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**CHITTENDEN SOLID WASTE DISTRICT
REGULAR MEETING**

Date: Wednesday, November 15, 2023
Time: 6:00 P.M.
Place: **ZOOM Meeting ONLY**

***** (E) Indicates enclosures (H) Indicates handouts (D) Discussion Only**

1. (E) **Agenda** (6:00 p.m.)
2. **Public Comment Period** (6:00 p.m.)
3. (E) **Consent Agenda** (6:05 p.m.)
 - 3.1 Minutes of October 25, 2023
 - 3.2 Program Updates
 - 3.3 Executive Director Update
 - 3.4 Finance – Warrant, Cash Investment and Reserve Balances
4. (E) **FY 25 Preliminary Budget**
Board Action Requested: Approve Budget (6:10 p.m.)
5. (E) **Asphalt Shingles – Waiver Extension**
Board Action Requested: Approve recommendation (6:40 p.m.)
6. **Other Business** (7:10 p.m.)

Possible Action could occur on any agenda item, although not initially noted. If you need an accommodation, please call the District at 872-8100 upon receipt of this notice. All times listed are an estimated start and duration.

**CHITTENDEN SOLID WASTE DISTRICT
BOARD MEETING INSTRUCTIONS
FOR THE PUBLIC – REMOTE ACCESS**

Date: Wednesday, November 15, 2023
Time: 6:00 P.M.
Place: ZOOM MEETING INSTRUCTIONS

IMPORTANT:

CSWD will hold a hybrid Board of Commissioners Meeting. The virtual meeting is accessible by computer or phone. Members of the public, joining the meeting remotely, are asked to preregister online using the link below. Following the meeting a recording will be available upon request.

Hi there,

You are invited to a Zoom webinar.

When: Nov 15, 2023 06:00 PM Eastern Time (US and Canada)

Topic: Board of Commissioners Meeting

Register in advance for this webinar:

https://us02web.zoom.us/webinar/register/WN_QQRl9QcyTmW3UGKk_e7bow

After registering, you will receive a confirmation email containing information about joining the webinar.

For those without internet access, call 802-872-8100 ext. 213 and leave a message to register for the meeting. A call-in number will be provided to you prior to the meeting.

Participants will be in listen only mode. Call in controls include: *6 – toggle mute/unmute and *9 to raise your hand.

DRAFT

**CHITTENDEN SOLID WASTE DISTRICT
IN-PERSON/ZOOM MEETING
October 25, 2023 - Regular Meeting**

PRESENT**BOARD MEMBERS:**

Bolton	-----
Burlington	Lee Perry
Charlotte	Ken Spencer
Colchester	Liz Hamlin Volz
Essex	Alan Nye
Essex Junction	Mike Sullivan
Hinesburg	Rick McCraw
Huntington	-----
Jericho	Leslie Nulty
Milton	Henry Bonges
Richmond	Andrew French
Shelburne	Margy Wiener
So. Burlington	Paul Stabler
	Allison Lazarz, alt.
St. George	-----
Underhill	Paul Ruess
	Dan Steinbauer, alt.
Westford	Katie Frederick
Williston	Kelton Bogasky
Winooski	-----

STAFF: Sarah Reeves, Amy Jewell, Jen Holliday, Josh Estey, Donna Cushman

OTHERS PRESENT: N/A

AGENDA:

1. Agenda
2. Public Comment Period
3. Consent Agenda
4. Waste Diversion & Disposal Report
5. Educational topic – solid waste management fee
6. Executive Session
7. Other Business

1. **CALL TO ORDER and AGENDA** Chair Paul Ruess called the meeting to order at 6:00 pm.
2. **PUBLIC COMMENT PERIOD** - No discussion.
3. **CONSENT AGENDA** – request to pull 3.1 and 3.2.
M. Weiner asked about processes to determine compliance banned material fees. J. Estey said CSWD approaches that in several different ways including load checks, whereby hazardous waste or white goods will be issued a banned materials fee. When

10% of the load is recyclable or food scraps, the load is contaminated. He noted that we also do spot checks based on complaints, or information from the outreach team. We also do construction site visits. We can issue a violation.

