

draft
MINUTES
THE BOARD OF SUPERVISORS
RUTLAND COUNTY SOLID WASTE DISTRICT

BUSINESS MEETING
February 4, 2004

MEMBERS PRESENT:

| | | | |
|------------|--------------------|--------------|-----------------|
| Brandon | Mei Mei Brown | Poultney | |
| Castleton | | Proctor | Charles Nichols |
| Clarendon | Nancy Buffum | Rutland City | John Densmore |
| Danby | Edward Bucciari | | Bruce Bentley |
| Hubbardton | | | |
| Ira | Larry Taggart | Killington | |
| Mendon | | Wallingford | Richard Crowley |
| Mt. Tabor | | Wells | |
| Pittsford | William Taranovich | West Rutland | |

OTHERS PRESENT:

| | | | |
|--------------|------------------|--------------|-------|
| Jim O'Gorman | District Manager | Joyce Segale | RCSWD |
| Deane Wilson | RCSWD | | |

CALL TO ORDER

At 6:35 p.m. Chairman Bentley called the meeting to order. A quorum was present.

ITEMS FOR DISCUSSION AND ACTION

1. SET AGENDA

The following items were added to the agenda:

- An update on the Governors Award
- Executive session added
- Update on the Casella contract
- Review of the mercury bill

2. MINUTES OF JANUARY 7, 2004 SUPERVISORS MEETING

Ms. Brown moved that the minutes be accepted. Ms. Buffum provided the second. The vote was unanimous.

3. FINANCIAL STATEMENTS, DECEMBER 2004

Mr. O'Gorman provided a review of the programs. Mr. O'Gorman distributed a manager's report that stated actual revenue to date. Mr. Densmore asked for if there were any concerns or highlights that needed to be brought before the attention of the board. Mr. O'Gorman stated that the Adirondack Facility in Hudson Falls has had a major malfunction and has turned away trash. This will cause the tonnages at the regional transfer station to increase, as Castleton and possibly Hubbards will now move all of their MSW materials through the facility.

Ms. Brown moved to accept the December financial statement. Mr. Densmore provided the second. The motion passed unanimously.

4. OPEN TO THE PUBLIC

No public were in attendance.

5. OLD BUSINESS

A. Sale of Property to City of Rutland

Mr. Densmore explained that he had expressed concerns to the City concerning the 2 parcels. The City responded by offering to purchase both pieces and would decide what to do with the landlocked piece. Mr. O'Gorman said that he had received 2 offers for the 2 pieces of property. Ms. Brown asked if there were any mention of what the District was expected to cover for expenses.

Mr. Nichols moved that the District accept the offer from the City contingent upon the City picking up the cost for any expected surveys and appraisals. The District would provide an attorney at closing. Mr. Crowley provided the second. The vote was unanimous with Mr. Densmore and Mr. Bentley abstaining.

Discussion followed on any tax or insurance savings. Mr. O'Gorman said that he would look into it. Also, there was discussion on use of the proceeds from the sale. The consensus was that it would not go into the general fund.

B. Warrant Process

Ms. Brown mentioned that she had been in contact with Gail Lawson of the VT League of Cities and Towns to discuss the District warrant process and found that it was not meeting VT Statute. It was moved that a board member would be assigned the authority to sign off on the warrants on a weekly basis for the checks that are cut on a weekly basis. Otherwise, the board would review the warrant and sign off before checks were cut during their monthly meeting. The Board assigned the authority of the Chairman, Vice-Chairman or other designated Board member (currently John Densmore) to sign off on these warrants. Discussion followed on the time frame involved and that penalties may be incurred if certain situations developed. Mr. Crowley suggested that the warrant could be faxed to the appropriate authority for signature.

C. Carrara Agreement

Mr. O'Gorman mentioned that he had meet with Phil Varney from Carrara's and clarified some issues. The Wilbur's do not have a verbal or written agreement for the use of the land as previously suggested, it is Carrara's understanding that the operation was tied into the District. The Carrara's expectation was that the site still needed to be cleaned up and the fate of the Wilbur's materials would be between the District and the Wilbur's. Mr. O'Gorman stated that Mr. Varney had mentioned that if the financial burden was prohibitive, the Carrara's might not expect any further action beyond cleaning up the property.

Mr. Crowley asked what materials belonged to Wilbur's and that a time frame should be implemented for the removal of that material otherwise it becomes the property of the District. Also, that the property should be cleaned up and then the District should get out of the business. Mr. Nichols suggested that the 3 city representatives should present to the city the possible continuation of the program. Ms. Brown asked about the permitting and liabilities of the property. Mr. O'Gorman said that there has been no feedback on what Carrara's expectations would be if the program to be continued. Discussion followed on the steps needed to clean up the property and the responsibilities of the groups involved. Mr. Bentley suggested that Mr. O'Gorman contact the city about the parking deck demolition and see if our material could be incorporated into theirs as a feedstock. Also, that the Wilbur's need to be contacted. Mr. Crowley said a deadline should be proposed with an exit strategy.

D. OMYA tailings project

Mr. O'Gorman said that there had been discussion with Andrea Cohen on the issue and at this time the State's view was to wait and see how OMYA would address the permitting concern. Should OMYA submit a categorical permit, there wasn't much need for the District to become

involved. If OMYA submitted a full certification, the District would have to include the project within the SWIP and review the proposal as a new landfill application. Mr. Crowley said that the District has nothing to decide until the State and OMYA have made decisions. Discussion followed on what liabilities the District would be responsible for if the project were included in the SWIP. Mr. O'Gorman said the State response was the District was protected against any liabilities. Mr. Nichols moved to table further discussion until OMYA and the State had begun the permitting process. Ms. Brown provided the second.

E. Governors Award

Mr. O'Gorman stated that he had submitted the application to the appropriate state agency.

F. 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 and Mr. Nichols suggested that the discussion be tabled

6. NEW BUSINESS

A. General Information - administrative amendment increase in operating capacity at Transfer Station

Mr. O'Gorman said that the State had requested a review of daily tonnages through the regional transfer station and that an administrative letter needed to be submitted since the daily tonnages were beyond the daily operating capacity but within the maximum allowable tonnages. The request had been submitted and the State had already turned responded allowing the increased tonnages.

B. Fourth Quarter report for the Transfer Station

Included for informational purposes.

C. Mercury Bill

Mr. O'Gorman offered information on a bill pending in the Senate regarding mercury concerns and issues.

7. COLLECT BOARD WARRANTS

8. EXECUTIVE SESSION

8:03 pm motion by Mr. Nichols, seconded by Ms. Brown to go into executive session for personnel issues.

8:22 pm motion by Mr. Crowley, seconded by Mr. Nichols, to come out of executive session.

9. ADJOURN

At 8:22 pm Mr. Crowley moved to adjourn. Mr. Nichols provided the second. Vote was unanimous.

Respectfully submitted,
Deane Wilson

