

**Minutes**  
**NWSWD Board of Supervisors Meeting and Public Hearing**

**June 5, 2019**

The Board of Supervisors of the Northwest Vermont Solid Waste Management District held their regularly scheduled board meeting on June at 158 Morse Drive Georgia, VT at 6:00 PM.

Chairman Al Voegele called the meeting to order at 6:36 PM.

**Supervisors Present:**

Terry Anderson, Isle La Motte  
Jennifer Bright, Enosburg  
Danielle Choiniere, Alburgh  
David Clark, Fletcher  
Barry Kade, Montgomery  
Mike Kemsley, Grand Isle

Leitz, Tom, St. Albans City  
Carlo Micheli, Swanton  
Jim Richards, No. Hero  
Bill Rowe, So. Hero  
Jaime Tibbits, Fairfield  
April St. Francis, Highgate  
Al Voegele, St. Albans Town

**Supervisors Absent:**

Tim Green, Richford  
Paul Lambert, Georgia

**Others Present:**

John Leddy, Executive Director  
Pam Bolster, Business Manager

**Guests:** Bob Buerman, South Hero future  
Supervisor

**Full Board Meeting**

**1) Agenda Review-Additions/Deletions:** No Changes, Additions or Deletions.

**2) VOTE: Minutes of the April 3, 2019 NWSWD Board Meeting:**

Mr. Voegele requested a motion to accept the minutes of February, 2019 as presented. Mr. Clark Made the Motion. Mr. Kade asked for three notations and and corrections. He asked that when corrections to the minutes are made that the corrections be notated clearly, that in the February minutes approving the December minutes the corrections were not noted it just stated "with corrections". Ms. Bolster will research the tape of those minutes to determine what those corrections were so they can be noted. Mr. Kade asked for two corrections to the April Minutes. The phrasing in Finance states "Mr. Green has been out delivering final bills and Ms. Bolster will contact her at an appropriate time ...." Correction for clarification: The new owner stated that the wife of the deceased owner has been delivering final bills and Ms. Bolster will contact her within an appropriate time about the past due balance., his next correction

regards the discussion about Mr. Lintereur's retirement and what to do in honor of his service. He said that it does not state what was decided upon. As no decision was made the discussion was tabled and it should have been noted. Jaime Tibbits noted her name was misspelled in a number of areas and asked that her name be added to spell check. Danielle Choiniere asked that Amy Mashtare's name be taken off of the Absent Supervisor's list as she is no longer a supervisor. With these corrections the motion to accept the minutes is accepted. All were in favor with one abstention from Mr. Richards who was not present at the meeting and the motion passed.

**3) Public Comment: None**

**4) New Board Member Introductions:**

Mr. Rowe who has just stepped down from many years of service to the NWSWD, introduced his intended replacement, Bob Buermann who stated he served on a regional planning commission with Mr. Voegelé, is on the Green Mountain Transit Board representing Grand Isle County, as well as Serving on other boards. Though not officially appointed, he will be at the next South Hero Select Board Meeting. Mr. Buermann stated that the South Hero Select Board is in agreement that Mr. Rowe could be left on as an alternate and his belief that the Town has the option to have an alternate available. Ms. Bolster recalled the board having visited this situation in the past and had determined that it could not be done, She recalled that it was something in the wording, asked for board recollection which was scant but indicated that it could be revisited. Mr. Kade recalled that it would have required a charter change to accommodate that situation. Discussion tabled.

Melissa Dion, Jim Lintereur's official replacement in Bakersfield was introduced, this being her first meeting. She is a teacher in Fairfield and a Farmer.

All board members and staff introduced themselves.

**5) Old Business:**

**a) Directors Report:**

Mr. Leddy stated we are in full HHW season swing, having completed four of our remote events as well as being busy at the Georgia facility with appointments. The legislative season has wrapped up, he noted two bills, the plastic bag and single use plastics ban that includes Styrofoam, and single use plastics from takeout, tableware and containers. Discussion about biodegradable/compostable plastics ensued. The bill also establishes a working group to identify and create outcomes for materials and packaging that is problematic. A discussion ensued about what changes we may need to make in house to comply with this ban. Mr. Leddy stated this working group is a good chance to look at the recycling system and that there is an opportunity here to capture product stewardship. Discussion ensued.