Question about the webinar series. S. Reeves noted that in the winter months, we stop the tours and provide this as an alternative. Requested that they be made available to the public online.

Correction to minutes: R. McCraw minutes page 2, section 4 – the Environmental Depot first bullet last sentence are recorded, “which” should be recorded. Second bullet, “nonviewable facility” reworded to “a facility that is not easily visible from the main road by passing traffic.”

Accepted with corrections as noted.

P. Ruess said that with no objections to 3.1 and 3.2 then they will be approved as amended.

4. WASTE DIVERSION & DISPOSAL REPORT

J. Dorwart presented the 2022 Waste Diversion & Disposal Report. The purpose of the report is to track and evaluate programs, fulfill state requirements, and provide information for communications. This information is material collected in Chittenden County. He reviewed the 2022 data to 2021. The notable highlights of 2022:

- waste generation disposed is down 0.1%,
- msw disposed is down 2.5% with tons diverted increasing by 2.6%,
- c&d tons disposed increased to highest in 10 years and tons diverted was slightly lower than normal but 2.1% higher than 2021.
- msw diversion rate remained at 55%
- mandatory recyclables recovery rate decreased very slightly.

He emphasized that this is a long-game and not a race and overtime our diversion rates have increased significantly. He noted that ½ of what is sent to the landfill about ½ could be recovered, but that we are diverting. Solid Waste generation will increase. He noted that following the economic impacts of covid-19 with a strong economy, diversion rates are increasing, and the amount of msw and c&d diverted are inline with 2019 totals. Recyclables and organics make up a large quantity of recoverable material that is being disposed, as much as 60,000 tons, when recoverable c&d is included. Without changes to the current solid waste management system, including additional policies, education, enforcement, markets and facilities, it is expected that solid waste generation will continue to increase along with currently divertible waste being sent to the landfill.

Discussion: What materials are the low hanging fruit that CSWD should focus on?

S. Reeves said that organics continues to be the biggest opportunities, where almost 30% of material being thrown away could be composted. L. Nulty asked if CSWD had data on what segment of the population the food scraps being landfill are coming from. S. Reeves noted that ANR will do a waste compensation study that will provide some data. K. Spencer asked about the confusion with blue bin recycling and the bottle bill and whether CSWD would support a bottle bill that would take materials away from the MRF, but also get rid of the glass issue. J.

Holliday explained that the proposed bottle bill (to include wine bottles) would not move the needle on the landfill diversion rate. She noted that wine bottles are currently in the proposed bottle bill with a lead time because of a different distribution system and labeling process; retailers requested additional time implementing the new process so the bottle bill has been delayed a year after expansion of materials. P. Ruess appreciates the information provided.

5. EDUCATIONAL TOPIC – SOLID WASTE MANGEMENT FEE

S. Reeves presented the solid waste management fee (SWMF) educational topic to the board. SWMF a per-ton fee on Chittenden county generated material sent to the landfill. It is currently \$27/ton and makes up about 21.27% of CSWD's total revenue. She reviewed the Charter wording authorizing the use of a solid waste fee and CSWD's ordinance. All Districts charge a management fee. Some have a solid waste management fee and some do a per capita fee. CSWD's SWMF funds district activities including administration, outreach and communication, IT, compliance, maintenance and roll-off and partially funds DOC's, Environmental Depot, and ORF. She noted that when we say subsidized, we mean partially funded by solid waste management fee. She noted that customers who have a hauler see that fee incorporated into the hauler bill, but not shown at a separate line item. A. Nye noted that in 2012 the haulers didn't want us to keep raising it a little each year, so we raised it \$5/ton and was accepted by the haulers. S. Reeves noted that CSWD's costs are increasing and it will be proposed that this increase in FY 25.

It was requested that CSWD's mission statement be included in future presentations and included for viewing at Board meetings.

