

**NOTE: These minutes are subject to review and modification by the ACSWMD Board of Supervisors at its next Board meeting.**

**Addison County Solid Waste Management District  
Minutes  
Board of Supervisors Meeting No. 334  
Thursday, May 18, 2023, 7:00 PM  
Office Conference Room, 1223 Rt. 7 South, Middlebury, VT 05753  
And Virtual Meeting on Zoom**

**1. CALL TO ORDER** – The Board of Supervisors (BOS) meeting was called to order by Tim Wickland, Chair at 7:00 PM on May 18, 2023. Present:

Town	Vote	Supervisor/Alternate	Town	Vote	Supervisor/Alternate
Addison	1	Bill Munoff	Orwell	1	
Bridport	1		Panton	1	Paul Sokal
Bristol	2	/Valerie Capels	Ripton	1	Jay Harrington
Cornwall	1	Jean Raymond	Salisbury	1	
Ferrisburgh	2		Shoreham	1	Randy Orvis
Goshen	1	Annina Seiler	Starksboro	1	Susan Jefferies / Erin Bent
Leicester	1	Richard Reed	Vergennes	2	Cheryl Brinkman
Lincoln	1	Bill Finger	Waltham	1	
Middlebury	4	Diane Mott / Richard McKerr	Weybridge	1	Tim Wickland
Monkton	1	Deborah Gaynor	Whiting	1	Eric Zuesse
New Haven	1				
Staff:		Teresa Kuczynski (TK), District Mgr.; Patti Johnson (PJ), Business Mgr.; Don Maglienti (DM), Program Manager	Guests:		

**2. APPROVE THE AGENDA** –

**Motion #1: R.Orvis moved to approve the agenda. B.Finger seconded the motion.**

**VOTE on Motion #1: Yes –15 (Addison, Cornwall, Lincoln, Middlebury (4), Monkton, Ripton, Shoreham, Starksboro, Vergennes (2), Weybridge, Whiting). No – 0. Abstain – 0.**

**3. PUBLIC COMMENT PERIOD** – The Chair opened the public comment period.

**4. MEMBER COMMUNICATIONS** – C.Brinkman mentioned that the Vergennes Energy Fest will be held on July 15. They are borrowing the District’s x-frames for recycling, and District staff will have a booth.

**5. APPROVAL OF MINUTES FROM MEETING NO. 333 – BOS Voting Discrepancy, 4/13 Vice Chair Election Process, and Resolution**

**Motion #2: B.Finger moved to approve the minutes of meeting No. 333. B.Munoff seconded the motion.**

TK pointed out a correction on p. 2, line 8 – “Abstain – 0” should be “Abstain – 1 (Orwell).”

**VOTE on Motion #2: Yes –18 (Addison, Bristol (2), Cornwall, Leicester, Lincoln, Middlebury (4), Monkton, Panton, Shoreham, Starksboro, Vergennes (2), Weybridge, Whiting). No – 0. Abstain – 2 (Goshen, Ripton).**

The Chair called the BOS’ attention to a procedural error in the vote to elect a Vice Chair. The secret ballot via Zoom poll did not allow the Clerk to count and record each weighted vote, as required by the District Charter. In order to “cure” this vote, the BOS has two options: accept and ratify the results of the vote; or void and rerun the election for Vice Chair. C.Brinkman added that the Open Meeting Law 1 V.S.A. §312(a) requires

1 any electronic vote that is not unanimous to be held by roll call, and 1 V.S.A. §312(b) requires that the result of  
2 any roll call vote taken be recorded in the minutes. The public body must also adopt procedures to prevent an  
3 error in future votes. C.Brinkman is fine with ratifying the vote now, but the BOS should take action to prevent  
4 the error in the future.

