NOTE: These minutes are subject to review and modification by the ACSWMD Board of Supervisors at its next Board meeting.

Addison County Solid Waste Management District
Minutes
Board of Supervisors Annual Retreat, Meeting No. 306
Thursday, September 19, 2019, 4:00 PM
Fire and Ice Restaurant, 26 Seymour St., Middlebury, VT 05753

1. OPEN MEETING – ROLL CALL AND INTRODUCTIONS. The Board of Supervisors (BOS) meeting was called to order by Cheryl Brinkman, Chair at 4:05 PM on September 19, 2019, at Fire and Ice Restaurant, 26 Seymour Street, Middlebury, VT. Present:

<table>
<thead>
<tr>
<th>Town</th>
<th>Vote</th>
<th>Supervisor/Alternate</th>
<th>Town</th>
<th>Vote</th>
<th>Supervisor/Alternate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Addison</td>
<td>1</td>
<td>Bill Munoff / Alden Harwood</td>
<td>New Haven</td>
<td>1</td>
<td>Patrick Palmer</td>
</tr>
<tr>
<td>Bridport</td>
<td>1</td>
<td>Ed Payne</td>
<td>Orwell</td>
<td>1</td>
<td>Karl Thomsen</td>
</tr>
<tr>
<td>Bristol</td>
<td>2</td>
<td>Joel Bouvier</td>
<td>Panton</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Cornwall</td>
<td>1</td>
<td></td>
<td>Ripton</td>
<td>1</td>
<td>Steve Zwicky</td>
</tr>
<tr>
<td>Ferrisburgh</td>
<td>2</td>
<td>Steve Huffaker / David Olson</td>
<td>Shoreham</td>
<td>1</td>
<td>Randy Orvis</td>
</tr>
<tr>
<td>Goshen</td>
<td>1</td>
<td></td>
<td>Starksboro</td>
<td>1</td>
<td>Susan Reit de Salas</td>
</tr>
<tr>
<td>Leicester</td>
<td>1</td>
<td>Richard Reed</td>
<td>Vergennes</td>
<td>2</td>
<td>Cheryl Brinkman</td>
</tr>
<tr>
<td>Lincoln</td>
<td>1</td>
<td>Bill Finger</td>
<td>Waltham</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Middlebury</td>
<td>4</td>
<td>Deborah Gaynor</td>
<td>Weybridge</td>
<td>1</td>
<td>Tim Wickland</td>
</tr>
<tr>
<td>Monkton</td>
<td>1</td>
<td>Teresa Kuczynski (TK), District Mgr.; Don Maglienti (DM), Program Mgr.; Patti Johnson (PJ), Business Mgr.; Gary Hobbs (GH), Transfer Station Supervisor; Chantel Bolduc (CB), Admin. Assistant; Jessie-Ruth Corkins (JC), Public Outreach Coordinator</td>
<td></td>
<td></td>
<td>Guests: Megan Battey</td>
</tr>
</tbody>
</table>

2. APPROVE THE AGENDA –
Motion #1: R.Reed moved to approve the agenda. K.Thomsen seconded the motion.
VOTE on Motion #1: Yes –13 (Addison, Bridport, Ferrisburgh (2), Leicester, Monkton, New Haven, Orwell, Shoreham, Starksboro, Vergennes (2), Weybridge). No – 0. Abstain – 0.

3. PUBLIC COMMENT PERIOD – The Chair opened the public comment period.

4. MEMBER COMMUNICATIONS – Megan Battey announced that she had resigned as the Alternate for New Haven, because she has moved to Middlebury. The Chair thanked her for her service to the BOS. The Chair announced that Vergennes has received its first charging station for electric/hybrid vehicles.

5. APPROVAL OF MINUTES FROM MEETING NO. 305 –
Motion #2: K.Thomsen moved to approve the minutes of Meeting No. 305. S.Reit deSalas seconded the motion.
VOTE on Motion #2: Yes –14 (Addison, Bridport, Ferrisburgh (2), Leicester, Lincoln, Monkton, New Haven, Orwell, Shoreham, Starksboro, Vergennes (2), Weybridge). No – 0. Abstain – 0.

