

MINUTES  
THE BOARD OF SUPERVISORS  
RUTLAND COUNTY SOLID WASTE DISTRICT  
BUSINESS MEETING  
OCTOBER 10, 2018  
*Approved November 14, 2018*

MEMBERS PRESENT:

Rutland City	Robert Tanner		Proctor	John Jozwiak
West Rutland	Sean Barrows		Mount Holly	Carrie Dougherty
Ira	Larry Taggart	Wallingford	Mendon	Susannah Loffredo
Castleton	Tim Gilbert	Danby	Pittsford	
Clarendon	Alf Strom-Olsen	Killington	Brandon	Gabe McGuigan
Hubbardton		Poultney	Wells	

OTHERS PRESENT:

James O’Gorman, District Manager	Joyce Segale, RCSWD	Deane Wilson, RCSWD
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Chairman Mr. Taggart called meeting to order at 6:55 P.M. with quorum present.

1. SET AGENDA – No agenda changes.
2. APPROVAL OF MINUTES FROM SEPTEMBER 12, 2018

Motion by Mr. Gilbert to approve September 12, 2018 minutes with second by Mr. Jozwiak. Motion passed unanimously.

3. FINANCIAL STATEMENTS OF AUGUST 2018

Mr. Strom-Olsen asked if everyone received the consolidated income statement that Joyce Segale prepared. Mr. O’Gorman stated yes. Mr. Strom-Olsen stated he likes this format. He asked why salaries were \$42,000 (13%) over budget and pointed out MSW disposal costs are over budget by more than \$60,000 (22%) but tonnage rate on manager’s report was flat. He asked if there was increase in Casella disposal costs and if MSW disposal was all Casella. Mr. O’Gorman stated all MSW disposal is by Casella. Ms. Loffredo stated \$13,000 of salary overage was just in last month. Mr. Jozwiak and Mr. Strom-Olsen asked Mr. O’Gorman to look into this. Mr. Gilbert stated increased disposal tonnage means increased revenue with a corresponding increase in disposal costs. Mr. Strom-Olsen asked what is driving increased tonnage. Mr. Jozwiak stated scalehouse is only transfer station area that makes money. Mr. Tanner stated the district raised customers’ disposal prices at 1/1/18. Mr. Strom-Olsen asked why surcharges are 100% in administration. Mr. Jozwiak stated there are no time clocks at Gleason Road. Mr. Taggart asked Ms. Segale if a different financial format with administrative costs allocated across departments would be time consuming. Ms. Segale stated it would be a very large undertaking. She stated Chittenden County Solid Waste District is in the process of revamping the presentation of its financials and the planning and implementation process is happening over a 3 year period and they have much larger staff to accomplish this. Ms. Segale will continue to work on this and report at a future meeting. Mr. Strom-Olsen asked if salaries were allocated across departments. Ms. Segale stated yes - the manager specifies in the annual budget what percentage of employees’ time is allocated to each department and salaries are posted accordingly.

Motion by Mr. Tanner with second by Mr. Jozwiak to accept August 2018 financial statements. Mr. Strom-Olsen abstained. A vote was taken and a majority voted to accept August 2018 statements.

4. OPEN TO THE PUBLIC –

Mr. David Petty, district employee, stated he wanted to address the board. Mr. Taggart stated the board needed to go into Executive Session for personnel issues. Mr. Petty stated he wanted to discuss job review process only and he was allowed to speak on this topic. He reviewed the timeframe starting at the employee meeting on 9/28/17 when all employees received a print-out showing every employees’ current salaries and the proposed pay grades. Employees were told that in May 2017 a new evaluation process was developed. In January 2018 Mr. O’Gorman stated salaries were budgeted at a 5% cost of living raise (COLA) but current employees would receive just 3% COLA for fiscal year 2018 with the other 2% withheld until the completion of new employee evaluations by Mr. O’Gorman. Mr. Petty stated in April 2018 Mr. O’Gorman told him the new employee evaluation/pay grade system was a work in progress. Mr. Jozwiak stated this was then one and one-half years in waiting. Mr. Petty requested that all employees be given the 2% COLA retroactive to January 2018. Mr. Taggart asked if employees had been given job descriptions and Mr. O’Gorman stated he had distributed job descriptions to all employees. Mr. Petty stated he did not receive his job description.

Mr. Jozwiak stated he would like to get answers for the next meeting. Mr. Taggart stated Mr. O’Gorman needs to meet with all employees by the end of this month and report to Executive Committee when this is complete and the Executive Committee will then report to full board.

5. OLD BUSINESS

A. Metal Contract with Earth Waste

Mr. O’Gorman stated Article 3 on page 2 of contract states term begins on 6/4/03 and ends on 6/3/06. The question is whether the contract automatically renews every 3 years. Attorney Jack Facey told Mr. O’Gorman the district

could give Earth Waste one year notice to get out of contract. Mr. Tanner asked if it was OK to go out to bid and Mr. Strom-Olsen stated we are an “at will” contract now. Mr. McGuigan and Mr. Tanner stated we should meet with Earth Waste and re-do the contract or go out to bid. Mr. Jozwiak stated he was not happy with Earth Waste’s clean-outs. Mr. Strom-Olsen discussed the metal prices paid to us by Earth Waste and questioned if the district is getting as much revenue as it should. Mr. McGuigan stated one interpretation of this contract signed in 2003 is that it expired nine years ago. Mr. Taggart stated one option is to go out to bid.

Motion by Mr. Tanner to have Attorney Facey review present contract and write new contract and then go out to bid for metal disposal. Second by Mr., Jozwiak. Motion was rescinded.

