

MINUTES OF MEETING
DELAWARE SOLID WASTE AUTHORITY
BOARD OF DIRECTORS

DATE: January 31, 2013

LOCATION: 1128 S. Bradford Street
Dover, Delaware

TIME: 5:00 p.m.

ATTENDEES:

DIRECTORS

Ronald G. McCabe
Theodore W. Ryan
Timothy P. Sheldon
Tonda L. Parks
Gerard L. Esposito
Gregory V. Moore

STAFF

Pasquale S. Canzano
Richard P. Watson
Anne M. Germain
Logan V. Miller
Shelly A. Forcier
Joseph Koskey

LEGAL COUNSEL

Michael Parkowski
Michael Arrington

GENERAL PUBLIC

None attending

REGULAR BOARD MEETING

The Vice-Chairman, Ronald G. McCabe, called the three hundredth and forty-fifth regular meeting of the Delaware Solid Waste Authority Board of Directors to order on Thursday, January 31, 2013. He announced the meeting had been duly noticed and the Directors had received copies of the information to be considered.

A. MINUTES

Vice-Chairman McCabe called for additions or corrections to the draft of the Minutes of the last meeting of the Board of Directors.

Motion A – Moved by Ms. Parks

“The Minutes of the December 6, 2012, Board of Directors’ meeting of the Delaware Solid Waste Authority be accepted as written.”

Second – Mr. Sheldon

Vote – (Esposito, Moore, Parks
Ryan, Sheldon, McCabe)

Motion Adopted
(unanimous)

B. CONTRIBUTIONS

Motion B - moved by Mr. Ryan

“The Board approves the request from the Delaware ENVIROTHON for a \$2,000.00 contribution in accordance with DSWA’s Policy Guidance on Contributions.”

Second – Mr. Moore

Mr. Watson explained that DSWA has been a supporter of the Delaware ENVIROTHON for many years and that DSWA employee Sarah Burns is on the Board of the group. The group has an environmental education theme that suits DSWA’s mission. Staff recommends that we support the group with this donation and continue to support it in the coming years.

Mr. Esposito	-	Yes	
Mr. Moore	-	Yes	
Ms. Parks	-	Yes	
Mr. Ryan	-	Yes	
Mr. Sheldon	-	Yes	
Mr. McCabe	-	Yes	
Mr. Pryor	-	Absent	Motion Adopted (6 Yes 1 Absent)

C. CENTRAL SOLID WASTE MANAGEMENT CENTER (CSWMC) & SOUTHERN SOLID WASTE MANAGEMENT CENTER (SSWMC) – LEACHATE HAULING CONTRACT S-10-644-CS & S-10-645-SS

Motion C – moved by Mr. Sheldon

“The Board approves the third year contract extension to Freehold Cartage Inc for the Leachate Hauling contracts.”

Second – Mr. Ryan

Mr. Watson explained that there are two contracts for leachate hauling, one for CSWMC and one for SSWMC. Freehold is in their second year of the contracts which expires on April 27, 2013. The contracts allowed for an additional third year. Third year pricing is listed under tab C. It is Staff’s recommendation to accept the third year option and move forward with the contracts.

Mr. Esposito - Yes

Mr. Moore	-	Yes	
Ms. Parks	-	Yes	
Mr. Ryan	-	Yes	
Mr. Sheldon	-	Yes	
Mr. McCabe	-	Yes	
Mr. Pryor	-	Absent	Motion Adopted (6 Yes 1 Absent)

D. SOUTHERN SOLID WASTE MANAGEMENT CENTER (SSWMC) – CELLS 1 & 2 LEACHATE STORAGE AND TRANSMISSION SYSTEM MODIFICATIONS CONTRACT C-11-686-SS

Motion D – moved by Mr. Sheldon

“The Board awards the contract for the Cells 1 & 2 Leachate Storage and Transmission System Modifications to the lowest bidder, Hopkins Construction, Inc. for \$297,700.00”

Second – Ms. Parks

Mr. Watson explained that this construction project is for the consolidation of the Cells 1 & 2 leachate storage tanks to the Cell 3 tank farm. The engineers estimate for the project was \$330,000. DSWA received nine bids and the low bid was from Hopkins Construction of Bridgeville, for \$297,700. DSWA has good experience with Hopkins in the past. Staff recommends awarding the contract to Hopkins.

Mr. McCabe asked how long the job would take to complete.

Ms. Germain commented that the contract allowed for six months to complete the work. (Note: The contract time is actually 45 days until substantial completion.)

Mr. Moore asked if DSWA requires bonds on each of these contracts and also if DSWA monitors the bond pricing versus the health of the companies.

Ms. Germain commented that DSWA does require bonds from the contractors. DSWA also runs a D&B report on the company but we’ve always maintained that if they are able to supply performance and payment bonds that that would be adequate.

Mr. Esposito	-	Yes	
Mr. Moore	-	Yes	
Ms. Parks	-	Yes	
Mr. Ryan	-	Yes	
Mr. Sheldon	-	Yes	
Mr. McCabe	-	Yes	
Mr. Pryor	-	Absent	Motion Adopted (6 Yes 1 Absent)

Mr. Canzano acknowledged that Mr. Michael Arrington of Parkowski, Noble & Guerke arrived.

PUBLIC COMMENT

No comment

Motion – moved by Mr. Sheldon

“The Board go into Executive Session to discuss proposed reorganization and the vote to be taken.”

Second – Mr. Esposito

Mr. Esposito	-	Yes	
Mr. Moore	-	Yes	
Ms. Parks	-	Yes	
Mr. Ryan	-	Yes	
Mr. Sheldon	-	Yes	
Mr. McCabe	-	Yes	
Mr. Pryor	-	Absent	Motion Adopted
			(6 Yes 1 Absent)

Board voted into Executive Session at 5:10 p.m.

The Chief Executive Officer proposed changes to the organizational structure of the Authority as set forth in the January 17, 2013, memorandum from the Chief Executive Officer to the Board of Directors. The Board of Directors discussed the proposal. No votes were taken during the Executive Session.

Motion - moved by Mr. Ryan

“The Board return to regular session.”

Second – Mr. Esposito

Vote - (Esposito, Moore, Parks Ryan, Sheldon, McCabe)	Motion Adopted (unanimous)
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Board back into Regular Session 6:20 p.m.

E. PERSONNEL REORGANIZATION

Motion – moved by Mr. Esposito

“We considered the recommendation of the CEO and find that it is in the best interest of the Authority. We also received unsolicited advice and criticism of the proposal and find that criticism unwarranted and not helpful. The CEO is the only staff member authorized to make recommendations on organizational structure to the Board. Efforts to undermine that authorization is harmful to the Authority. And so I move that the Board adopt a reorganization proposal by the Chief Executive Officer in his memorandum to the Board dated January 17, 2013 effective this date.”

Second – Ms. Parks

Mr. Esposito	-	Yes	
Mr. Moore	-	Yes	
Ms. Parks	-	Yes	
Mr. Ryan	-	Yes	
Mr. Sheldon	-	Yes	
Mr. McCabe	-	Yes	
Mr. Pryor	-	Absent	Motion Adopted (6 Yes 1 Absent)

NEW BUSINESS

No comment

Motion – moved by Mr. Ryan

“The Board Meeting is adjourned.”

Second – Mr. Moore

Vote – (Esposito, Moore, Parks Ryan, Sheldon, McCabe)	Motion Adopted (unanimous)
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Respectfully submitted,

Pamela R. Williamson

Meeting Adjourned: 6:43