6. EXECUTIVE SESSION – MOTION BY K. Bogasky, Second by P. Stabler that the Board of Commissioners of the Chittenden Solid Waste District go into Executive Session to discuss contract negotiations with the City of Burlington regarding the Flynn Avenue property, 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 authorized staff, other invited interested parties, and the Solid Waste District attorney to be present for this session.

The Board entered Executive Session at 7:39 p.m.

Motion by A. Nye, Second by P. Stabler to adjourn Executive Session and reconvene the meeting. The meeting was reconvened at 7:44 p.m.

Other Business. Allison Lazarz asked whether we have had any conversations with TerraCycle as another opportunity to divert material from the landfill. S. Reeves is familiar with the company who has partnered with Casella and explained that they are a private company, who send out boxes, for collection of very specific items, which are turned into another item. She said they have not reached out but that can be investigated.

Motion to adjourn. Moved by A. Nye ; seconded by M. Sullivan. VOTING: All ayes. Motion passes.
Meeting adjourned at 7:48 p.m.

Amy Jewell, 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.

Amy Jewell, Secretary

MEMORANDUM

To: Board of Commissioners

From: CSWD Staff

Date: November 9, 2023

Re: Program Updates

- Solid Waste Management Fee and Disposal (Jon and Becky) –
 - Scale data is unavailable at this time. Stay tuned next month.
- Organics Recycling Facility (Dan) –
 - October feedstock data is unavailable at this time.
- Materials Recovery Facility (Josh)
 - Updated information will be available next week.
- Marketing & Communications (Alise)
 - Holiday communications are scheduled for November/December/January via social media, website notifications and our text alerts program.
 - Operations will be promoting our Text Alerts program by offering biz cards with the sign-up information at all DOC booths. We will also promote it on social media.
 - New Website: The new website launch date will be in January. The bump out will allow staff to make further improvements and will also allow some limited testing with staff.
- Compliance
 - Coordinated Annual Groundwater/Surface Water Monitoring at ORF and Landfill.
 - Completed follow-up from 2023 Fall Load Check Intensive – one new hauler, two construction site waste management plan outreach efforts.
 - Reviewed All-Cycle Transfer Station Recertification application materials and provided comment on Facility Management Plan to the Agency of Natural Resources. Comments were specific to the management of C&D materials.
- Outreach (Beth):

Team Outreach is preparing for America Recycles Day on November 15. We will be attending the Sustainability Showcase at Champlain College. It will be a great way to connect with students, faculty and staff on best practices when it comes to waste management.

Media Mentions: None

#3.3

TO: Board of Commissioners
FROM: Sarah Reeves
DATE: November 8, 2023
RE: Executive Director Update

October 20 - PRESENT

- **PERSONNEL UPDATES:**

- Nola Ricci, Director of Finance, welcomed the arrival of her twins on October 30. Both babies (a boy and a girl) are hearty and hale, and the newly expanded family is settling in nicely. Nola will be on maternity leave for the month of November and hopes to return to part-time work at some point in December.
- Ethan Hausman, Business Outreach Coordinator, is moving to the Safety and Compliance Program to take a position as Compliance Specialist. I've wanted to add capacity to the Compliance Program for several years and Ethan's knowledge of CSWD's ordinance, rules, and regulations, paired with his experience with the Chittenden County business community, means that we'll be able to be much more proactive regarding ensuring that businesses understand their responsibilities regarding proper management of their solid waste. The position wasn't budgeted in FY24, however preliminary review of the budget-to-actual shows the District running significantly under budgeted expenses for Wages and Benefits, leaving room to make the switch now rather than wait for July 1. We are advertising for Ethan's replacement on the Outreach Team and hope to have that person on board by January.