FB September 19, 2019
6. PROGRAMS REPORT – JRC did an overview of public outreach to schools, our communities and our businesses. Out of 29 public and private schools in Addison County (including 4 alternative K-12 schools), 26 of them are diverting food scraps from the landfill. Orwell Village School is the only public school not currently diverting. JRC will reach out to them to encourage this to happen before the 7/1/2020 landfill ban for food scraps. The District has hosted 23 public workshops and private group presentations in 2019 to date on composting and recycling. JRC, Ollie Cultrara (AmeriCorps member) and DM have been tabling and leading tours to encourage proper waste management and inform residents of the upcoming changes in waste management law. Since January 2018, 143 businesses have been contacted around the county. Those check-ins consist of talking about mandated recyclables, food scrap diversion, proper HazWaste management, and trash. Businesses are keenly aware of the food scrap ban and interested in plastic film diversion. J.Bouvier suggested JRC reach out to Green Mountain Electric Supply about proper battery disposal.

DM outlined progress that the District has made in the past year, and included a brief summary of the District’s most recent Solid Waste Implementation Plan (SWIP) report submitted to the VT DEC this summer. The report included a calculation of the District’s waste diversion rate using data from CY2018. The diversion rate is now at 55.82%, which is a little more than half a percent above the last diversion rate calculation that was completed in 2017 using 2016 data. DM stated that this was an excellent rate when compared with other districts, alliances and towns around Vermont. DM also reviewed current tonnage trends for materials collected and managed at the District Transfer Station, including household hazardous waste (HHW), books, tires, electronics, fluorescent lamps and household batteries. DM briefly outlined the new programs for collection and recycling of new construction drywall and asphalt roof shingles, mentioned challenges next year in meeting collection targets for batteries, and discussed developing new Extended Producer Responsibility (EPR) legislation for HHW.

7. DISTRICT MANAGER REPORT –

Town of Salisbury:

- Salisbury ceased operation of its unlined landfill on 9/2/19 and opened its Town Drop-off on 9/4/2019. This was the last unlined landfill in Vermont.
- The Town Drop-off, located in front of the closed landfill, is open the same hours as the landfill – Weds during summer months and Sats year-round.
- R&L Rubbish & Recycling is the operator. They collect the funds to pay for bagged trash and recyclables, as well as food scraps and leaf & yard waste. Large loads of MSW and C&D, brush and other special wastes not collected there are referred to the District Transfer Station. A small reuse shed is located at the site.
- A closure plan prepared by the Town’s engineer with assistance from Buzz Surwilo at DEC has been approved by ANR.
- Salisbury is close to satisfying all requirements in the Agreement to join the District by the end of the Term – Nov. 30, 2019. Remaining obligations: (1) The ACSWMD BOS must receive a certification by an engineer licensed to practice in Vermont that all such operations, except as allowed by Section 2.3 of the Agreement, have ceased; and (2) The ACSWMD BOS must receive a Closure Plan, as defined in Section 1.9 of the Agreement, which has been approved by ANR.
- If the Admission Contingencies are satisfied by 11/30/2019, the ACSWMD Board is required to adopt the Board Admission Resolution. Salisbury will then become a member.

Charging for Recyclables:

This issue has been confusing to the haulers and the towns since the Universal Recycling Law was adopted in 2012. The E.Bd asked TK to obtain some clarification from Josh Kelly, Materials Management Section Chief, DEC Solid Waste Program. His response on 9/16/19:

“Regardless of the collector – hauler or facility—both are specifically allowed by state law to charge for recyclables collection even when trash and recyclables are brought together. Haulers are simply required to bundle recycling fees with trash fees for residential customers.

FB September 19, 2019
Therefore:

- It is not against the law for haulers to charge residents for recycling that comes with garbage, however state law requires that those charges be bundled with trash charges and not be a separate line item on a bill. The Universal Recycling law is clear in 10 V.S.A. sec. 6607a(h) ‘A commercial hauler certified under this section may incorporate the cost of the collection of mandated recyclables into the cost of the collection of solid waste and may adjust the charge for the collection of solid waste.’

