

MINUTES OF MEETING
DELAWARE SOLID WASTE AUTHORITY
BOARD OF DIRECTORS

DATE: June 29, 2017

LOCATION: Delaware Solid Waste Authority
Administrative Office
1128 S. Bradford Street
Dover, DE 19904

TIME: 5:00 p.m.

ATTENDEES:

DIRECTORS

Gerard L. Esposito
Ronald G. McCabe
Norman Griffiths
Michael R. Paraskewich, Ph.D, P.E.
Tonda L. Parks
Timothy P. Sheldon
William J. Strickland

STAFF

Richard P. Watson, P.E. BCEE
Robin M. Roddy, P.E., BCEE
Joe Koskey, CPA
Shelly A. Forcier
Jason M. Munyan, P.E., BCEE

LEGAL COUNSEL

F. Michael Parkowski, Esquire (PG&S)
Michael Teichman, Esquire (PG&S)

GUESTS

Cara Godlewski

Before the Board Meeting began Mr. Esposito presented a certificate to Cara Godlewski as one of the recipients of the John P. "Pat" Healy Scholarship for 2017. Ms. Godlewski just graduated from Middletown High School. She will attend the University of Delaware in the fall and will study Environmental Engineering. The Board congratulated Ms. Godlewski and wished her good luck with her studies.

REGULAR BOARD MEETING

The Chairman, Gerard Esposito, called the three hundred and eighty-sixth regular meeting of the Delaware Solid Waste Authority Board of Directors to order on Thursday, June 29, 2017. He announced

the meeting had been duly noticed and the Directors had received copies of the information to be considered.

A. MINUTES

Chairman Esposito called for additions or corrections to the draft of the Minutes of the April 27, 2017, meeting of the Board of Directors.

Motion A – moved by Mr. Sheldon

“The Minutes of the April 27, 2017, Board of Directors’ meeting of the Delaware Solid Waste Authority be accepted as written.”

Second - Mr. Griffiths

Vote – (Griffiths, Paraskewich, Parks, Sheldon, Strickland, McCabe, Esposito)

Motion Adopted
(7 Yes, 0 No, 0 Absent)

Report of Technical Affairs and Facilities Management Committee

B. OPERATIONS AND INSTALLATION SERVICES AT THE CHERRY ISLAND LANDFILL AND MAINTENANCE AT THE PIGEON POINT LANDFILL — CONTRACT O-14-733-NC

Motion B – moved by Mr. Sheldon

“The Board approves the third year contract extension to Greggo & Ferrara, Inc. to provide Operations and Installation Services at the Cherry Island Landfill and Maintenance at the Pigeon Point Landfill.”

Second – Mr. Griffiths

Mr. Watson said that the existing landfill contractor, Greggo & Ferrara is coming to the end of the two year term with the optional third year. Staff would like to recommend the Board approve the third year for \$12.50/ton which is the same price as the current year. Mr. Sheldon said it was fully vetted in the Committee meeting.

Mr. Griffiths	Yes
Mr. Paraskewich	Yes
Ms. Parks	Yes
Mr. Sheldon	Yes
Mr. Strickland	Yes

Mr. McCabe Yes

Mr. Esposito Yes

Motion Adopted

(7 Yes, 0 No, 0 Absent)

C. OPERATIONS AND MAINTENANCE OF THE PINE TREE CORNERS TRANSFER STATION (PTCTS) - CONTRACT O-16-765-NT

Motion C – moved by Mr. Sheldon

“The Board awards a contract for the Operations and Maintenance of the Pine Tree Corners Transfer Station to the lowest bidder, Greggo & Ferrara, Inc. in the amount of \$13,578,212.50.”

