

draft
MINUTES
THE BOARD OF SUPERVISORS
RUTLAND COUNTY SOLID WASTE DISTRICT

BUSINESS MEETING
September 3, 2003

MEMBERS PRESENT:

Brandon		Poultney	
Castleton		Proctor	Charles Nichols
Clarendon	Nancy Buffum	Rutland City	John Densmore
Danby	Edward Bucci		Bruce Bentley
Hubbardton			Paul Barbagallo
Ira	Larry Taggart	Killington	
Mendon		Wallingford	
Mt. Tabor		Wells	
Pittsford		West Rutland	Tom Yennerell

OTHERS PRESENT:

Jim O'Gorman	District Manager	Joyce Segale	RCSWD
Deane Wilson	RCSWD	Steve Maier	Maier Environmental Services

CALL TO ORDER

At 6:33 p.m. Chairman Bentley called the meeting to order. A quorum was present.

ITEMS FOR DISCUSSION AND ACTION

1. SET AGENDA

There were no corrections or comments.

2. MINUTES OF AUGUST 6, 2003 SUPERVISORS MEETING

Mr. Nichols moved that the minutes be accepted. Mr. Taggart provided the second. The vote was unanimous.

3. FINANCIAL STATEMENTS, JULY 2003

Mr. O'Gorman stated that in general, the departments were OK and provided a review of the programs. Mr. O'Gorman distributed a manager's report that stated actual revenue to date is right on mark with the estimated number for the year. Expenditures are under from the year's estimate by \$7047.29. Accounts that are over budget or will be estimated to be over budget include health insurance (due to the extra costs associated with my joining the plan), office expenses (some general repairs, upgrade of computer software, internet access and storage area supplies), advertising (the cost of the newsletter made up approximately 70% of the budget).

Mr. Taggart moved to accept the July financial statement. Mr. Nichols provided the second. The motion passed unanimously.

4. OPEN TO THE PUBLIC

No public were in attendance.

5. OLD BUSINESS

- A. **Illegal Burn Program: discussion with Steve Maier, Maier Environmental Services**
Mr. Maier reviewed the ordinance with Mr. Facey's comments and insertions. Whereas, language from the Addison CSWD ordinance will be inserted. Article I is ok. Article II is self-explanatory but necessary. Article III it was suggested that outdoor boilers/furnaces be added in 3.2A. Article 4 covers several situations but primarily transfer stations and also others dumpsters. 4.4 illegal dumping addresses two scenarios; knowingly dumping on old dumping spots on someone's property, or unauthorized dumping spots. Article 5 references civil ordinances, as it is easier to enforce and direct. Discussion followed on the process and procedures. Article 6 was reviewed and determined that the "opt in, opt out" clause be left out because of the lack of authority in case law or VT statute. Mr. Bentley stated that the District contact towns informing them of the change and offer that it was the District Council's suggestion. Mr. Nichols moved that the ordinance be adopted with the "opt-in, opt-out" option left out. Mr. Taggart seconded it. The motion passed unanimously.
- B. **Sale of property to Giancola**
Mr. O'Gorman explained that the agreement was still at a standstill. Mr. Giancola has refused to pay the "closing cost". Discussion followed on the traditional schedule on payment for closing cost and that this transaction had a chain of events. Mr. Nichols moved that the District pick up the cost of the lawyer's fees involved with the closing in the amount of \$951 so as to bring closure to the sale. Mr. Densmore provided the second. The motion passed unanimously.
- C. **Proposed sale of property to City**
Mr. O'Gorman said that there might be concerns on the subdivision of the property. Mr. O'Gorman has been in discussion with Barry Keefe and that the right of way had not been assessed. Mr. Bentley asked if the total parcel had been assessed and what amount was the city interested in. Mr. O'Gorman said that the 5.6 acre parcel was assessed at \$183,840 and that the city was interested in approximately 1.4 acres. Discussion followed on whether the parcel was worth \$36,000. Mr. Densmore mentioned that at previous meetings the city had indicated they would contact us with information. Mr. Bentley asked if a lease of the property was an option or if the property could be deeded over? No action was taken.
- D. **Carrara Contract/Wilbur contract**
Mr. O'Gorman explained that Mr. Varney had called to confirm numbers but as of yet nothing new had developed. That for the Wilbur contract to move forward, some action was needed with the Carrara contract. Discussion followed on the possibility of moving the program and it was decided it wasn't feasible. Mr. Bentley asked if there were any factors the District could use to move the process along? Mr. O'Gorman mentioned that an agreement for monies had been discussed with Carrara, but there was a difference on payment and receiving the required signature for the permits, or signing the permits and then discussing the payments. Mr. Densmore asked what the issues would be if nothing was done. It was suggested that the program provides a positive cash flow for both incoming and outgoing materials and also the promise for compensation with previous operations still has not been finalized. Mr. Bentley suggested to Mr. O'Gorman that present an offer to the Carrara's and structure it so that the program can move forward.
- E. **Casella Contract - brief update**
Mr. O'Gorman discussed that he had meet with Jim Toher regarding the contract. The following Casella concerns were discussed:
- the 5-year clause with a 5 year extension.
 - the towns co-signing along with the District. If the towns refused to sign then Toher felt that the 2% discount offered would not be applicable.
 - Casella have a voice in the matters if a town wished to rejoin the District

- Roll-off containers and ownership
- Clarification on double pull issues
- Language clarifying that if new State or EPA regulations enforced the cost would be passed along

Mr. Bentley suggested that the changes in hauling radius and the opt-in for towns to sign along side the District be offered as reopeners for both. Also, that a counteroffer on the contract be offered. Mr. Nichols suggested that maybe it was time to discuss issues with Mr. Casella.

F. Disposal rates - general information

Information was included that detailed the cost of the Casella contract, the cost of the various programs the District offered and the revenue and budgets of the larger waste districts in the State.

G. Vermont League of Cities and Towns

Mr. O'Gorman discussed the review of the District by the VT League and the steps taken and the timeframe to correct the issues

6. NEW BUSINESS

A. Close Chittenden Savings account

Mr. O'Gorman suggested that action be taken to close the savings account and transfer the funds into the general fund. The account has not been active. Mr. Densmore moved that the account be closed and the funds be transferred to the general fund. Mr. Taggart provided the second. The motion passed unanimously.

B. Update approved signatures for local banks

Mr. O'Gorman stated that Charles Nichol's name needed to be deleted as a signer on the district's bank accounts and Bruce Bentley added as a signer. Ms. Segale stated the board needs to vote on a resolution to delete Mr. Nichols' name and add Mr. Bentley on the three Chittenden Bank accounts - MRF Operating account #01-47-8031-9, general checking account #21-45-2870-3 and the deferred compensation account #25-45-2113-2 as well as on Banknorth account #524-0062836 and Factory Pont bank account #7400824. The resolution states that the signers of James O'Gorman, Deane Wilson, and Bruce Bentley have the power **to sign** checks and orders for the payment of money or otherwise withdraw or transfer funds on deposit with these financial institutions with one signature and this resolution supercedes the one dated 5/7/03.

Mr. Nichols moved that the resolution as presented be accepted. Mr. Taggart provided the second. The vote was unanimous. Mr. Densmore asked if there was any case where a signed blank check had been issued and if any checks needed a second signature. Ms. Segale state that at no time has there been or will there be blank checks issued and that the policy was only one signature was required.

7. COLLECT BOARD WARRANTS

8. ADJOURN

At 8:00 pm Mr. Nichols moved to adjourn. Mr. Taggart provided the second.

Respectfully submitted,
Deane Wilson