- Solid waste facilities that collect solid waste (trash) are no longer required to bundle recycling costs with trash costs for residential customers.

- Thus the Salisbury landfill as a facility that collects solid waste may charge separately for recyclables, even when they come in with trash, just like other transfer stations within the state.”

The law also allows haulers who offer curbside collection of recyclables to charge a stop fee or some administrative fee in addition to bundling the cost of recyclables. Also, with respect to “fast trash trucks” – those who collect in a truck outside of a facility – DEC considers them to be haulers, not a facility, so they therefore fall within the requirements established for haulers. DEC is looking into changing the law so that those fast trash haulers may charge for recyclables if no trash accompanies them (i.e., they can’t bundle the cost onto the trash bag fee if there is no trash bag). For now, they are allowing fast trash trucks to turn away recyclables if they arrive with no trash.

**State Draft Materials Management (Solid Waste) Plan:**

- Once Salisbury joins the District, we will have to amend our SWIP to include them in the list of member towns and add any fully certified solid waste facilities in Salisbury to our SWIP. We also have to adopt a new 5-year SWIP in conformance with the revised State MMP and have it approved by July 1, 2020. The draft SWIP will have to be reviewed by the BOS and a public hearing must be warned prior to adoption. Hopefully, the timing will work out so that the BOS can add Salisbury and its facilities in the rewrite of the SWIP without having to amend the existing SWIP first.

- After this SWIP year, Solid Waste Management Entities (SWMEs) with permanent facilities that are open for the required minimum hours will no longer have to provide HHW collection events for towns greater than 20 miles from the permanent facility.

- No Year 1 MMP Survey will be required, as a statewide Year 5 MMP Survey has just been completed by UVM.

- The requirement that outreach to businesses has to be in person has been modified to allow for a variety of contacts.

- SWMEs do not have to lend out recycling bins to private parties/events, but they will have to provide public education that bins are available and promote the use of them.

- Drywall collection and recycling are no longer mandated, but the SWME must provide locations for drywall and obtain one quote every five years for drywall recycling.

- Asphalt shingles are still mandated to be recycled but only if there is a market available.

8. **FINANCIAL REPORTS** –

a. **June & July 2019 Financial Reports** – PJ discussed the financials through July 31, 2019, showing a net gain of $45,332 for the month of July. MSW & C&D tonnage into the Transfer Station was 12,987 tons, a gain of 1,070 tons over July 2018. Recycling tonnage was 1,263 tons, an increase of 168 tons over July 2018. Transactions at the Transfer Station were up by 548 in July, but down by 1,122 YTD. PJ reported that the processing fee for single stream recyclables charged at the MRF in July was $100/ton. Through July, the District has lost ($26,643.50) on single stream recycling. D.Gaynor asked that staff provide a copy of the recycling cost analysis on a monthly basis.

[Break for Dinner]

9. **NEW BUSINESS** –
a. Approve Contractor Proposal – Concrete Pad for Drywall Roll-off, Concrete Pad and Bunker for Asphalt Shingles, Concrete Pad for Fuel Dispenser – TK explained that the District went out to bid for construction of the wastewater system expansion and other site improvements. As no bids were received, staff recommended to the E.Bd that we split out those tasks to be completed this year and defer the RFB for construction of the wastewater system, relocation of the electric pole and paving to 2020. The District obtained quotes on the work from three companies. Staff recommends that the BOS accept Multy Builders’ bid.

Motion #3: T. Wickland moved to approve staff recommendation to hire Multy Builders to install concrete pads. J. Bouvier seconded the motion.

