

MINUTES OF MEETING
DELAWARE SOLID WASTE AUTHORITY
BOARD OF DIRECTORS

DATE: December 5, 2013

LOCATION: 1101 Lambsons Lane
New Castle, 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
Richard P. Watson
Michael D. Parkowski
Robin M. Roddy
Shelly A. Forcier
Sarah E. Burns
Stacey E. Helmer

LEGAL COUNSEL

Michael Teichman

GENERAL PUBLIC

Joyce Canzano
Joe Parks

REGULAR BOARD MEETING

The Chairman, Richard V. Pryor, called the three hundredth and fifty-third regular meeting of the Delaware Solid Waste Authority Board of Directors to order on Thursday, December 5, 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 August 22, 2013, meeting of the Board of Directors.

Motion A1 – Moved by Mr. Sheldon

“The Minutes of the August 22, 2013, Board of Directors’ meeting of the Delaware Solid Waste Authority be accepted as written.”

Second – Mr. Ryan

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

Motion Adopted
(unanimous)

Motion A2 – moved by Ms. Parks

“The Minutes of the October 3, 2013, Board of Directors’ meeting of the Delaware Solid Waste Authority be accepted as written.”

Second – Mr. Sheldon

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

Motion Adopted
(unanimous)

Motion A3 – moved by Mr. Ryan

“The Minutes of the November 13, 2013, Board of Directors’ meeting of the Delaware Solid Waste Authority be accepted as written.”

Second – Mr. Sheldon

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

Motion Adopted
(unanimous)

B. CONTRIBUTIONS/DONATIONS

Motion B - moved by Mr. Ryan

“The Board awards a \$1,000 donation to support the Central Delaware Chamber of Commerce’s Leadership Central Delaware Program”

Second – Ms. Parks

Mr. Canzano said that DSWA provides a tour and workshop at the Sandtown Landfill for the participants of the program. Ms. Parks said that DSWA needs to consider sending someone to participate in the program.

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 & PIGEON POINT LANDFILL ENVIRONMENTAL MONITORING SERVICES – CONTRACT S-13-720-NPNC

Motion C - moved by Mr. Sheldon

“The Board recommends that staff negotiate an agreement with Brickhouse Environmental to provide environmental monitoring services for the Cherry Island and Pigeon Point Landfills, and if an agreement cannot be reached with Brickhouse, to negotiate with Watermark Environmental Inc.”

Second – Mr. Esposito

Mr. Canzano said that this is all tied to DNREC permit requirements at the Cherry Island and Pigeon Point Landfills. It is for a three year contract that is to begin February 1, 2014. Brickhouse Environmental is the current contractor. Staff is asking for the Board’s approval to negotiate with Brickhouse Environmental. Staff will present a contract for Board approval at the January meeting.

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. KENT COUNTY LEACHATE TREATMENT SERVICES AT THE CENTRAL SOLID WASTE MANAGEMENT CENTER

Motion D – moved by Mr. Sheldon

“The Board approves the Letter of Agreement with Kent County to construct approximately 100-feet of gravity sewer and valving to connect DSWA’s existing leachate collection system to the Kent County’s proposed pump station at the Central Solid Waste Management Center.”

Second – Mr. Ryan

Mr. Watson told the Board that this letter of Agreement with Kent County will allow them to move forward with the bid process to get the leachate treatment pipeline constructed between CSWMC and Kent County’s Waste Water Treatment Plant in Frederica. DSWA is responsible

for 100 feet of the system on our land. Kent County will issues two bids; one for DSWA portion, which is estimated at \$50,000; and one for Kent County’s portion, which is estimated at \$1.5 million. Kent County will be installing approximately nine miles of pipeline and a pump station to connect to a lift station in Felton, Delaware. Kent County will be handling all the bidding documents and construction management. This agreement commits DSWA to paying for our share as outlined in the letter that is attached. Legal counsel has reviewed and approved the agreement.

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. AMERESCO SITE LEASE AMENDMENT – CONTRACT A-04-532-CS

Motion E – moved by Mr. Sheldon

“The Board approves an Amendment to the Amended and Restated Site Lease Agreement with Ameresco Delaware Energy LLC to designate a reserved area for the construction, operation and maintenance of a leachate force main that will cross a portion of the Ameresco lease area at the Central Solid Waste Management Center.”

