

Minutes
NWSWD Board of Supervisors Meeting
August 3, 2016

The Board of Supervisors of the Northwest Vermont Solid Waste Management District held its regular board meeting on Wednesday August 3, 2016 at the District Offices, 158 Morse Drive Georgia, VT at 6:30 PM.

Chairman Bill Rowe called the meeting to order at 6:30 PM.

Supervisors Present:

Dave Bennion, Franklin
David Clark, Fletcher
Tim Green, Richford
Vincent Hickey, Berkshire
Barry Kade, Montgomery
Paul Lambert, Georgia
James Lintereur, Bakersfield
Carlo Micheli, Swanton

Jim Richards, No. Hero
Bill Rowe, So. Hero
Dave Supernault, Sheldon
Jaime Tibbits, Fairfield

Supervisors Absent:

Terry Anderson, Isle La Motte
Ben Lowell, Highgate

Amy Mashtare, Alburgh
Al Voegele, St. Albans Town

Others Present:

John Leddy, Executive Director

Guests:

Thomas Reynolds – Member of
Public
Phillip Woodward, Esq. - Attorney

- 1) Agenda Review: Discussion of moving public comment to accommodate Mr. Reynolds. A motion will be made at the time of Mr. Reynolds arrival To move Public Comment ahead of where ever we are at the time to accommodate him. Nothing else to add.**

- 2) VOTE: Minutes of the June 1, 2016 Board Meeting:** Mr. Kade asked that we Reflect the discussion about the Caterpillar truck though unofficial that the consensus amongst board members at the June meeting was to keep the Caterpillar truck until the warrantee is up with the exception of action needed due to unforeseen circumstances. Mr. Clark asked that we note that the Package Mr. Reynolds brought to the board during the June meeting's public comment is retained for anyone who would like to look at it. Mr. Rowe asked all those in favor of passing the minutes with the two additions Discussed to say aye. Mr. Lintereur abstained. All were in favor and the minutes

were accepted.

3) VOTE: Mr. Kade made a motion to move into executive session to discuss on-going Reynolds litigation with our attorney. Pre-mature public disclosure could be harmful to the District's position. Mr. Lintereur seconded. All were in favor and the motion passed. Executive session began at 6:40 PM.

4) VOTE: The board voted to come out of executive session at 7:00 PM.

5) Old Business:

a) Director's Report:

Mr. Leddy reports we've been busy operationally and administratively. We have seen increases in some materials, decreases in others. HHW material decreases were discussed and explored.

Mr. Leddy discussed staffing and the advertising and other things we have been doing to assist in our hiring process. He discussed briefly the rotation schedule he has planned for drop off site employees. Wage scales were discussed. Mr. Rowe wanted it noted that if Mr. Leddy decides to change pay scales for certain positions the board is behind him and would appreciate the knowledge after changes are made.

He noted that the grant agreement for the District's new Residential Composting Program which we will start our education & outreach process to gain customers for this program. It should be ready to go on January 1, 2017. Discussion ensued.

Mr. Leddy explained the District's potential involvement in The Community Garden Network who is having forums to discuss composting at community gardens. They are looking for funding for community compost drop off zones at community gardens. The District would provide technical assistance as well as carbon material and other sundries.

On July 1st we submitted our first year reporting on our solid waste implementation plan. Most questions were in regards to education and outreach. It showed us where we need to have better plans for year round tracking, and we set up a solid plan for year two in relation to education and outreach.

b) Vote to Move to Public Comment: Mr. Supernault voted to move into a public comment period as Mr. Reynolds, a member of the public and previous employee of the district arrived. Mr. Clark seconded. All were in favor and the motion passed. Mr. Reynolds introduced himself, asked the board if members reviewed the packet he handed out to board members at the last meeting asking again for Documented proof of all statements made about him during his workman's compensation hearing and at his termination appeal hearing. He asked if a determination was made. Mr. Rowe explained to him that the final disposition of

this was made in 2014, by the board and by the workman's compensation determination hearing and that we had no obligation nor would the board discuss matters related to his employment, discharge or workman's compensation hearings. This matter is closed and he is attempting to re-open this issue. Mr. Reynolds continued to read his letter (a transcript of which is available upon request, he left no paper copy). He left stating that this was not over. Mr. Rowe reminded the board that any claimed injustice was reviewed and ruled on at the workman's compensation hearing and appeal and no claimed injustice was found.

c) Financial Reports:

i) Review of FY16 Semi-Final Profit & Statement. Ms. Bolster stated that most transactions were in for the end of our FY16 Year. A few things will still trickle in that will affect this though only minor changes. The bottom line was good, more in line with our budget than in past years though our surplus will be approximately 45K over what was planned. She reviewed sale of recyclables, recycling income, personnel expenses were discussed by all. Ms. Bolster will review this more in depth once finalized. Ms. Bolster offered detail on any line item the board wished to discuss. HHW disposal briefly discussed.

Ms. Bolster asked for the board members to turn to the balance sheet, pointed out the new bank accounts holding the reserve funds.

Ms. Bolster pointed to the drop off site P&L's and stated that she would be doing a drop off site comparison for the next meeting. The Georgia report Mr. Lambert was found to have some discrepancies, Ms. Bolster determined it was not set to print all items and will re-run the report for next time.

ii) FY17 – July – Ms. Bolster stated that so little has happened in this first month of the new fiscal year that she did not print the report but will be able to provide July detail at the next meeting.

iii) A discussion about a past due account balance from a hauler no longer in business but who was asked to sign an MOU acknowledging his responsibility for the Sept 2015 billing as there was an ownership transfer in process at the time. The board authorized using a law firm previously utilized for collection letters in the hope that a letter from a lawyer will prompt this payment, as Ms. Bolster's recent attempts have not been successful.

Other past due accounts were discussed however past due account situations are at a low level at this time.

d) Committee Updates:

i) Administration Committee Meeting Recap: Ms. Bolster notified the board that Jaime Tibbits was nominated and elected as Chair Person of the Committee and Ben Lowell was elected as Vice Chair. Ms. Tibbits gave a recap of the Admin meeting at which was discussed, ban the box on applications, accrued sick time for part

time employees, background checks, pre-employment physicals, health care rates and the plan review once rates are finalized. Ms. Bolster will do some research to see what other districts are doing and report at the next admin meeting to be scheduled after health care rates are finalized. The next meeting should result in recommendations to the full board on these and other topics.

ii) Charter Ordinance Committee Update:

Mr. Kade said they discussed administrative procedures that need to be put into effect in order to pull a hauler's license, fair hearing etc. Mr. Kade provided a sample policy from the municipal bureau to this meeting to use as a template but also asked to see what other districts are doing. Mr. Kade suggested asking VLCT as well.

iii) FLSA Discussion: A brief discussion on the Federal Labor

Standards Act Changes going into effect on December 1, 2016

Which changes the exemption guidelines for salaried employees.

Discussion and issue will be reviewed by the administration

Committee at the next meeting who will develop a recommendation to the board.

6) New Business:

None

7) Other Business:

a) Committee Meeting Schedule:

8) Public Comment:

See Section 5 (b).

Full Board Adjourns 8:50 PM.