Mr. Leddy stated that the other bill is in regards to Act 148 the states universal recycling law matures in July of 2020. One provision has been removed from that law. The hauler mandate for organics. The law stated that haulers had to provide organics collection services to their customers at the curb. After hauler pushback the state now says that if the service is being provided in that area and the service is being offered to all customers the hauler does not have to offer the service.

Mr. Kade asked if that includes a drop off site for organics available in their area As opposed to someone picking it up. Mr. Leddy replied: "Technically is does not."

"There was no convenience standard for like how far did that drop off point need to be from a household to be.... I would have argued that that would have been a good work around but that work did not go into it." Mr. Kade: "Is there rule making authority for the ANR to implement it." Mr. Leddy: "No" Further discussion including enforcement occurred. He stated the district provides composting services to the St. Albans area and are looking to expand those services.

To recap in 2020 food scraps will be banned from the landfill and all will need to separate.

Mr. Rowe asked about easy access to drop off points and about backyard composting as well as its enforcement. Discussion of our compost classes and compost products for sale, community gardens, our drop off sites and affiliates drop off points, town systems etc.

Mr. Leddy noted that the sites are busy. We shipped 10 tons of filmy plastic to TREX to be made into plastic composite lumber, for money. Plastic streams were discussed.

## **b) Finance Report:**

Ms. Bolster directed the board to the P&L. She stated the bottom line showing the district under budget by 1.6K but said that this does not include approximately 55K in surcharge income as the Casella reports have not been received yet and as well, some expenses. She noted the following line items: Income: Commercial Compost at 66K over our budgeted 46K due to the increase in commercial accounts, Grant Income slightly over 52K over budgeted 51K and explained the additional funds received through the SWIP. She noted the end of the residential grant in December 2019. She noted the decrease in HHW income and the increased expense in HHW due to smoke detector disposal which was close to 8K, without drilling down the feeling is it is a comparable decrease in both income and expense. Surcharge income is anticipated to be over what was budgeted though final month reports won't be received until the end of July. Trash income at 281K over budged 225K with a month to go. Composter Sales at 5.5K over 5K. In expenses she noted: Administrative costs: Utilities close to budget and the stated change to Comcast for Phone and Data Services was discussed, Postage over budget but purchased a large amount prior to stamp increase of which some will move out of FY19 to FY20. Insurance 62K over 78K, lower due to workman's comp changes and starting to come down from past large claims. In Personnel, Benefit Expenses 188.7K over budgeted 163.8K due mainly to increase in

personnel choice of single or family plans. She highlighted the need to budget for positions at the highest benefit expense level to cover personnel choice changes and personnel changes. Gross Wage is anticipated to come in year end close to budget. Ms. Bolster stated the district is slightly over budget on legal and accounting expenses, under budget on property tax which is good, and that our bond payments for the year of 73.2K has been paid. For building and equipment expenses we have made the payments done in two installments into the district capital maintenance fund, a little over budget on new equipment, and equipment supplies and maintenance being over budget by appx. 1.8K. She noted that she would with the final report be giving explanations for each line item variance. Under direct services she noted trash disposal while under budget now will not be by FY end but that it should not be too bad. Enforcement is over budget but explained the mileage involved in our enforcement officer's efforts. Repairs and Supplies to Drop Off Sites is slightly over budget, composting over budget but as is composting on the income side. She reported recycling costs being over budget, again as it is on the income side. She noted no major issues at year end. Mr. Kemsley asked if the MRF raised prices again and it was confirmed that they increased to \$65.00 per ton. She noted the contract with Casella's second year pricing seems to be higher than if we were not under contract realized by a notification we received about the pricing increase. Ms. Bolster contacted Mike Casella about this issue who stated that this was not the intent of the contract. Ms. Bolster stated that there could be another planned increase within the fiscal year that could still make this pricing beneficial however requested Mr. Casella check it out and get back to her. This was two months ago and no response has been received. She will follow-up.