Second – Mr. Griffiths

Mr. Watson said that the next three items were related since all three transfer stations were bid together. Ms. Roddy explained that staff had scheduled the contract terms for the transfer stations for all the same time so that all the contracts would start on September 1, 2017. Staff hoped to attract more bidders and create more competition and create more economies of scale by offering all three transfer stations operations at one time. This contract is for the Pine Tree Corners Transfer Station (PTCTS) which Waste Management has run for twenty-seven years. The attached memo lists the bids that were received for this Request for Bids (RFB). Greggo & Ferrara was the winner with the low bid. Ms. Roddy noted the pricing between the first and second bidders was close and DSWA was very happy with the tight numbers. The price listed on the memo, \$13,578,212.50, is the price for all five years. This contract is a three, plus one, plus one term. All three contracts for the transfer stations are structured with a Service Fee for providing labor and equipment, and maintenance on the building, keeping the facility running. And then a Unit Price per ton for the waste to go from the transfer station to a particular landfill. Currently PTCTS is going to Sandtown but DSWA does have the option in the existing Cherry Island permit to accept it there and also pricing and flexibility under this contract with Greggo & Ferrara to ship it to either place. Greggo & Ferrara did run a transfer station at the DRC for DSWA a long time ago, hauling waste from Pigeon Point to waste-to-energy. Staff recommends the Board award the contract to Greggo & Ferrara. Mr. Sheldon mentioned that the bids were very close and felt that it was good and they were bid the right way. Mr. Griffiths asked if the new contractor would have to buy equipment or use what equipment is already there. Ms. Roddy explained that the new contractor is required to buy equipment. Greggo & Ferrara is waiting to get the Notice of Award so that they can order the equipment. For this contract they are also going to be doing their own transfer so they have to buy transfer trailers. Mr. Esposito asked about the labor. Ms. Roddy said that the labor at PTCTS has been there a long time and that the word is that Greggo & Ferrara will likely be keeping all the Waste Management employees except one. That was a positive thing to hear. Staff is punch listing out Waste Management also. There is a list with about 50 minor to medium items and one large item that need to be completed by August 1st or DSWA will withhold money from them. Mr. Esposito asked if Waste Management has been handling the transition professionally. Ms. Roddy said that so far they have been. Documentation has been sent to them and especially for the large item. Mr. Sheldon said that it was discussed thoroughly and robustly in Committee.

Mr. Griffiths	Yes
Mr. Paraskewich	Yes
Ms. Parks	Yes
Mr. Sheldon	Yes
Mr. Strickland	Yes
Mr. McCabe	Yes
Mr. Esposito	Yes

Motion Adopted

(7 Yes, 0 No, 0 Absent)

**D. OPERATIONS AND MAINTENANCE OF THE MILFORD TRANSFER STATION (MTS)
– CONTRACT O-16-766-CM**

Motion D – moved by Mr. Sheldon

“The Board awards a contract for the Operations and Maintenance of the Milford Transfer Station to the lowest bidder, Independent Transfer Operators in the amount of \$10,309,099.60.”

Second – Mr. Griffiths

Mr. Watson said that the lowest bidder for Independent Transfer Operators (ITO). ITO is the current contractor for this site. Staff recommends awarding the contract to ITO. They are very capable of doing the job. The bids that were received are very competitive. Ms. Roddy said that this contract is the same as the previous one with a contract term of three years, plus one, plus one, for a total of five. There is a service fee and a unit price for hauling the waste. For Milford and Route 5 this contractor is also hauling recyclables from each transfer station to the DRC. Bruce Georgov, the owner of ITO, is conscientious about maintenance at the site and DSWA can always contact him about any issues that come up. Mr. Sheldon said that it was thoroughly discussed at the Committee meeting

Mr. Griffiths	Yes
Mr. Paraskewich	Yes
Ms. Parks	Yes
Mr. Sheldon	Yes
Mr. Strickland	Yes
Mr. McCabe	Yes
Mr. Esposito	Yes

Motion Adopted

(7 Yes, 0 No, 0 Absent)

**E. OPERATIONS AND MAINTENANCE OF THE ROUTE 5 TRANSFER STATION (R5TS)
– CONTRACT O-16-767-SR**

Motion E – moved by Mr. Sheldon

“The Board awards a contract for the Operations and Maintenance of the Route 5 Transfer Station to the lowest bidder, Independent Transfer Operators in the amount of \$14,751,085.90.”