VOTE on Motion #3: Yes – 16 (Addison, Bridport, Bristol (2), Ferrisburgh (2), Leicester, Lincoln, Monkton, New Haven, Orwell, Shoreham, Starksboro, Vergennes (2), Weybridge). No – 0. Abstain – 0.

b. Update on USFS property – initial evaluation of costs – TK reported that the staff, Weston & Sampson and architects Weimann Lamphere visited the USFS property for evaluation of the suitability of the site for expanded activities of the Transfer Station such as a residential bag drop-off and a new HHW Building. The evaluation also included the potential for connecting the two properties with a new access road. We are waiting for Weston & Sampson’s written report and preliminary cost estimate. B. Finger asked if alternative access roads have been considered. TK responded that if the cost of developing the USFS property is too high, the E.Bd could consider purchasing other property for expansion.

c. Next Steps for Siting a Regional Drop-off – The Chair recalled the BOS’s prior vote to explore both the USFS property expansion and a potential site for a regional drop-off that would accept a variety of materials from residents, offering more hours during the week and on Sat. She suggested that a subcommittee be formed to review suitable sites with the help of a realtor. General discussion ensued regarding the urgency of siting a regional drop-off and whether the town drop-offs have resolved their needs for private hauler services. TK reminded the BOS of the two surveys that the District had performed, and the daily calls from customers wanting more availability of access to full-service drop-offs. She recommended that we meet with the licensed haulers in the District at the annual hauler dinner scheduled for Dec. 3.

d. Draft #1 – 2020 Annual Budget – PJ introduced the draft 2020 Annual Budget. A new summary page of the total budget was distributed to members, which included some changes that had been made to the 2019 anticipated year-end balance since the BOS was mailed their copies the prior week. Highlights for year-end estimates included an anticipated carry-over to CY2020 of a $334,360 beginning fund balance in the General Fund. The BFB reflects the E.Bd recommendation to move $100k of the $200k Organics Rate Stabilization Fund balance, currently in a COD at National Bank of Middlebury, to the Capital Reserve Fund when it matures in early Nov. 2019.

Rate increases in the 2020 Annual Budget proposed by the E.Bd include: Increase in MSW & C&D tip fee at the Transfer Station from $126/ton to $128/ton. The District Fee of $33.40/ton would be increased to $34/ton (first increase since 1999), which applies to all waste disposal, and is part of the $128/ton at the Transfer Station. Recycling Fees would increase from $92/ton to $120/ton, in response to ever-increasing processing fees that the District must pay to the MRF. Even at this new rate, the District will still be realizing a $9,000 loss in recycling. TK added that most of these rate increases are to make up for the rising single stream recycling costs and anticipated lower revenues from scrap metal recycling. TK reviewed the 10-year Capital Reserve Fund Budget. The 2020 budget includes $135,000 in Capital Acquisition and $275,000 in Capital Development. The latter includes the $200,000 roll-over of construction costs. The total is $410,000. Projected 2021 expenses include land acquisition for an HHW building. Projected 2022 expenses include $363,000 for 40% of the cost of an HHW building, assuming a $900,000 grant from ANR. These expenses would take the CRF down to a negative ($38,398) and negative

FB September 19, 2019
fund balances thereafter, indicating that the BOS would have to decide whether to bond for or borrow for this project. B.Munoff objected to the District providing a regional service with no revenues to show for it.

TK responded that the HHW building is to replace the current arrangement of operating out of cabinets, and with the volume and participation rates increasing every year, and with deterioration of the metal cabinets, we are trying to plan for the District’s future needs. A regional facility, should the BOS approve it, would have to be funded with a combination of a state grant and user fees.

Motion #4: B.Finger moved to approve the budget. J.Bouvier seconded the motion.

VOTE on Motion #4: Yes – 18 (Addison, Bridport, Bristol (2), Ferrisburgh (2), Leicester, Lincoln, Monkton, New Haven, Orwell, Ripton, Shoreham, Starksboro, Vergennes (2), Weybridge, Whiting). No – 0. Abstain – 0.

10. OTHER BUSINESS – None.

11. EXECUTIVE SESSION – None.

12. ADJOURN –

Motion #5: B.Finger moved to adjourn at 6:57 PM. J.Bouvier seconded the motion.

VOTE on Motion #5: Yes – 18 (Addison, Bridport, Bristol (2), Ferrisburgh (2), Leicester, Lincoln, Monkton, New Haven, Orwell, Ripton, Shoreham, Starksboro, Vergennes (2), Weybridge, Whiting). No – 0. Abstain – 0.

I agree that this is an original of the September 19, 2019 minutes that were considered and approved by the BOS at its meeting of ______________.

_____________________________

Teresa A. Kuczynski, District Clerk