

1 **NOTE: These minutes are subject to review and modification by the ACSWMD Executive Board at**
2 **its next regular meeting.**
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4 **ADDISON COUNTY SOLID WASTE MANAGEMENT DISTRICT**
5 **EXECUTIVE BOARD MEETING MINUTES**
6 **May 10, 2023, 4:30 PM**
7 **ACSWMD Office, 1223 Route 7 South, Middlebury, VT 05753**
8 **and Virtual Meeting on ZOOM**
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- 10 **1. CALL TO ORDER** – Tim Wickland (TW), Board of Supervisors (BOS) Chair, called the meeting
11 of the Executive Board (E.Bd) to order at 4:30 PM. Other E.Bd members present on Zoom: Bill Munoff
12 (BM), Diane Mott (DM), Deb Gaynor (DG), Randy Orvis (RO), and in person: Cheryl Brinkman (CB).
13 Staff present: Teri Kuczynski (TK), District Manager; Patti Johnson (PJ), Business Manager; Don
14 Maglienti (Don), Program Manager.
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- 16 **2. APPROVE THE AGENDA** –
17 **Motion #1: BM moved to approve the agenda. RO seconded the motion.**
18 **VOTE: Yes – 5 (BM, DG, RO, CB, TW). No – 0. Abstain – 1 (DM).**
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- 20 **3. APPROVE MINUTES OF APRIL 5, 2023 MEETING** –
21 **Motion #2: DG moved to approve the minutes of April 5, 2023. CB seconded the**
22 **motion.**
23 **VOTE: Yes – 5 (BM, DG, RO, CB, TW). No – 0. Abstain – 1 (DM).**
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- 25 **4. PUBLIC COMMENT PERIOD** – The Chair opened the public comment period.
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- 27 **5. MANAGER REPORT** –
28 **a. Personnel** – Shelly Edson, our longtime Scalehouse Operator is leaving at the end of May.
29 Chantel Bolduc, our Administrative Assistant, will be moving to the Scalehouse on weekdays. We
30 are going out to hire for a F/T Admin. Assistant and a P/T Scalehouse operator for Sats.
31 **b. Health & Safety** – With the lifting of the federal COVID-19 emergency as of May 11, TK
32 notified staff that some of our pandemic procedures will end, including: Door signs requiring visitors
33 to either be vaccinated or masked will be removed; daily staff sign-in sheets attesting to lack of
34 symptoms will be ended. After receiving more guidance from the VT Dept. of Health and VOSHA,
35 the COVID-19 attachment to the Environmental Health & Safety Plan will be revised as well to
36 reflect changes. Insurance plans will cover test kits and vaccinations.
37 **c. Legislative Update** - H.67, the Extended Producer Responsibility (EPR) for HHW Bill, was
38 passed 5-0 in the Senate Natural Resources Committee and will make a stop in the Senate Finance
39 Committee before it heads to the floor for approval. H.158 - Bottle Bill expansion - was referred to
40 the Senate Committee on Finance. The Senate committees have proposed changes to H.158, with the
41 addition of a third-party systems analysis of the beverage redemption system, including costs,
42 performance, convenience and effects on existing recycling facilities. The Agency of Natural
43 Resources (ANR) will report back to the House Comm. on Environment & Energy and the SCNRC
44 on or before Jan. 15, 2025 with the findings of the systems analysis.
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- 46 **6. FINANCIAL REPORTS** –
47 **a. March 2023 Financial Report** – PJ presented the March Financials showing a net loss of
48 (\$31,080). March 2023 tonnage was 79 tons below March 2022. However, YTD tonnage was 223
49 tons higher than YTD 2022. Although total transactions in March 2023 were 329 tons lower than in
50 2022, YTD 2023 transactions were 1,287 tons higher than YTD 2022. The 336 tons of single stream
51 recyclables received at the transfer station in March 2023 were 57 tons lower than March 2022. The
52 1,038 YTD tons were 16 tons higher than YTD 2022. No tires were hauled in March, but 53 tons
53 YTD were 12 tons higher than YTD 2022. Food scraps at the Transfer Station in March totaled 8.82
54 tons, and YTD tons were 2.36 tons higher than YTD 2022.
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b. March 2023 Single Stream Recycling Report – In March, the Transfer Station delivered 329 tons to the Materials Recovery Facility (MRF) @ \$147/ton processing fee. With other transport costs (hauling, trailer deliver fees, fuel surcharge fees), YTD total net loss for single stream recycling was (\$38,560).

