support whatever proposal does that though the path may not be clear.

Logan Hegg asked if there are alternate proposals. Jen Holliday said there was a group discussing alternatives.

Abby Foulk asked about models in other countries. Jen Holliday said there is EPR for packaging in British Columbia and many European states. The U.S. does not have EPR, but many states are working on this including Vermont.

Sarah Reeves summarized the consensus of the Board is in support of opposing the expansion of the bottle bill. Comments/suggestions from Board members include:

- Forming a regional consortium to push EPR as a strategy to push upstream design.
- Any alternative must support the CSWD mission.
- More information is needed on EPR and European models.
- Information is needed on how to invest in resources.
- Attach a cost to problematic materials like glass.
- Improve the MRF.
- Have a deposit attached to tires rather than expanding the bottle bill.
- Return the deposit money to the MRF.
- Better educate the public that there is a cost to recycle.
- Decide on support of a glass only bottle bill or adding glass to the bottle bill and educate the public on how the MRF is funded through aluminum and PET recycling.
- Oppose using the bottle redemption for the Clean Water Act.
- End the bottle bill and just recycle bottles, and have producers help support expansion of the MRF.
- CSWD needs to express an opinion on the bottle bill.
- EPR is very important.
- CSWD needs to do a proposal for expanded glass and keeping the bottle bill.

- Tires are a problem as well that needs to be addressed.

Discussion of the bottle bill will continue at the next CSWD Board meeting.

9. HINESBURG DOC CONSTRUCTION CONTRACT

Sarah Reeves reported the Hinesburg DOC is designed around the needs of the community. Offerings have been streamlined so the site is safer and more cost effective and looking toward the future. Five bids were received and reviewed. The low bid was Stewart Construction in Essex Junction for \$411,300. The solar array is an additional \$12,915. The total project cost is \$424,215. The budget for the project is \$325,000. The contract is a 90 day completion with \$1,000/day fine each day beyond that timeframe.

Josh Tyler explained the solar installation is part of the “green” infrastructure. The array will be located in the northwest portion of the facility. Conduit will be put in now. The array can be installed after further exploration of the energy use by the facility. Sarah Reeves noted if solar is added the application before the Hinesburg DRB must be amended.

Paul Stabler mentioned the federal tax credit for solar drops by 4% at the end of the year.

Tim Loucks asked how the delta between the bid and the budgeted dollar amount will be rectified. Josh Tyler said there are some non-critical capital projects that can be delayed.

MOTION by Alan Nye, SECOND by Paul Stabler, be it resolved that the Board of Commissioners authorizes the Executive Director to enter into a contractual agreement for construction services with Stewart Construction of Essex Junction, Vermont for the amount not to exceed \$430,000 for the purpose of constructing a DOC in Hinesburg, Vermont, with such construction contingent upon successful negotiation of the terms of the lease agreement between CSWD and the Town of Hinesburg for use of the property, and be it further resolved that the Board of Commissioners authorizes the Executive Director to enter into lease negotiations with the Town of Hinesburg and execute such lease as soon as both parties are satisfied.

DISCUSSION:

- There was discussion of the construction not moving forward until the lease is executed. A special meeting can be held to approve the lease if necessary (i.e. if the lease terms deviate from the standard lease terms), but the preference of the Board is to execute a standard DOC-Host Community Lease.

VOTING: all ayes except one abstention (Tim Loucks - Shelburne); motion carried.

10. OTHER BUSINESS

None.

11. EXECUTIVE SESSION

MOTION by Alan Nye, SECOND by Paul Stabler, that the CSWD Board of Commissioners goes into Executive Session to discuss confidential attorney-client communications for the purpose of providing legal services and concerning potential litigation where premature public knowledge would place CSWD and its member municipalities and other public bodies or persons involved at a substantial disadvantage, and to permit CSWD staff and legal counsel to attend. VOTING: unanimous; motion carried.

Executive Session was convened at 8:32 PM.

MOTION by Alan Nye, SECOND by Paul Stabler, to adjourn Executive Session. VOTING: unanimous; motion carried.

Executive Session was adjourned at 8:35 PM.

12. ADJOURNMENT

MOTION by Alan Nye, SECOND by Paul Stabler, to adjourn the meeting. VOTING: unanimous; motion carried.

The meeting was adjourned at 8:37 PM.

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 10/23/19 meeting held in Williston.

Amy Jewell, Secretary