Second – Mr. Esposito

Mr. Watson informed the Board that this easement with Ameresco is in response to the previous item of the leachate pipeline. Ameresco leases a portion of the CSWMC for the landfill gas plant and the new leachate pipeline will go through a small portion of that leased area. This amendment will modify the existing site lease agreement to allow for this new infrastructure. It will not interfere with any of Ameresco’s operations.

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)

F. SALE OF 8” PIPELINE TO CHERRY ISLAND RENEWABLE ENERGY, LLC

Motion F – moved by Mr. Sheldon

“The Board recommends entering into an asset purchase agreement and executing a Bill of Sale with, and grant an easement to, Cherry Island Renewable Energy, LLC regarding the sale of a dormant 8” landfill gas pipeline.”

Second – Mr. Ryan

Mr. Canzano told the Board that our legal counsel, Michael Teichman, has put these documents together to have DSWA sell an existing landfill gas pipeline at Cherry Island to Cherry Island Renewable Energy (aka Cummins). Ms. Roddy said that this pipeline has been dormant since 2006. This pipe used to move digester gas to the City of Wilmington (COW). Cummins will be sending landfill gas from Cherry Island to the COW’s waste water treatment plant which will be used in the sludge drying project. This pipe requires DOT inspection every year so it’s a liability and costs money to maintain. Mr. Teichman reminded the Board that this was an asset that was acquired from Cereza. DSWA got the rights to the pipe but we don’t have a lot of the easements. Cummins is willing to deal with getting all the easements past DSWA’s property that are needed. Mr. Canzano said that the purchase price reflects the amount of work that needs to be done on Cummins part to make it useful and safe. Mr. Watson said that the purchase price is \$26,000 and that reflects all the work that needs to be done to upgrade it. Mr. Canzano said that it is a good situation for DSWA. Ms. Parks asked if there would be an easement on DSWA property. Mr. Watson said that about 100’ of easement will be on DSWA’s property. Mr. Pryor asked how we arrived at the price. Mr. Watson explained that we took our experience in installing landfill gas pipes at our facilities and did a straight line depreciation from when this one was installed and we arrived at \$40,500, which is where we started negotiations. Cummins replied that they needed to do some pipe testing to see if it would be good. Cummins estimated that at \$40,000. So after negotiations and perusal of their inspection bills (which totaled over \$30,000) we arrived at \$26,000. Cummins will have a permanent easement for the pipeline over DSWA property.

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

Mr. Pryor read a resolution honoring Pat Canzano.

“WHEREAS, the Delaware Solid Waste Authority (DSWA) is a public instrumentality of the State of Delaware which is accountable through its Board of Directors and its staff to the citizens of Delaware; and

WHEREAS, DSWA was established in 1975, by statute enacted by the Delaware General Assembly, with the intent to address and solve difficult and long-standing problems related to the management and recycling of solid waste; and

WHEREAS, Pasquale S. Canzano, P.E., BCEE was hired by the Delaware Solid Waste Authority on January 16, 1977, and has served with great distinction in public service for over 38 years; and

WHEREAS, Mr. Canzano has demonstrated exemplary leadership and executive support to the Board of Directors;

NOW, THEREFORE, on this 5th day of December 2013, the Board of Directors of the Delaware Solid Waste Authority wishes to express its gratitude to Mr. Canzano for his contributions to the Delaware Solid Waste Authority and dedicated service.”

Motion – moved by Mr. Ryan

Second - Mr. McCabe

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)

PUBLIC COMMENT

No comment

Motion – Mr. Esposito

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

Second – Ms. Parks

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

Motion Adopted
(unanimous)

Board voted into Executive Session at 5:39 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 back to Regular Session 6:14 p.m.

G. PERSONNEL ISSUES

Motion G – moved by Mr. Esposito

“The Board approves the recommended organizational changes and structure as proposed by staff in the memorandum dated December 3, 2013. The Board further authorizes the upgrade of the position of Facility Manager for the Northern Solid Waste Management Center to Senior Facility Manager.”

Second – Mr. Sheldon

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)

Motion – moved by Mr. Ryan

“The Board Meeting is adjourned.”

Second – Mr. Esposito

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

Motion Adopted
(unanimous)

Respectfully submitted,

Pamela R. Williamson

Meeting Adjourned: 6:16