Ms. Bolster reported receipts and payments for the months of April and May were in line with expectations.

She directed the board to the drop off site profit and loss sheets stating all drop off sites doing well with North Hero struggling slightly due to weather in these early months of the season. She noted Bakersfield drop off site increase.

**Operations Discussion Break:** Ms. Dion asked if this was an appropriate time to discuss the Bakersfield drop off site closure for two years. She stated people are very concerned. She said it's busy, it's being used every week and asked if it was definite, and was it really until 2022? Mr. Leddy explained that it was all dependent on construction scheduling of the upgrades to route 108. He said that Vtrans owns the lot that affects the operations of the drop off site with district boxes sitting on the town's old fire station property that sits next to the Vtrans property. The state will be using that property as a staging site and we will not have access to the site during the project. Ms. Dion asked if she could attempt to find an alternate site. Mr. Leddy encouraged that but also explained that any site would need to be certified which he explained has a 90 day warning period after the draft certification is submitted which takes approximately 3-6 months to prepare, or if we were able to go to a fast track situation which entails removing all material from the site the same day of collection no certification would be needed but a site would need to be identified and someone would need to be found to do it. Ms. Dion expressed the urgency and said she is willing to go to the select board as needed. Options were explored by board members. Mr. Leddy and Ms.

Dion will discuss this further and make plans to go to the select board.

Mr. Kade asked about the Montgomery site potential paving. Mr. Leddy said they had approached the district about our intent to stay on the site and Mr. Leddy responded that we wanted to stay, that we like the site. He asked if they wanted us to leave? They responded no.

Mr. Kade then recommended that as we conduct business in an emergency services area, we have cones out stating stay within the cones. Mr. Leddy stated that he would check into it, that we have been managing traffic there for 7 years and he hasn't heard of any problems. Mr. Kade stated that many times when he visits the traffic is too far over possibly impeding any emergency service vehicles.

**Finance Discussion Continuation:** Ms. Bolster brought the boards attention to outstanding AR. The Call to Recycle is not truly outstanding as she has a check but was overpaid and she is trying to reconcile it. She noted a conversation with Catherine Duffy who is back in town taking care of these issues. She has some personal issues with illness in her family and Ms. Bolster stated that from where they were three years ago with Duffy's are actually doing ok. The Town of Enosburg has yet to submit their municipal assessment which was due on 11/15/18 and said this has been an ongoing problem over the last few years. They have been sent late notices and Ms. Bolster will continue to follow up. She noted Gauthier's outstanding balance from the audit and informed the board of her visit to Gauthier's to return some records and check on the payment. Ms. Gauthier confirmed that payment was in process. A check has not been received to date. Ms. Bolster told the board that Ms. Gauthier is aware of the fact that licensing will hinge on her payment of a good portion of this as well as a plan for payment of the balance. Discussion ensued. Hannaford's outstanding balance was again mentioned as this has been an ongoing issue. Ms. Bolster is still attempting to clear this up. Mr. Kade asked if we charge and if we can charge interest on the late municipal assessment. Ms. Bolster replied we do not and said she would check into whether we could. She noted that she had spoken with Bruce Wetherby's wife about the past due invoice and she is sending payment.

**c) District Reserve Fund CD:**

Ms. Bolster explained the dilemma that the board at the last meeting approved to place 127,736 with New England Federal Credit Union in a five year CD with the stipulation that the CD require two signatures for any transaction to occur. Unfortunately Ms. Bolster found that the credit union is not able to accommodate this, nor in her research can any other bank. So we are back at re-approving the placement of these funds. She noted the difficulty with NEFCU customer service. She noted Peoples Trust offer to match the NEFCU rate of 3.18% if we moved all of our funds to them, allowing them to purchase securities in our name to insure us complete coverage of the funds with them. The board and Ms. Bolster reviewed the rates that she had received prior to the previous vote as well as the terms. Much discussion was held on chasing changing interest rates.