- **FLYNN AVENUE:** The fourth extension of the MOU with the City of Burlington has been executed.
- **ORF:** We are demo'ing a shredder on-site at the Organics Recycling Facility on November 9. This is a component of the business strategy to be as self-reliant as possible regarding sourcing feedstocks for our composting process and reducing operational costs. We rely heavily on a steady stream of quality wood chips for our composting process. Wood chips act as a bulking agent to help ensure adequate aeration throughout the compost piles. They provide a small measure of additional carbon material to help balance out the nitrogen load, but for our needs, the primary purpose is aeration and porosity. In the screening process we recover wood chips that haven't broken down and incorporate them back into "younger" piles of compost. Eventually, the wood chips do break down and add to the richness of the compost. We've recently begun accepting a wider range of yard waste at the ORF to include larger items of "natural wood", such as tree trimmings, limbs, clean stumps, brush, and never-painted, never-stained, and untreated wood (including wood pallets).

Our current practice is to build a pile of wood items until we can book time with a shredding company. There are fewer and fewer companies in the region providing this service, and the cost continues to increase. If we miss their window of availability, we run the risk of running out of storage capacity, and

we also run the risk of not having enough shredded material for our compost process, disrupting our precise timetable for producing our soil amendments. We've resisted purchasing our own shredder because we generally only book time with the companies 3-4 times per year, which would leave the machine idle for the remainder. However, by expanding our list of accepted materials we will soon have the need for additional shredding services throughout the year. The shredder we're demo'ing will also be able to process yardwaste (creating a smaller diameter of material which will break down faster and more evenly) and will be able to shred tires.

If the tire shredding proves successful, the machine will be in use year-round. The benefit to shredding tires prior to shipping them to BDS in Maine is to increase the volume of material per trip, thereby reducing the overall number of trips required. This would reduce costs and would reduce Greenhouse Gas emissions related to transportation.

December 2023

- November 23: Thanksgiving, all facilities closed
- November 24: Administrative Office closed, facilities open
- December 4 – 8: Sarah vacation
- December 11: Executive Board, 5:00pm
- December 20: Full Board, 6:00pm
- December 22: Admin Office closed
- December 23: All Facilities closed, Christmas Eve
- December 25: All Facilities closed, Christmas Day

To: Board of Commissioners
From: Laura Tomasi, Accountant
Date: 11/06/2023
RE: Warrants, Reserves & Cash Balance

The following warrants have been reviewed by the Finance Committee and disbursements have been issued since the last submitted Finance Memo:

Warrant Date	Warrant Amount
10/18/23	\$773,886.06
10/31/2023	\$673,566.24

Reserve balances indicate how much of that cash has been assigned or committed for a particular purpose.

As of, October 31, 2023

Assigned Reserve balances are as follows:

Landfill Post Closure	\$ 608,302.08
Facility Closure	\$ 1,466,061.63
Capital Reserves	\$ 11,182,246.37
Biosolids Reserve	\$ 396,291.00
Community Clean Up	\$ 90,472.22
Solid Waste Reserve	\$ 1,000,000.00
<u>Operating Reserve</u>	<u>\$ 1,750,000.00</u>
Total Designated:	\$ 16,493,373.30
Total Undesignated:	\$ 882,100.64
Cash & Cash Equivalents:	\$ 12,386,877.68
Investments:	\$ 4,234,263.48
Current Liabilities:	\$ 7,471.92



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Breakdown of Community Clean Up Reserve by Location as of October 31, 2023:

Bolton	\$ 2,500.00
Burlington	10,000.00
Charlotte	2,500.00
Colchester	7,500.00
Essex Jct	5,000.00
Essex Town	7,500.00
Hinesburg	2,972.22
Huntington	2,500.00
Jericho	5,000.00
Milton	7,500.00
Richmond	5,000.00
Shelburne	5,000.00
S. Burlington	7,500.00
St. George	2,500.00
Underhill	5,000.00
Westford	2,500.00
Williston	5,000.00
Winooski	5,000.00

#4

To: Board of Commissioners
From: Sarah Reeves, Executive Director
Date: November 9, 2023
RE: Proposed Budget Fiscal Year 2025

By Charter, CSWD is required to propose the following fiscal year's budget not later than December 1 of the current year. The rationale for the timeline as established is to provide ample notification to our member municipalities of any intended local assessments, and if any assessments are needed for CSWD that the municipalities have time to incorporate the assessment into local budgets ahead of Town Meeting Day in March. Attached please find the unaudited fiscal year 2023 actuals compared to the current fiscal year budget alongside a preliminary estimate of the FY 2025 CSWD budget.

