

January 21, 2010

To CVSWMD member communities:

This letter is being sent to answer a number of questions arising from the recent vote of our board that will result in our ceasing to operate 6 drop-off depots in Central Vermont. I am assuming that your Board Supervisor has informed you of the January 13th vote of the board to close these depots as of the end of regular hours on February 6, 2010. These depots are located in Barre Town, Northfield, Hardwick, Calais, Cabot and Bradford. Please feel free to call me if you have questions about this matter, but, before doing so, I urge you to read the remainder of the letter and the documents that accompany it or which are referred to in order that you begin to develop a clear picture of the situation, its impacts (if any for your city or town) and the options available to communities that have hosted these drop-offs.

Please also allow me to clarify for all member communities, the following important facts:

1. **The CVSWMD is not going “out of business.”** We will continue to offer all our other services to all member communities. To see what these are, log onto our website www.cvswwmd.org and using the drop down menu in the upper left portion of the screen, click on *CVSWMD Annual Report* under the header *For Member Towns*. As of July 1, 2010 we will increase direct service to all communities by adding a series of special collection events, outreach to communities, technical assistance, and local recycling of hard-to-recycle items. Specific details on these programs will be forthcoming as we finalize the FY 2011 Budget and a draft document is expected to be available in March.
2. **Several communities and some members of the public assume that the per capita membership fee entitles a community to a recycling depot. This is not true. In fact, we have 22 member communities and only 6 have had depots that are operated by the District, while all communities pay the same per capita rate.** For those of you wondering what services you receive from us for your per capita assessment (or member fee) please log onto our website at www.cvswwmd.org and using the drop down menu in the upper left portion of the screen, click on *Membership in the CVSWMD*. This will bring up a page and in the list of available documents, you will see one entitled *Per Capita Fact Sheet*.
3. **Recycling will not stop in Central Vermont.** The CVSWMD has a mandatory recycling ordinance which requires all haulers to collect and divert to recycling a specific list of items. Most haulers presently collect more items than are required under this ordinance which can be found on our website www.cvswwmd.org. Using the drop down menu in the upper left of the web home page locate *Resources* and under that heading find and click on *Resources for Haulers*. This will take you to a page where if you scroll down you will find a listing of all our ordinances. The first link will take you to the Mandatory Recycling Ordinance, #94-01.

4. **Residents will continue to have options for disposal or recycling.** At least 90% of all collection is accomplished through private haulers or facilities in the Central Vermont region. Additionally, we have 43 haulers licensed to collect materials in the District, giving residents and businesses choices for collection. “Fast Trash” operations are located throughout the District, with larger communities having several such locations open on various days and during various hours. While rural residents and businesses may have fewer options within their communities, they are not prohibited from using collection sites in adjacent communities. Just as rural residents often travel to accomplish shopping, to purchase clothing and specialty items, and avail themselves of other services, they may now need to do the same in order to shop around for the disposal option that suits their preferences or schedule.

5. **The District is not going bankrupt.** The District is in a weakened financial situation due to holding onto a system of inefficient drop-off facilities that have drained our cash reserves and strapped our budgets. We have an on-going cashflow condition which has necessitated both a drawdown of our operating reserves to deal with a significant decline in surcharge revenue and an increase in total expenses due to price jumps for supplies and services. We anticipate a tight financial situation through June 30, 2010 and have developed a FY 2011 budgetary approach that establishes a firm financial foundation and begins to strengthen our solvency and rebuild our programming around viable endeavors that contribute and strengthen local economies.

Having addressed the 5 most common misperceptions that we have been hearing through phone calls and emails, the rest of this letter will focus on how those communities that have had a District operated depot can create the opportunity to continue to offer residents a local drop-site.

What Can My Town Do To Replace the District Depot?

First, let me note that the District put out a Request for Proposals to private haulers for operation of some or all of these facilities, and received a comprehensive response from Earth Waste Systems based out of Rutland, Vermont. The RFP is available by request. Email comments@cvs_wmd.org or leave a message at extension 100.

While we are unable to strike an agreement in time to preclude our ceasing to operate the depots identified above, Earth Waste remains interested in offering towns an agreement to take over operation of the depots on a local level. This would mean that if your community wishes to see the depots remain a viable option for disposal and diversion of waste for your residents, you can contact Kevin Elnicki at the following number to engage in negotiations: 802-468-2323. As a point of reference for starting these negotiations, you might be interested to know that Earth Waste proposed to continue to collect the same materials as the District presently collects at the same or less cost to users. Earth Waste intended to assume all payroll and operational expenses and was not seeking a fee to operate from us. Essentially, the service was free to the contracting entity.

Other haulers submitted responses to our RFP, none of which were complete nor proposed takeover of all 6 of the District operated depots, which is why we determined to work with Earth

Waste Systems. **This does not preclude individual communities from engaging in negotiations with any hauler they have or desire to have a relationship with. If a contract cannot be arrived at quickly, inviting a hauler to set-up a fast-trash operation on town property may be a viable, short-term option to allow for continued services while negotiating for a larger, long-term operation. A town may also wish to send out an RFP to determine which hauler offers the best match to the type of service they wish to have.**

District staff members are available to offer technical assistance and to answer questions for towns on contracting for solid waste services. Our RFP is available to use as a template. Contact Leesa Stewart at Adminmanager@cvswwmd.org if you would like a copy. We urge you to consult your own legal counsel for a contract that will suit your particular circumstances.

We urge all towns seeking to contract directly with a hauler to engage in due diligence and check references as you would with any other business. Haulers are licensed by the Central Vermont Solid Waste Management District and the State of Vermont. A call to inquire about their history and whether there has been any enforcement action(s) brought against the hauler you are considering contracting with is a reasonable inquiry for you to make. In addition, the CVSWMMD has Mandatory Recycling and Surcharge Ordinances with which each hauler must be in compliance in order to continue to operate under their license. We have been enforcing these requirements, and intend to continue to do so. Lack of compliance can result in fines, suspension and/or revocation of the haulers' license. We advise you to include a section or statement in your contract that requires the hauler to insure that they comply with District requirements relating to the collection and hauling of waste.

Towns that want to explore whether uninterrupted service may be able to occur at sites presently operated by the District should contact us immediately. There may be solid waste permit requirements that must be considered in attempting such transitions, and they vary according to the facility and amount of materials being handled. We will work with you to resolve these issues to the best of our abilities and to brainstorm possibilities with you that could achieve your goals.

Opportunities *do* exist for you to continue to offer local services. Welcome us into your group of local officials to help brainstorm the solution that fits your community and we are happy to help. We have a knowledgeable staff team able to offer support. Feel free to call me at 229-9383, ext. 101.

Sincerely,



Donna Barlow Casey
Executive Director