

**Minutes**  
**NWSWD Board of Supervisors Meeting**  
**December 7, 2016**

The Board of Supervisors of the Northwest Vermont Solid Waste Management District held their regularly scheduled board meeting on Wednesday December 7, 2016 at the District Offices, 158 Morse Drive Georgia, VT at 6:30 PM and a Public Hearing for the FY18 Budget at 6:00PM. Chairman Bill Rowe called the meeting to order at 6:30 PM.

**Supervisors Present:**

Terry Anderson, Isle La Motte  
Dave Bennion, Franklin  
David Clark, Fletcher  
Vincent Hickey, Berkshire  
Barry Kade, Montgomery  
Ben Lowell, Highgate

James Lintereur, Bakersfield  
Carlo Micheli, Swanton  
Jim Richards, No. Hero  
Jaime Tibbits, Fairfield  
Bill Rowe, So. Hero  
Al Voegele, St. Albans Town

**Supervisors Absent:**

Tim Green, Richford  
Paul Lambert, Georgia  
Amy Mashtare, Alburgh  
Dave Supernault, Sheldon

**Others Present:**

John Leddy, Executive Director  
Pam Bolster, Business Manager

**Guests:**

Thomas Reynolds – Member of  
Public

**Public Hearing Draft FY2018 District Administrative Budget – No attendees.**

- 1) **Agenda Review:** Nothing added. Suggestion to move executive session under new business from d to c. No objections.
- 2) **VOTE: Minutes of the November 9, 2016 Board Meeting:** Mr. Rowe asked For a motion to approve the minutes as written. Mr. Lintereur motioned, Mr. Kade seconded, all were in favor and the motion passed. Ms. Tibbits abstained For lack of attendance.
- 3) **Old Business:**
  - a) **Director's Report:**

Mr. Leddy discussed the highlights of the analyzed data for FY16. We increased the diversion from the landfill by 4% over last year. Through our direct operations we diverted over 150 tons more than last year, which included an increase in compost material and an increase in e-

Waste. NWSWD in FY15 recycled 1 ton of florescent bulbs, in FY16 3 tons. Discussion ensued including a discussion of HHW Material. Overall we sent as a district less waste to the landfill by appx 5 tons. 29% of all waste is being diverted.

Residential Compost Route discussion occurred, Mr. Leddy stated the District will start this program in January 2017.

Mr. Leddy explained to the board the baler maintenance that occurred recently.

Mr. Leddy informed the board of the problems we have been experiencing with the Caterpillar Truck and the difficulties it has been causing, mainly time issues as it is in the shop frequently. Discussion ensued which will continue at future meetings. Mr. Leddy said we will do an analysis of the problems for the next meeting. He will come with a quote to show what it could look like if we traded it in. Capital Reserves usage was discussed.

Mr. Leddy discussed the certifications of the Landfill in Sheldon, the Bakersfield Drop Off Site as well as the Montgomery Drop Off Site. The State Haulers meeting was discussed regarding Organics Collection.

- b) **Financial Reports:** Ms. Bolster reviewed the last two months of finances in detail, touching on the profit and loss, receipts and payments and outstanding AR, discussing Jim Burn, his outstanding balance and as well Duffy's. She assured the board that we are where we should be at this time of year with a few timing variances. She informed the board that she will try to bring a drop off site comparison including December to the February meeting. She discussed the recent wave of vendors and customers going to on-line invoicing and direct payments. Ms. Bolster mentioned the final audit and asked whether the board would like the auditor to do a presentation. Ms. Bolster informed the board that there was an injunction against the FLSA changes that had been discussed at a prior meeting and that at this time no action will be taken. The new administration in January will almost certainly kill this completely.

## 6) **New Business:**

- a) **Discussion and Vote:** Shall the Board adopt the Draft FY2018 District Administrative Budget as Warned or Amended ?  
Mr. Voegele motioned to adopt the Draft FY2018 Budget, Mr. Richards Seconded. Discussion ensued. It was asked whether an amendment might Need to be made due to truck issues. Ms. Bolster stated it was a Consideration and that she will look at it but it is dependent on what we Decide to do in regards to that.  
A voice vote was held, all were in favor and the motion passed.

- b) **Discussion and Vote:** Shall the board set the FY2018 District Municipal Assessment at \$1.00 per Capital based on the most recent census data, With a due date of November 15, 2017, and direct the District Treasurer to issue warrants to member municipalities.

Mr. Voegelé made the motion to set the FY2018 District Municipal Assessment at \$1.00 per Capita based on the most recent VT Health Dept. Census data, with a Due date of November 15, 2017, and direct the District Treasurer to issue Warrants to member municipalities. Mr. Benion seconded the motion, all were in Favor and the motion passed.

**c) Discussion and Vote:** Shall the Board adopt a policy to set the guidelines for time allotted to the public so that: "During public comment of regular Board of Supervisors meetings individuals shall be limited to three minutes; this time Limit may be extended by a two-thirds vote of the Board?"

Mr. Lintereur made a motion to set the public comment time limit at three Minutes which can be extended by two-thirds vote of the board. Mr. Clark Seconded the motion. Discussion ensued, with statute reviewed and discussed. Key point of discussion was that from statute it states that public comment be limited to matters discussed by the board at the meeting based on the Agenda. The NWSWD will enforce this statute.

The public can request that a topic be included on the agenda though there is No guarantee that the topic will be included, the Chairman of the Board will Make that decision. A discussion ensued about when public comment should Be put on the agenda, at the beginning or the end. The intent is to have public Comment at the beginning of the meeting so that their input is considered on the agenda item the comment is in reference to.

**7) Public Comment:** Mr. Reynolds, though out of order, expressed his displeasure of Limiting the public comment to matters discussed by the public body at the meeting. Mr. Rowe stated that if Mr. Reynolds comes to the meeting and tries to re-open a closed situation that he will be ruled out of order. Mr. Reynolds stated that for the next meeting he will request the topics he feels need to be on the agenda. Mr. Rowe reminded him that we are not obligated to include those items and again reminded Mr. Reynolds that his personnel situation is a closed issue. She as well stated that if they wanted emailed or paper copies of this correspondence, to ask and she will get it to them.

### **New Business Continued...**

Ms. Bolster asked for the floor to make mention to the board, currently in reference to the Mr. Reynolds personnel situation but for future information as well, that at all board meetings there will be a folder to members to view, of any correspondence that is intended for board review, requests that come to the board email. Currently this folder, large that it is, contains only correspondence in reference to Mr. Reynolds, his personnel situation, and his public record request situation, and is from three people, all in relation to this, from Tom Reynolds, Bob Fitzgerald, and Larry Ransom.

**d) Discussion & Vote: Possible Executive Session:** Discussion of potential civil litigation and attorney client communication where premature general public knowledge would put the District at a disadvantage.  
Mr. Kade asked Ms. Bolster if there has been any discussion with our attorney

about possible litigation to control the barrage of public record requests from Mr. Reynolds and his associates. Ms. Bolster stated yes. Mr. Kade stated that he believed public disclosure would be harmful to the district and made the motion to enter executive session. Mr. Clark seconded the motion. All were in favor and the motion passed. Executive session was entered at 8:20 PM.

Executive Session adjourned at 8:35 PM. No action taken.

Full Board Adjourned 8:25 PM.