5 **Motion #3: V.Capels moved to ratify the Vice Chair vote from the April 13<sup>th</sup> BOS meeting.**

6 **R.Orvis seconded the motion.**

7 **VOTE on Motion #3: Yes –19 (Addison, Bristol (2), Cornwall, Goshen, Leicester,**  
8 **Lincoln, Middlebury (4), Panton, Ripton, Shoreham, Starksboro, Vergennes (2),**  
9 **Weybridge, Whiting). No – 1 (Monkton). Abstain – 0.**

10 **Motion #4: C.Brinkman moved that in every situation going forward, if the weighted vote is**  
11 **not unanimous, the vote must be by roll call, and individual votes must be shown in the**  
12 **meeting minutes. D.Gaynor seconded the motion.**

13 **VOTE on Motion #4: Yes –20 (Addison, Bristol (2), Cornwall, Goshen, Leicester,**  
14 **Lincoln, Middlebury (4), Monkton, Panton, Ripton, Shoreham, Starksboro, Vergennes**  
15 **(2), Weybridge, Whiting). No – 0. Abstain – 0.**

## 16 17 **6. FINANCIAL REPORTS –**

18 **a. March 2023 Financial Report and Single Stream Recycling Report – Financial Report:** PJ  
19 presented the March Financials showing a net loss of (\$31,080). March 2023 tonnage was 79 tons below  
20 March 2022. However, YTD tonnage was 223 tons higher than YTD 2022. Although total transactions in  
21 March 2023 were 329 tons lower than in 2022, YTD 2023 transactions were 1,287 tons higher than YTD  
22 2022. The 336 tons of single stream recyclables received at the transfer station in March 2023 were 57  
23 tons lower than March 2022. The 1,038 YTD tons were 16 tons higher than YTD 2022. No tires were  
24 hauled in March, but 53 tons YTD were 12 tons higher than YTD 2022. Food scraps at the Transfer  
25 Station in March totaled 8.82 tons, and YTD tons were 2.36 tons higher than YTD 2022. **Single Stream**  
26 **Recycling Report:** In March, the Transfer Station delivered 329 tons to the Materials Recovery Facility  
27 (MRF) @ \$147/ton processing fee. With other transport costs (hauling, trailer delivery fees, fuel  
28 surcharge fees), YTD total net loss for single stream recycling was (\$38,560).

29 **b. Municipal Diversion Grant Applications – None Received**

30 **c. School Diversion Grant Applications – None Received.**

## 31 32 **7. NEW BUSINESS -**

33 **a. First Amendment – Environmental Services Agreement with Clean Harbors –** DM reviewed the  
34 draft amendment from Clean Harbors to extend the agreement for two years, and continue for one-year  
35 periods thereafter, with an option to terminate by either party upon 30 days' written notice, under the same  
36 conditions, including no price increases. The Executive Board (E.Board) recommends approving this  
37 amendment.

38 **Motion #5: B.Finger moved to approve the First Amendment to Environmental Services**  
39 **Agreement with Clean Harbors. D.Gaynor seconded the motion.**

40 **VOTE on Motion #5: Yes –20 (Addison, Bristol (2), Cornwall, Goshen, Leicester,**  
41 **Lincoln, Middlebury (4), Monkton, Panton, Ripton, Shoreham, Starksboro, Vergennes**  
42 **(2), Weybridge, Whiting). No – 0. Abstain – 0.**

43  
44 **b. Amendment – Hazardous Waste Transportation & Disposal Services Agreement w/ U.S.**  
45 **Ecology –** U.S. Ecology is proposing an amendment to their contract to add an 8% increase in the Energy  
46 Insurance and Recovery Rate (from 18% to 26%) applied to the entire invoice. DM estimates that the net cost  
47 of this increase will be negligible considering the infrequent shipments, and that rate increases would be  
48 higher if the District were to go out to bid. The E.Board recommends approving this amendment.

49 **Motion #6: B.Finger moved to approve the Hazardous Waste Transportation & Disposal**  
50 **Services Agreement w/ U.S. Ecology. E.Zuesse seconded the motion.**

51 **VOTE on Motion #6: Yes –20 (Addison, Bristol (2), Cornwall, Goshen, Leicester,**  
52 **Lincoln, Middlebury (4), Monkton, Panton, Ripton, Shoreham, Starksboro, Vergennes**  
53 **(2), Weybridge, Whiting). No – 0. Abstain – 0.**