Key Drivers:

External:

- Cost of Living: Budgeting a 4% increase based on the 12-month rolling average as of September 30. *Final recommendation will be based on data as of January 31, 2024.*
- Health Insurance: Budgeting a 10% increase
- Fuel and Utilities: Budgeting a 10% increase

Internal:

- Tipping Fees: Budgeting a 10% increase to MRF tip fee to account for an anticipated 4% increase to the processing fee, a continued depressed Average Commodity Revenue rate, and contractually required equipment replacement.
- Revenue from Interest: Budgeting increase of nearly 200%, directing the majority of the increase to the Closed Landfill Reserve.
- Other Revenue: The bulk of this item is revenue from credit card usage at DOCs; Budgeting based on FY2023 actuals.
- Solid Waste Management Fee: The proposed budget shows a 1% increase in revenue from SWMF and is a placeholder. See Recommendation below.

Recommendation:

Solid Waste Management Fee: The CSWD Charter, Section 12 MANAGEMENT FEES, states:

“Giving due consideration to the fact that state policy, as established in 10 V. S. A. 6601, provides that the generators of waste should pay disposal costs that reflect the real costs to society of waste management and disposal, the Board of Commissioners shall from time to time establish and adjust a management fee structure for the purpose of generating revenues from sources other than assessments to member municipalities, particularly concerning the operation and maintenance of any District solid waste management or resource recovery facility.”

The Solid Waste Management Fee has been \$27 per ton of trash disposed since last being raised in 2013. To help balance increased costs I recommend raising the SWMF to \$30/ton in the FY2025 budget. We’ve done ourselves, and our community, a disservice by not keeping pace with inflation and have set an unrealistic expectation that responsible solid waste management is somehow not a costly function. The SWMF represents approximately 20% of FY2025 budgeted revenue; Prior years have seen the SWMF revenue represent over 30% of District revenue. Raising the fee now will allow the District to better augment key reserves, primarily the Closed Landfill Reserve, as we are anticipating needing to invest in a leachate treatment system in the next five years in response to impending changes in national federal regulation by the US EPA.

For Discussion:

A recommendation for discussion and debate by the Board of Commissioners is to strike Section 8.2. “Amount of Fee” from the CSWD Ordinance, so that we no longer establish the amount in the Ordinance but instead we describe the process by which the fee shall be set. My recommendation is to follow the example of the Addison County Solid Waste Management District, who sets the fee as a component of their annual budget process. Using the annual budget process will provide ample opportunity for public comment and input, with at minimum four public meetings where the budget will be discussed by the Board. A further recommendation is to peg the SWMF to a national index, adjusted for the Northeast Region. There are two such indices that I would reference, both produced by the US Bureau of Labor Statistics. We would continue to utilize the fee model developed for us by Skumatz Economic Research Associates to validate the recommendation.

Proposed Motion:

Be it Resolved that the Board of Commissioners acknowledges the receipt of a proposed Fiscal Year 2025 budget to be further developed through the normal budget process.