New motion by Mr. Tanner for Attorney Facey to review current contract and prepare new metal contract with three year term with no auto-renewal – the new contract will be presented to the full board for a vote to approve going out to bid. Second by Mr. Jozwiak. Motion passed unanimously.

#### B. Lease Agreement with City of Rutland

Mr. O’Gorman stated it is thought the district should speak to the City about some changes to the lease agreement since the original agreement gave the district right to use all 9.5 acres but that has changed with the installation of the solar panels. Mr. Jozwiak asked how many acres at Gleason Road the district currently uses and Mr. O’Gorman stated about 5 acres. Mr. McGuigan asked when it expires and Mr. O’Gorman stated it started on 1/1/01 and is for 25 years. Mr. Strom-Olsen stated language says we cannot use more than 9.5 acres. Mr. McGuigan asked what was minimum acreage and said the contract’s only stated limitations are for RCSWD and not the City of Rutland. Mr. Strom-Olsen stated lease says we pay Rutland City \$10.00 and host fees were payment in lieu of property taxes. Mr. Barrows asked what the district was paying the City - the lease stated a one-time only payment of \$10.00 in 2001 for 25 years of use. Mr. Gilbert stated this was a good arrangement for City of Rutland and RCSWD and Mr. Taggart agreed. Mr. Strom-Olsen asked if Mr. O’Gorman had a database with all agreements as he thinks it is important for everyone to know about all agreements.

#### C. Trash Hauling Agreement with Casella

Randy Dapron from Casella Waste gave Mr. O’Gorman a draft agreement (Subcontract Hauling Agreement) which was passed out. Mr. O’Gorman stated we are operating under the old contract now – Mr. Tanner stated we don’t have an agreement with Casella now. Mr. McGuigan asked if Attorney Facey had reviewed it and Mr. O’Gorman stated not yet – it was received two weeks ago. Mr. Gilbert asked what the district was paying for disposal. Mr. O’Gorman stated it was \$111.63/ton under schedule A. Mr. Strom-Olsen asked if this includes the \$20 surcharge and Mr. O’Gorman stated yes – this is all trash that goes over the scale both district and non-district.

Motion by Mr. Tanner to have Attorney Facey review this draft agreement with second by Ms. Dougherty. Motion passed unanimously.

### NEW BUSINESS

#### A. District Services to the Towns

Mr. O’Gorman stated the list of services provided to district towns was drawn up at the request of Ms. Dougherty. Regarding pursuing grants, Mr. Strom-Olsen asked if this refers to RCSWD or towns. Mr. O’Gorman stated we can help towns with our grant money or offer advice for towns pursuing grants. Mr. O’Gorman stated the district pays for grant items up front and then requests reimbursement. Mr. McGuigan asked if it was financially advantageous for towns. Ms. Loffredo and Ms. Dougherty suggested bullet points for specific advantages for towns in the district. Mr. Barrows pointed out the district benefits include providing quarterly reporting, HHW management, E-Waste removal, hauler licensing and enforcement and provides SWIP plan under which district towns can operate – communities outside of district would have to undertake these.

Mr. Gilbert asked if district still takes clean sheetrock and what is beneficial use of tire disposal. Mr. Wilson stated we still take clean sheetrock and tires are chipped and have multiple re-uses like roads and playground material which saves on taxes and helps to meet recycling goals. He stated tires are banned in landfills. Mr. Strom-Olsen asked if Carl in community outreach could be used to communicate benefits to towns and Mr. Gilbert stated that probably board representatives should do this.

Mr. Taggart wanted Executive Committee to go into Executive Session. Mr. Strom-Olsen stated he did not believe that sub-committees can go into Executive Session. Discussion followed and Mr. Taggart stated no executive session was needed for the board.

### NEW BUSINESS

Mr. Jozwiak stated there are still drainage issues at Gleason Road transfer station. City of Rutland cleaned out the culverts at no charge. Discussion followed about short and long-term solutions to problem. Green Mountain Power and City of Rutland engineers looked and agreed that water is going under the scale. Mr. McGuigan suggested obtaining a second opinion. Mr. Jozwiak and Mr. Strom-Olsen stated the problem needs to be fixed before winter and there is still an issue with the new gate and with the dock. Middlebury Fence has not been paid yet. Mr. Taggart stated there was talk of putting in berm and re-grading next year. Mr. O’Gorman stated in the short-term we could do re-ditching and the City and Town of Rutland have to do some work. Mr. Gilbert questioned if there was money in budget to take care of this.

Motion by Mr. Gilbert to authorize Mr. O’Gorman to spend up to \$2,000 to resolve the water/drainage issue at Gleason Road transfer station with second by Mr. Tanner. Motion passed unanimously.

Mr. Taggart asked Mr. O’Gorman to send thank you letter to City of Rutland for its assistance. Mr. Tanner and Mr. O’Gorman will take care of signage.

Motion by Mr. Tanner with second by Mr. McGuigan to adjourn at 8:30 p.m.  
Motion rescinded.

Mr. Taggart made motion to go into Executive Session at 8:30 p.m. with full board only.

At 9:25 p.m. Mr. Gilbert made a motion to come out of Executive Session with second by Mr. Tanner. Motion passed unanimously.

Mr. Tanner made the motion to approve of payment of the bills incurred for rip rap at Gleason Road and for the repairs to the loader and any other bills from John Jozwiak and that Mr. Jozwiak must go through the proper process and procedures for any future purchases on behalf of the District. Motion was seconded by Mr. Gilbert. Motion passed unanimously.

At 9:28 p.m. Mr. Tanner made the motion to adjourn. Motion was seconded by Mr. Gilbert. Motion passed unanimously.  
The next scheduled meeting is November 7, 2018.

Respectfully submitted

Joyce Segale