

MINUTES OF MEETING
DELAWARE SOLID WASTE AUTHORITY
BOARD OF DIRECTORS

DATE: March 28, 2013

LOCATION: 1128 S. Bradford Street
Dover, Delaware

TIME: 5:00 p.m.

ATTENDEES:

DIRECTORS

Richard V. Pryor
Ronald G. McCabe
Tonda Parks
Theodore W. Ryan
Timothy P. Sheldon

STAFF

Pasquale S. Canzano
Richard P. Watson
Anne M. Germain
Michael D. Parkowski
James Vescovi
Thomas A. Heck

LEGAL COUNSEL

F. Michael Parkowski

GENERAL PUBLIC

Mr. & Mrs. Dan Kramer

REGULAR BOARD MEETING

The Chairman, Richard V. Pryor, called the three hundredth and forty-seventh regular meeting of the Delaware Solid Waste Authority Board of Directors to order on Thursday, March 28, 2013. He announced the meeting had been duly noticed and the Directors had received copies of the information to be considered.

A. MINUTES

Chairman Pryor 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 February 28, 2013, Board of Directors’ meeting of the Delaware Solid Waste Authority be accepted as written.”

Second – Mr. Sheldon

Vote – (Parks, Ryan,
Sheldon, McCabe, Pryor)

Motion Adopted
(unanimous)

B. CHERRY ISLAND LANDFILL (CIL), DELAWARE RECYCLING CENTER (DRC) & PINE TREE CORNERS TRANSFER STATION (PTCTS) – ELECTRIC BID FOR DELMARVA POWER ACCOUNTS

Motion B - moved by Mr. Sheldon

“The Board approves participating in the Energy Aggregation Partners bid process to maintain low electric costs for Delmarva Power accounts at the Cherry Island Landfill, the Delaware Recycling Center & the Pine Tree Corners Transfer Station.”

Second – Mr. Ryan

Mr. Canzano explained that DSWA has participated in the Energy Aggregation Partners (EAP) bid process since 2010 in order to lower the electric costs for the Cherry Island Landfill, the Delaware Recycling Center, and the Pine Tree Corners Transfer Station. The partners include other state agencies and public organizations in order to get the advantage of a bid for lower electric prices. This also meets the green energy portfolio 25% or greater that the state requires. The current rate expires in June 2013 and the new contract will begin July 1, 2013. The bids are received late in the morning and the acceptance by the EAP representative has to be turned in that afternoon. Staff has presented this now because there will be no time on the day of the bid to contact the Board for approval. DSWA will benefit by participating in this group and get better pricing for our three northern facilities. Staff asks that the Board allow them to participate in the bid process.

Mr. Esposito	-	Absent
Mr. Moore	-	Absent
Ms. Parks		Yes
Mr. Ryan	-	Yes
Mr. Sheldon	-	Yes
Mr. McCabe	-	Yes
Mr. Pryor	-	Yes

Motion Adopted
(5 Yes 2 Absent)

C. CHERRY ISLAND LANDFILL – ALTERNATE DAILY COVER (ADC) SUPPLY AGREEMENT - CONTRACT A-13-711-NC

Motion C – moved by Mr. Sheldon

“The Board approves a two year agreement for continued use of Barrier alternate daily cover at the Cherry Island Landfill with Richard S. Burns & Company Inc. with a service fee of \$3.00 a ton paid to DSWA.”

Second – Mr. Ryan

Mr. Canzano explained DSWA has used Barrier Alternate Daily Cover (ADC) at the Cherry Island Landfill for over twelve years. The new agreement will be for a two year period. Ms. Robin Roddy has done an excellent job negotiating with Burns in increasing their price to \$3/ton for every ton of Barrier that Burns supplies to DSWA for the next two years. This material is approved for use as ADC by DNREC. This replaces approximately 40,000 tons of virgin material saving DSWA approximately \$260,000 a year if we had to buy the material. Staff recommends going forward with the agreement for two years at \$3.00 per ton.

Mr. Esposito	-	Absent
Mr. Moore	-	Absent
Ms. Parks	-	Yes
Mr. Ryan	-	Yes
Mr. Sheldon	-	Yes
Mr. McCabe	-	Yes
Mr. Pryor	-	Yes

Motion Adopted
(5 Yes 2 Absent)

D. LONG NECK COLLECTION STATION - LEASE

Motion D – moved by Mr. Sheldon

“The Board approves a new 20 year lease agreement with Sussex County Government for the continued operation of the Long Neck Collection Station site at a cost of \$1.00 per year.”