c. Pesticides Grant Opportunity – Don gave an update on continued discussions between ANR, the solid waste management entities and the Agency of Agriculture, Food and Markets (AAFM) regarding funds for a new AAFM pesticides grant in FY2024. Grant funds are limited to \$144,000, with discussions focused on how to fairly allocate the funds.

d. Municipal Diversion Grant Applications – N/A

e. School Diversion Grant Applications – N/A

7. NEW BUSINESS –

a. BOS Voting Discrepancy, April 13th Vice Chair Election Process, and Resolution – TK referred the E.Bd to the District Charter and Open Meeting Law that both require a roll call vote and recording of how each member votes in the minutes. The Charter also requires a weighted vote for each member. The Zoom poll that we tried to use for the Vice Chair election vote did not satisfy that standard, in that the confidential votes did not allow the host or clerk to tally the weighted votes based on how each member voted. CB agreed that a weighted vote is required by our Charter, and with a breach of the Open Meeting Law, the BOS needs to decide how to take action to resolve it. After some discussion, the Chair suggested that the full BOS should decide at its May 18th meeting how to address this matter.

b. First Amendment – Environmental Services Agreement with Clean Harbors – Don reviewed the draft amendment from Clean Harbors to extend the agreement for two years, and continue for one-year periods thereafter, with an option to terminate by either party upon 30 days' written notice, under the same conditions, including no price increases.

Motion #3: BM moved to recommend to the full BOS to renew the First Amendment – Environmental Services Agreement with Clean Harbors. RO seconded the motion.

VOTE: Yes – 5 (BM, DG, RO, CB, TW). No – 0. Abstain – 0.

c. Amendment – Hazardous Waste Transportation & Disposal Services Agreement w/ US Ecology – US Ecology is proposing an amendment to their contract to add an 8% increase in the Energy Insurance and Recovery Rate (from 18% to 26%) applied to the entire invoice. Don estimates that the net cost of this increase will be negligible considering the infrequent shipments, and that rate increases would be higher if the District were to go out to bid.

Motion #4: BM moved to recommend to the full BOS to approve the Amendment – Hazardous Waste Transportation & Disposal Services Agreement with US Ecology. RO seconded the motion.

VOTE: Yes – 5 (BM, DG, RO, CB, TW). No – 0. Abstain – 0.

d. Update on Phase 1 Construction – New Haven Residential Transfer Station RFB – TK reported that the District has issued a Request for Bids for Phase 1 Construction of the New Haven Residential Transfer Station. The optional site visit for contractors will be held on May 12th at 10 a.m.

e. Recycling Cost Increases and Revenue Options – With the higher processing fees charged at the MRF for single stream recycling, and the mounting losses, the BOS needs to discuss options for responding to the challenge. TK will gather some information for discussion at the May 18th BOS meeting.

8. EXECUTIVE SESSION – None needed.

9. AGENDA ITEMS FOR MAY 18, 2023 BOARD OF SUPERVISORS MEETING – March 2023 Financial and Recycling Reports, Pesticides Grant update, BOS Voting Discrepancy on April 13th, Clean Harbors Amendment, US Ecology Amendment, Update on Phase 1 Construction in New Haven, Options for Managing Recycling Costs.

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10. OTHER BUSINESS – N/A.

11. APPROVAL OF PAYMENTS FOR MARCH – The March invoices were reviewed, and the summary was signed by the Chair.

Motion #5: RO moved that the E.Bd approve the payments for the month of March as approved by Tim Wickland. BM seconded the motion.

VOTE: Yes – 4 (BM, DG, RO, TW). No – 0. Abstain – 0

12. ADJOURN –

Motion #6: BM moved to adjourn the meeting at 6:15 PM. DG seconded the motion.

VOTE: Yes – 4 (BM, DG, RO, TW). No – 0. Abstain – 0.

I agree that this is an original of the May 10, 2023 minutes that were considered and approved by the E.Bd at its meeting of _____.

Teresa A. Kuczynski, District Clerk