

MINUTES OF MEETING
DELAWARE SOLID WASTE AUTHORITY
BOARD OF DIRECTORS

DATE: May 23, 2013

LOCATION: Commissioner's Meeting Room
Rehoboth City Hall
Rehoboth Beach, Delaware

TIME: 5:00 p.m.

ATTENDEES:

DIRECTORS

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

STAFF

Pasquale S. Canzano
Anne M. Germain
Michael D. Parkowski
Shelly Forcier
James Vescovi

LEGAL COUNSEL

F. Michael Parkowski

GENERAL PUBLIC

None

REGULAR BOARD MEETING

The Chairman, Richard V. Pryor, called the three hundredth and forty-ninth regular meeting of the Delaware Solid Waste Authority Board of Directors to order on Thursday, May 23, 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 Mr. Sheldon

“The Minutes of the April 18, 2013, Board of Directors’ meeting of the Delaware Solid Waste Authority be accepted as written.”

Second – Ms. Parks

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

Motion Adopted
(unanimous)

**B. REVISIONS TO THE STATEWIDE SOLID WASTE MANAGEMENT PLAN
AND THE REGULATIONS OF THE DELAWARE SOLID WASTE AUTHORITY**

Motion B - moved by Mr. Ryan

“The Board authorizes staff to proceed with publication, notice and public hearing relating to proposed changes to the Statewide Solid Waste Management Plan and the Regulations of the Delaware Solid Waste Authority.”

Second – Ms. Parks

Mr. M. D. Parkowski said that staff was recommending changes to the Regulations of the DSWA as they pertain to definitions that are not existing in the current Regulations but that are currently in the new DDF agreement. Mr. Parkowski was pleased to report that we are not requesting regulatory flow control in these changes. These definitions will provide clarification to the waste haulers as to what they are allowed to do under the agreement and what they are not allowed to do as far as waste going to recycling facilities there are certain thresholds that have to be met for recycling. The amendment to the Statewide Solid Waste Management Plan (SSWMP) will clarify the Authority’s ability in the future if needed to institute flow control. It makes it clear that we have the authority. He noted that this is just an amendment to the SSWMP and will not change the plan; the plan remains the same with this additional amendment. Mr. F. M. Parkowski said that this will give the Authority maximum flexibility going forward at the end of this three year cycle if the Authority had to resort to flow control or a combination of flow control and a discount contract approach. There is an exemption under the agreement for material brought to DSWA if they go to recycling. DNREC has been dealing with a plethora of cases of pseudo-recycling that has material coming in but not going out or they are trying to use the facility as more of a transfer station than a true recycling center. The new agreement has recycling allowances that restrict taking material to a pseudo-recycler. Mr. Canzano said that the procedures for the Office of Registry will be followed. The changes will probably be brought to the Board at the July meeting. Mr. Pryor asked for the Board to see any changes made after the hearing.

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

Motion Adopted
(6 Yes 1 Absent)

C. CHERRY ISLAND LANDFILL (CIL) – SOLAR INSTALLATION

Motion C – moved by Mr. Sheldon

“The Board approves a solar project totaling 200 kw to be installed at the Cherry Island Landfill as proposed by staff.”

Second – Mr. Ryan

Mr. Canzano explained that staff would like to proceed with a 200 kw solar project that is eligible for SRECs with the state at the Cherry Island Landfill. Seiberlich Trane (Trane) will issue an RFP for a third party to build and operate that project and DSWA would be guaranteed electricity from the project. Staff has told Trane that DSWA will not pay more than \$0.075 per kw hour. Currently DSWA pays \$0.075 to the consortium for electricity. This project has to be installed by May 10, 2014. The original site of the project has changed to the southwest side of Cherry Island. Mr. F. M. Parkowski said that there was a question of the escalator per year. Mrs. Germain said that the consortium contract will be changing in June. We don't know the prices at this time. They are not expected to go lower but not much higher. The 2.5% inflation rate was negotiated with Trane. Trane said that 2.5% is the least they could get. Mr. Canzano said that this is a positive way to use our facility to generate more energy. This could generate enough electricity to power the administration building at Cherry Island. Mr. F. M. Parkowski said that the contract can still be negotiated to be advantageous for DSWA. Mr. Canzano asked in the interest of going forward if there should be an amendment to the motion to allow for staff to proceed with the project after negotiating the agreement. Mr. F. M. Parkowski said that legal counsel would be involved in the final contract.

Motion to approve an amendment to Motion C – Mr. Sheldon

“The Board approves a solar project totaling 200 kw to be installed at the Cherry Island Landfill as proposed by staff subject to negotiation of an acceptable agreement.”

Second – Mrs. Parks

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

Motion Adopted
(unanimous)

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

Motion Adopted

(6 Yes 1 Absent)

D. EYEMED

Motion D – moved by Mr. McCabe

“The Board approves extending the EyeMed benefit to retirees.”

Second – Mr. Sheldon

Mrs. Forcier explained that in 2011 the Board approved DSWA to pay the cost of vision care for the employees. Staff would like to add retirees to the plan, with DSWA paying for the retiree and the retiree being responsible for any cost to add dependents. In 2004 retirees were added to the Dental plan so this would be keeping in line with that program. There are currently 20 retirees that could participate at a cost of \$1,400.00 annually.

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

Motion Adopted
(6 Yes 1 Absent)

E. JOB CLASSIFICATIONS

Motion E – moved by Mr. McCabe

“The Board approves adding tiers I, II, and III to the following three positions within the current DSWA job classifications: Wellfield Technician, Operations Technician, Service Technician, and adding a Senior Landfill Supervisor.”

Second – Mr. Sheldon

Mrs. Forcier explained that in 2010 the Board approved adding additional tiers to some positions to recognize added responsibility and seniority. Since then there has been a 19% reduction in staff through attrition. There are four additional jobs that don't have tier levels. By adding the tier levels to these positions it will make them equal to similar positions that already have tiers. Staff had a third party review the classifications. The impact would be approximately \$12,900 annually if all positions were approved. This would clean up all the positions that should have tier levels. Mr. Canzano pointed out that it wasn't only seniority that could move an employee up but that they would also be given additional responsibilities.

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

Motion Adopted
(6 Yes 1 Absent)

NEW BUSINESS

No comment

PUBLIC COMMENT

No comment

F. PERSONNEL ISSUES

Motion F - moved by Mr. Ryan

“The Board to go into Executive Session to discuss personnel issues.”

Second – Mr. McCabe

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

Motion Adopted
(unanimous)

Board voted into Executive Session at 5:42 p.m.

Motion – moved by Mr. Ryan

“The Board return to Regular Session.”

Second – Ms. Parks

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

Motion Adopted
(unanimous)

Board voted back to Regular Session at 6:20

Motion – moved by Mr. Ryan

“The Board Meeting is adjourned.”

Second – Ms. Parks

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

Motion Adopted
(unanimous)

Respectfully submitted,

Pamela R. Williamson

Meeting Adjourned: 6:30