Second – Mr. McCabe

Mr. Canzano said that DSWA inherited this around 20 years ago when we took over solid waste management operations in Sussex County. The original lease was for 20 years and it will expire on May 9, 2013. The new lease will be for another 20 years with an automatic renew at the end of the term. The county doesn't want to sell the property. The lease has been reviewed and approved by legal counsel. Staff recommends executing the new lease with Sussex County.

Mr. Esposito	-	Absent
Mr. Moore	-	Absent
Ms. Parks	-	Yes
Mr. Ryan	-	Yes
Mr. Sheldon	-	Yes
Mr. McCabe	-	Yes
Mr. Pryor	-	Yes

Motion Adopted
(5 Yes 2 Absent)

E. CHESWOLD COLLECTION STATION – GAS PIPELINE EASEMENT

Motion – moved by Mr. Sheldon

“The Board awards an agreement for a permanent easement and a temporary construction easement for the installation of a natural gas pipeline in front of the Cheswold Collection Station by Eastern Shore Natural Gas with compensation to DSWA of \$12,823.00.”

Second – Ms. Parks

Mr. Canzano explained that the temporary easement will be for approximately 12 months for construction purposes and the permanent easement will allow for pipeline maintenance. There should be no problems to our facility by the construction. If for some reason the entrance area has to be excavated Eastern Shore would be responsible for replacing it to original condition. Mr. Heck said that Mr. Esposito gave DSWA advice on negotiating the price for allowing Eastern Shore to install the pipe underground. Staff feels that we received an above market price for the easement. Staff recommends going forward with both easements with Eastern Shore Natural Gas.

Mr. Esposito	-	Absent
Mr. Moore	-	Absent
Ms. Parks	-	Yes
Mr. Ryan	-	Yes
Mr. Sheldon	-	Yes
Mr. McCabe	-	Yes
Mr. Pryor	-	Yes

Motion Adopted
(5 Yes 2 Absent)

F. DELAWARE RECYCLING CENTER (DRC) – RENOVATION OF THE ADMINISTRATION BUILDING – CONTRACT C-13-709-ND

Motion – moved by Mr. McCabe

“The Board awards the contract for the Renovation of the Administration Building at the DRC to the lowest responsive bidder, Ventresca Bros for \$501,868.00.”

Second – Mr. Sheldon

Mr. Watson said that the DRC Administration Building has been mostly vacant in recent years and that since the site is the premier recycling site for DSWA, staff would like to turn the building into an education center. Duffield Associates was retained to provide engineering services to renovate the building by taking out walls in order to install displays and to also make it LEED certified. Staff recommends that the Board award the contract to Ventresca Brothers.

There will be a sixty day construction period for this project. The costs came in under the engineer's estimate.

Mr. Esposito	-	Absent
Mr. Moore	-	Absent
Ms. Parks	-	Yes
Mr. Ryan	-	Yes
Mr. Sheldon	-	Yes
Mr. McCabe	-	Yes
Mr. Pryor	-	Yes

Motion Adopted
(5 Yes 2 Absent)

G. ELECTRONIC GOODS CHARGE CHANGES

Motion – moved by Mr. McCabe

“The Board approves a new price structure of \$100 per pick-up for all for-profit businesses that wish to participate in the Electronic Goods Recycling Program.”

Second – Mr. Ryan

Mr. Watson explained that this is for the service that our contractor provides by going out to private companies that have requested electronic goods recycling pick-up. Currently we charge \$25 a pick-up but on April 1st the contract changes and we will be paying \$0.08 per pound so that will add to the expense of providing this service. DSWA receives about 6 to 12 requests a month and this new pricing should cover the cost of the expenses. Non-profits will continue to not be charged a fee and also the general public can bring their personal items to one of our drop-off sites for free. This new price structure only applies to for-profit companies. Mr. Watson also explained that the reason for the large increase in the price was due to the increases that DSWA has incurred over the last six months. For the last three months DSWA has had to pay \$0.05 per pound to the contractor but before it was zero and six months before that we were actually getting paid for the material. This has added a significant cost to the electronic goods recycling program. Mr. Pryor wanted to know how the companies were going to be notified of the price increase. Mr. Watson said that companies would be notified when they called to set up a pick-up.