1 **c. Discussion of Recycling Cost Increases and Revenue Options** – The Chair reported that, with the  
2 higher processing fees charged at the MRF for single stream recycling, and the mounting losses, the E.Board  
3 discussed options for responding to the challenge. TK has reviewed the total tonnages per hauler brought into  
4 the Transfer Station, and limiting the volume per hauler does not seem workable. As background, the Oct.  
5 draft 2023 Budget proposed a rate of \$120/ton for SS recycling and \$140/ton for MSW/C&D. We were then  
6 informed by the recycler that processing fee estimates for 2023 were \$140/ton for the first six months of 2023  
7 and \$125/ton for the second six months. The E.Board recommended budgeting the average annual processing  
8 fee of \$130/ton. This resulted in rate increases in the final 2023 Budget: from \$100/ton to \$125/ton for SS  
9 Recycling; \$34/ton to \$35/ton for the District Fee; and \$135/ton to \$145/ton for MSW/C&D. This added  
10 \$36/ton in revenues for SS Recycling. Even with this increase, the 2023 Budget estimate was still a SS  
11 Recycling loss of (\$94,018). We have only completed the first four months of 2023. It is difficult to know  
12 what to expect for the following months, although the April processing fee is down a bit, and recycling  
13 industry news suggests that market prices are improving. The \$100,000 Recycling Contingency Fund  
14 remains available, if needed. General consensus was to wait and see what happens later this year.

15 **d. Update on Phase 1 Construction - New Haven Residential Transfer Station RFB** – TK reported  
16 that the District has issued a Request for Bids for Phase 1 Construction of the New Haven Residential  
17 Transfer Station. The optional site visit for contractors was held on May 12. The deadline for submitting a  
18 Bid was extended to June 2, 2023, at 1:00 PM, when the bids will be opened and recorded at the office.  
19

20 **8. DISTRICT MANAGER REPORT – H.67**, the Extended Producer Responsibility (EPR) for HHW Bill,  
21 was passed and is on its way to the Governor’s desk for signature. H.67 would require manufacturers of HHW  
22 to partner and establish a producer responsibility organization (PRO) to collect and manage the end of life for  
23 hazardous household products. When this bill is signed into law, VT will be the first state in the country to  
24 adopt an EPR law for HHW. **H.158**, Bottle Bill expansion – The most notable new inclusions are bottled  
25 water, vinous beverages, bottled sports drinks, and hard cider. Most of these beverage containers would be  
26 subject to the 5-cent deposit per container. Vinous beverages would be subject to a 15-cent deposit. The bill  
27 restructures the redemption system by requiring beverage container manufacturers and distributors to  
28 participate in a newly formed PRO. The bill includes a third-party analysis of the beverage redemption system,  
29 including costs, performance, convenience and effects on existing recycling facilities. This bill is currently on  
30 the House Action calendar for final approval before heading to the Governor.  
31

32 **9. PROGRAMS REPORT** – Staff have been very busy visiting schools, teaching composting and recycling  
33 classes, and tabling at special events. Green Up Day and the week after were very busy. TK praised Chantel  
34 Bolduc for doing a great job as county coordinator. Staff are also gathering diversion data for the 2023 Solid Waste  
35 Implementation Plan Report due on July 1. DM gave an update on continued discussions between ANR, the  
36 solid waste management entities and the Agency of Agriculture, Food and Markets (AAFM) regarding funds for  
37 a new AAFM pesticides grant in FY2024. Discussions have focused on how to fairly allocate the funds.  
38

39 **10. EXECUTIVE SESSION** – None needed.  
40

41 **11. OTHER BUSINESS** – None.  
42

43 **12. ADJOURN** –

44 **Motion #7: B.Finger moved to adjourn the meeting at 7:55 PM. B.Munoff seconded the**  
45 **motion.**

46 **VOTE on Motion #7: Yes –20 (Addison, Bristol (2), Cornwall, Goshen, Leicester,**  
47 **Lincoln, Middlebury (4), Monkton, Panton, Ripton, Shoreham, Starksboro, Vergennes**  
48 **(2), Weybridge, Whiting). No – 0. Abstain – 0.**  
49

50 *I agree that this is an original of the May 18, 2023 minutes that were considered and approved by the*  
51 *BOS at its meeting of \_\_\_\_\_.*  
52  
53  
54

\_\_\_\_\_  
*Teresa A. Kuczynski, District Clerk*