**VOTE:** A motion was finally made by Mr. Kade that the board authorize the same

amount of funds as the last vote with NEFCU for a 60 month period with the signatories being John Leddy, Al Voegele, and Jaime Tibbits. Pam Bolster to be authorized as having on line access to view the account and to authorize others to utilize the on line system. Ms. Tibbits seconded. All were in favor and the motion passed.

#### **5) New Business: Responses to the District's RFP for Audit Services and Vote.**

Ms. Bolster reviewed the responses to the District's RFP for Audit Services. She started by directing the board to the comparison sheet that she prepared stating that she sent out nine direct RFP's and listed it with VLCT on line. The contenders in order of highest to lowest pricing McSoley McCoy, Fothergill Segale and Valley, RHR Smith a new proposer, Ron Beaulieu. All were reviewed for pricing, for staffing, for locality, and for references. Concerns of going with a new auditor, whether fresh eyes are needed, whether the cost savings outweigh the familiarity with our organization. Mr. Buermann said that he was familiar with RHR Smith and they do send different staff every time on purpose and staff who have experience in a wide range of areas so that they explore, ask questions, and arrive at the end result in different ways. They have been very happy with their work. Intense discussion ensued. Ms. Bolster stated her preference of working with someone who is very familiar with our organization and solid waste. A consensus was made about the desire to keep the funds local.

**VOTE:** Ms. Choiniere made a motion to accept Fothergill, Segale and Valley's proposal. Mr. Kade seconded the motion. Mr. Voegele asked for a raise of hands 10 were in favor, 0 were not, Mr. Richards abstained and asked that we not find ourselves in the same position three years from now maybe we really do need to change unless there is an overwhelming reason to stay with Fothergill. Mr. Kade also asked whether we could ask Fothergill to send a different person. Ms. Bolster said she would imagine that she could.

#### **6) Other Business:**

##### **a) Discussion: Administration Committee Discussion of PTO time for part time people.**

Mr. Clark stated that the last discussion during the administration committee meeting revolved around the difficulty the district is having part time workers especially not being able to use their accrued time and losing a large portion of accrued time going into the new fiscal year on July 1st. It has resulted in part time people utilizing time they really don't need to use just so they don't lose it. Mr. Clark made the motion that Mr. Leddy be given the authority to make the decision as to how to adjust the policy to correct this situation and to bring it back to the board in October for them to approve. Some discussion was held and Mr. Richard stated that they had a similar policy with the same issues and they went to offering a 50% payout if they do not take the time off. Mr. Leddy

says his short-term solution will be to allow the carryover of the unused time for part time and full time employees and try to fix this by the stated time.

**Vote:** Mr. Clark made a motion that Mr. Leddy make an appropriate administrative decision regarding the PTO accrual policy both for part time and full time staff and make a recommendation for the administrative committee who will make a policy recommendation to the full board at the October board meeting. Mr. Micheli seconded. All were in favor and the motion passed.

**b) Rotary Discussion:**

Mr. Voegele wondered if it would benefit the district's goals to have Mr. Leddy join the rotary to have us become a part of that community made up of local business people, to bring awareness of recycling so that they will hopefully bring that awareness to their own organizations. Mr. Voegele is a member of the Rotary. He requested that at the expense of the district, the board allow Mr. Leddy to join the Rotary. They meet every Tuesday. Mr. Leddy indicated he felt this was a good outreach area as did other board members. Mr. Kade had some opposition to his joining but not outreach without membership. It was decided that Mr. Leddy will attend one of their meetings as a guest and will then decide about membership.

**c) Tire Problem Discussion:**

Community tire problems came up at the last Regional Planning Commission Meeting Mr. Voegele attended and he all the communities that belong to the Regional Planning Commission have voiced this as a problem and are getting together to try to come up with ideas that would try to solve this problem. He feels that the District could assist and would like to have the director of RPC invite Mr. Leddy to attend one of their meetings. Discussion ensued. The consensus being that this problem belongs in the legislature.

**d) Past Board Member Discussion:**

What to do for Jim Lintereur, Bill Rowe and Jim Tomlinson. Staff will poll the board for idea's and we'll discuss and vote at the next meeting.

Full Board Adjourned 8:43 PM.