Mr. Esposito	-	Absent
Mr. Moore	-	Absent
Ms. Parks	-	Yes
Mr. Ryan	-	Yes
Mr. Sheldon	-	Yes
Mr. McCabe	-	Yes
Mr. Pryor	-	Yes

Motion Adopted
(5 Yes 2 Absent)

H. BOUGOURD PROPERTY

Motion – moved by Mr. McCabe

“The Board approves the purchase of property located at 933-963-1011 Willow Grove Road, Felton, Delaware, adjacent to the main entrance of the Central Solid Waste Management Center for \$190,000.00.”

Second – Ms. Parks

Mr. Watson said that property, 1.88 acres, contiguous to the Sandtown Landfill entrance had recently come up for sale. It was a triangle shape property that contains three structures on it. There is approximately 799 foot of road frontage on Route 10. It is zoned for both commercial and residential use. Even though DSWA has no immediate need for the property it would be additional buffer between DSWA and neighboring properties. DSWA plans to remove the structures after purchase. Mrs. Parks asked if the recycling center could be relocated to the area in the future. Mr. Watson said that it could be a possibility for that area. Parkowski, Guerke & Swayze will draft a sales agreement, do an environmental review and a title search after Board approval to buy the property. DSWA had an appraisal done and it came back at \$190,000.00. The owner had an appraisal done also and it came back at \$200,000 so the owner is will to compromise. Mr. Pryor asked if anyone was living on the property. Mr. F. Michael Parkowski responded that there is only one occupied mobile home at this time and the tenant has been notified that he will have to vacate the trailer before settlement.

Mr. Esposito	-	Absent
Mr. Moore	-	Absent
Ms. Parks	-	Yes
Mr. Ryan	-	Yes
Mr. Sheldon	-	Yes
Mr. McCabe	-	Yes
Mr. Pryor	-	Yes

Motion Adopted
(5 Yes 2 Absent)

NEW BUSINESS

Mr. Pryor recognized with sadness that DSWA employee Phil MacInnis passed away yesterday. Mr. MacInnis' family wanted express their appreciation to all the support that they received from DSWA staff. Mr. MacInnis was an employee for over thirteen years in the Dover office as a Weigh System Support Technician. It is sad news for all of us.

Mr. Pryor welcomed Dan and Martha Kramer back to a Board meeting. Mr. Kramer has been a long time visitor to the Board meetings.

PUBLIC COMMENT

Mr. Dan Kramer asked if DSWA was still grinding construction and demolition (C&D) debris. Mr. Vescovi, Southern Solid Waste Management Center (SSWMC) Landfill Manager, said that DSWA is still grinding C&D material to use as alternate daily over (ADC). DSWA is permitted by DNREC to grind the material. A DNREC representative had completed a field inspection just the day before at SSWMC. Mr. Kramer asked if Central grinds C&D also. Mr. Watson said that they only get a small amount and do not grind it. Mr. Vescovi said that 13-14 thousand tons of material per year is converted to ADC at SSWMC. Mr. Kramer asked who owns the transfer station in Farmington. Mr. Parkowski said it belongs to Republic Services. They have corporate offices in Wilmington, Delaware.

Motion – moved by Mr. McCabe

“The Board to go into Executive Session so the CEO can discuss confidential business matters relating to consulting services regarding operations and management and financial services.”

Second – Mr. Sheldon

Mr. Esposito	-	Absent
Mr. Moore	-	Absent
Ms. Parks	-	Yes
Mr. Ryan	-	Yes
Mr. Sheldon	-	Yes
Mr. McCabe	-	Yes
Mr. Pryor	-	Yes

Motion Adopted
(5 Yes 2 Absent)

Board voted into Executive Session at 5:40 p.m.

The Chief Executive Officer informed the Board of Directors of consulting services regarding DSWA’s operations and management. No votes were taken during the Executive Session

Motion - moved by Ms. Parks

“The Board return to regular session.”

Second – Mr. Sheldon

Board back to Regular Session 6:23 p.m.

Mr. Watson passed out the 2012 Annual Reports to the Board.

Motion – moved by Ms. Parks

“The Board Meeting is adjourned.”

Second – Mr. Sheldon

Vote – (Parks, Ryan, Sheldon,
McCabe, Pryor)

Motion Adopted
(unanimous)

Respectfully submitted,

Pamela R. Williamson

Meeting Adjourned: 6:30