

Minutes

CVSWMD Program Oversight Committee (POC)

Central Vermont Solid Waste Management District – 137 Barre Street, Montpelier, VT

Monday, August 1, 2016

1. **Convene meeting:** Chair Lee Cattaneo convened the meeting at 5:05 PM with committee members Gerhard Postpischil, Claire Wheeler, Laura Zeisel, and Nancy Kellogg (at 5.25 PM). Other attendees included Cathleen Gent (Planning Analyst), Bruce Westcott (General Manager), and Carl Witke (Operations Manager). Cathleen Gent took notes.
2. **Approve Meeting Minutes – July 6:** *Claire Wheeler made a motion to approve the minutes, seconded by Gerhard Postpischil. The motion passed unanimously.*
3. **Diversity Training** – Bruce Westcott described upcoming diversity training sessions for staff, which will include a variety of topics to improve sensitivity in the workplace (race, gender, age, etc.). This training is one of the elements in the General Manager’s new contract. Lee Cattaneo suggested that such a training would be beneficial for the Board of Supervisors. Bruce Westcott said he will bring this up as a potential Board retreat item.
4. **General Discussion RE Out-of-District Customers:** Cathleen Gent briefly recapped the document in the POC packet regarding considerations for CVSWMD serving out-of-district customers. Carl Witke discussed several typical scenarios involving out-of-district customers wishing to bring materials to the ARCC. Lee Cattaneo provided a brief explanation of why CVSWMD decided to accept HHW from out-of-district users, with a pricing structure that charges more for out-of-district materials. Bruce Westcott said that accepting out-of-district materials will help lead to greater operational smoothness. Claire Wheeler noted that data quality will be improved. POC members agreed that they like the concept of accepting materials from out-of-district customers, but any plans should reflect the actual costs for accepting materials from outside the District. *Motion made by Laura Zeisel, seconded by Claire Wheeler, for staff to develop a plan presenting various options, with costs shown. The motion passed unanimously.*
5. **Ordinance Enforcement General Discussion:** The POC reviewed Cathleen Gent’s memo dated July 26, 2016 on this topic. Lee Cattaneo discussed the examples of different types of violations and noted that the Agency of Natural Resources would be more likely to enforce Act 148-related violations. He also pointed out that CVSWMD, in the past, pursued “paper” violations and financial-related violations (for example, a hauler not paying surcharge to CVSWMD). POC members discussed possibly pursuing violations related to the collection of solid waste, as when a hauler fails to keep recyclables separated from trash. Should CVSWMD wish to do that type of enforcement in the future, we will coordinate efforts with ANR.

Lee Cattaneo noted that Act 148 focuses on landfill bans on certain materials and holds haulers responsible for ensuring that banned materials are not brought to the landfill. POC members brought up examples where outreach and education appear to be needed, for instance with property managers and renters in multi-family housing or businesses. Suggestions about outreach opportunities were offered. Cathleen Gent said she will bring those ideas to the outreach staff to consider when developing the FY18 work plan. The POC requested staff to bring back information about the personnel requirements and resources needed in taking on “paper” violations and financial-related violations.

6. **Charter Review:** Bruce Westcott reviewed his memo dated July 27, 2016, which included comments on the proposed charter changes. Lee Cattaneo explained the background regarding the process undertaken two plus years ago when the Board reviewed the charter and determined the changes shown in track changes. Bruce Westcott said he accepted some of the minor changes, such as changing “shall” to “may” throughout.

He also said that he does not think the charter should include procedures that are established in other statutes or policies as well as the general manager job duties. Laura Zeisel said that she recommends using “shall” whenever possible to provide clarity. The POC general sentiment is that that the charter should include only those sections that are needed. Laura Zeisel pointed out that the Vermont Municipal Administrative Procedures Act lays out the procedures under which CVSWMMD must operate. The POC offered a number of recommendations:

- Section 403-14. Quorum – line 28 – change “shall” to “may” and line 29 – change “shall not have been” to “were not”.
- Section 403-8. Authority – add General Manager language here, keeping only the language on Page 22, lines 20-24.
- Section 409-308. Grand Juror – This section should be re-numbered. Bruce Westcott will confer with Leesa Stewart and legal counsel, if needed, to understand the reason for this section and whether it is needed.
- Section 403-XX. Procedures for adoption of ordinances, rules, and regulations: Bruce Westcott will confer with Leesa Stewart and legal counsel, if needed, to understand the reason for this section and whether it is needed.
- Section 403-26. Treasurer: The POC agreed that this section, as shown with track changes, should remain in the charter.
- Section 403-59. Definitions: This section will be moved to the front of the document. Bruce has checked and confirmed internal consistency. If a definition is in both the charter and the new ordinance document, the version from the ordinance will replace the charter definition.

At the September POC meeting, Bruce Westcott will provide a “clean” version for final POC review before the charter goes to the Board.

7. **Municipal Emergency Grant Program/ Municipal Solid Waste Priorities Program**: Bruce Westcott provided background about this proposed program, which will be administered as a grant program through the Lawrence Walbridge Reserve Fund/Grant Committee. Bruce Westcott explained that “special program assistant” on staff has not yet been identified, but will likely be one of the new school program coordinators. The POC offered a number of changes:
  - Revise the program name to Municipal Solid Waste Special Projects Program
  - At the end of the first paragraph, add the following: The letter should include information showing that all other means of addressing the situation or emergency have been explored and exhausted.

*Claire Wheeler made a motion, seconded by Nancy Kellogg, to recommend that the Executive Board/Board of Supervisors approve the Municipal Solid Waste Special Projects Program. The motion passed unanimously.*
8. **Community Services Project Update**: Cathleen Gent provided a brief review of the project, which stems from the facility project, which concluded in the spring. She thanked the POC members for their assistance in identifying potential local participants in the Project Advisory Committee, which will convene on August 30.
9. **Adjournment** – *Nancy Kellogg made a motion to adjourn at 6:37 PM and the meeting adjourned at that time.*