Chittenden Solid Waste District
FY25 Proposed Budget

	FY23 Unaudited Actuals	FY24 Approved Budget	FY25 Proposed Budget	\$ Difference FY24 to FY25	% Difference FY24 to FY25
INCOME					
Tipping Fees	\$ 5,900,341	\$ 6,740,521	\$ 7,294,931	\$ 554,410	8%
Special Materials	78,000	730,109	740,885	10,776	1%
Hazardous Waste	97,010	62,000	97,500	35,500	57%
Biosolids	1,350,510	1,404,358	1,405,000	642	0%
Solid Waste Management	3,471,599	3,335,702	3,385,728	50,026	1%
Sale of Materials	2,261,156	2,628,603	2,371,540	(257,063)	-10%
License Fees, Fines & Penalties	15,423	14,000	14,000	-	0%
Rental Income	73,500	75,000	-	(75,000)	-100%
Product Stewardship & Reimbursements	171,502	169,000	169,700	700	0%
Interest & Dividends	173,117	61,000	182,000	121,000	198%
Grant Revenue	106,850	106,470	106,470	-	0%
Equipment Sale/Trade	4,736	-	-	-	0%
Other Income	187	75,000	9,650	(65,350)	-87%
Total Income	13,703,929	15,401,763	15,777,404	375,641	2%
 Cost of Sales	 200,407	 121,405	 150,751	 29,346	 24%
Gross Profit	13,503,522	15,280,358	15,626,654	346,295	2%
 EXPENSES					
Payroll Expenses	4,610,893	5,382,975	6,119,532	736,558	14%
Travel & Training	47,755	118,175	123,320	5,145	4%
Administrative Costs	76,149	182,885	146,730	(36,155)	-20%
Professional Fees	129,237	280,690	330,691	50,001	18%
Equipment & Fleet	614,966	772,074	1,056,262	284,188	37%
Supplies	96,300	133,644	127,263	(6,381)	-5%
Materials Management	5,567,297	6,691,366	6,775,221	83,854	1%
Property Management	542,115	597,111	604,979	7,869	1%
Promotion & Education	54,804	142,178	150,317	8,139	6%
Community Support	32,346	100,950	106,400	5,450	5%
Total Expenses	11,771,863	14,402,047	15,540,715	1,138,668	8%
 Subsidies & Transfers	 (1,731,660)	 271,452	 239,803	 (31,649)	 -12%
Total Excess Income	0	1,149,763	325,741	(824,022)	-72%
Maintenance & Roll Off Distribution	488,544	680,150	718,543	38,392	6%

MEMORANDUM

TO: Board of Commissioners

FROM: Jeannine McCrumb, Compliance Specialist

DATE: November 9, 2023

RE: Asphalt Shingles Waiver Extension Request

Myers Recycling Facility submitted a request to extend the waiver to the separation and collection requirements for asphalt shingles. They are also seeking to extend the Solid Waste Management Fee exemption applied to this material.

In August of 2022, the Board agreed to a temporary waiver of the separation and collection requirements for asphalt shingles for the period 9/1/22 – 8/31/23. In addition, and subject to approval for use by the VT Agency of Natural Resources (VTANR) and the New England Waste Services Landfill in Vermont (NEWSVT), the Board agreed to waive the Solid Waste Management Fee associated with previously stockpiled material during this same period. The stockpiled material was approved for use as road base in January of 2023.

In August of 2023, Myers requested, and the Board agreed to an extension of the waivers through December 31, 2023.

Staff researched regional options (MA, CT, ME) and does not believe viable markets exist for the cost-effective recycling of this material. Staff thus recommends the waiver of the separation and collection requirements for asphalt shingles be continued indefinitely. CSWD will continue to work with the Agency of Natural Resources, the Agency of Transportation, recycling facilities and other stakeholders to explore opportunities for recycling and reuse of this material.

Be it Resolved that the Chittenden Solid Waste District's Board of Commissioners hereby waives until further notice the separation and collection requirements for asphalt shingles as described in the Solid Waste Management Ordinance.

Myers Recycling indicated that as of October 26th, they have shipped ~570 tons of shingles to the NEWSVT landfill in Coventry for use as road base material. This equates to about 20 vehicle trips. Previous Board discussion in 2022 included the option of applying the fee exemption to the shingles 'on hand' which was estimated at 5000 tons. At that time, Myers indicated their preference would be to institute the exemption for a year. Staff recommends shingles, as approved by VTANR and NEWSVT for use in road building at the landfill, be charged 25% of the Solid Waste Management Fee (\$6.75/ton) effective January 1, 2024.

Be it Resolved that the Chittenden Solid Waste District's Board of Commissioners authorizes that asphalt shingles processed by Myers Recycling Facility and which are approved by the Vermont Agency of Natural Resources for use as landfill road base be assessed twenty-five percent (25%) of the Solid Waste Management Fee, with an effective date of January 1, 2024.