Second – Mr. Griffiths

Mr. Watson said that bids were received from Independent Transfer Operators (ITO) and Waste Management (WM) for this contract and in this case ITO was significantly less than WM. It is a good price and staff recommends awarding the contract to ITO, who is the current contractor at the site. Ms. Roddy commented that Route 5 is very busy with 90,000 tons of waste going through there. Mr. Watson said that about 25,000 tons of recycling a year is going through there also. Mr. Sheldon said there was intense discussion at the Committee meeting.

Mr. Griffiths	Yes
Mr. Paraskewich	Yes
Ms. Parks	Yes
Mr. Sheldon	Yes
Mr. Strickland	Yes
Mr. McCabe	Yes
Mr. Esposito	Yes

Motion Adopted

(7 Yes, 0 No, 0 Absent)

**F. FACILITY REPAIRS AT THE PINE TREE CORNERS TRANSFER STATION –
CONTRACT C-16-752-NT**

Motion F – moved by Mr. Sheldon

“The Board awards a contract for the Facility Repairs at the Pine Tree Corners Transfer Station to the lowest bidder, Quinn Construction, Inc. in the amount of \$463,385.00.”

Second – Mr. Griffiths

Mr. Watson explained that this was for repairs on two of the oldest buildings at the Pine Tree Corners Transfer Station (PTCTS). The oldest building is 26 years old and the other is 13 years old. They both are in need of repairs to the steel and concrete. DSWA only received one bid but it was from a company that has worked on the facility in the past. The price from Quinn is reasonable. Staff recommends getting this work done before the new contractor starts in September. Ms. Roddy said that the facility will be shut down for three weeks due to the nature of the work. This will give the contractor access to the steel structure, allow them to pour concrete, and keep everyone on site safe. Staff feels that this time will also help the new contractor move in any of their new equipment. Haulers will have to take their waste to the landfills while these repairs are going on. Ms. Roddy said that the Board will be seeing these types of projects over the next few years as DSWA works on their aging infrastructures. Mr. Esposito asked if the haulers

that use the facility will be notified. Ms. Roddy said that the haulers will be called and flyers will also be given to customers at the scale house. Mr. Griffiths asked if DSWA facilities have to be inspected, especially after this construction. Ms. Roddy said DNREC does inspections at our facilities but that is for environmental compliance. This work is being done for maintenance and structural stability.

Mr. Griffiths	Yes
Mr. Paraskewich	Yes
Ms. Parks	Yes
Mr. Sheldon	Yes
Mr. Strickland	Yes
Mr. McCabe	Yes
Mr. Esposito	Yes

Motion Adopted

(7 Yes, 0 No, 0 Absent)

Report of the Administrative & Citizens' Affairs Committee

G. HUMAN RESOURCES POLICY MANUAL

Motion G – moved by Mr. McCabe

“The Board approves the revisions to the Human Resources Manual.”

Second – Ms. Parks

Mr. Watson said that the Human Resources Manual was last revised in 2007 and several things have changed since then and needed to be revised. One item deleted was reference to a 40 hour work week that was used in a division in the company that is no longer in use. Also a major change is to the tuition assistance program. Currently an employee is reimbursed after they have completed the class and gotten a passing grade, now DSWA will pay first, which is a return to how the program was originally. Ms. Roddy said that this revision to the manual has been through several iterations and discussed with the chiefs and managers to get their feedback. The managers were the ones to suggest a change to the tuition program because they felt it would encourage lower wage employees to go back to school. Ms. Roddy also noted that the manual had been reviewed with legal counsel. Mr. Esposito asked that if an employee who received tuition assistance left did they have to reimburse DSWA. Ms. Forcier said that the employee had to stay for a year after they received assistance or pay back the last year of tuition reimbursement. Mr. Esposito asked if any of the other changes were driven by federal requirements. Ms. Forcier said that a change to the employment application, to take off the criminal history box, was driven by law and the other was the Fair Labor Standard Act where we allowed non-exempt employees to earn comp time for overtime. Mr. Griffiths asked if any of these changes had a fiscal impact on the authority. Ms. Roddy said it would have a negligible fiscal impact. Most of the changes were for clarification of policy or to eliminate some things that don't exist anymore. Mr. McCabe said it was thoroughly vetted at the Committee meeting.

Mr. Griffiths	Yes
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Mr. Paraskewich Yes
Ms. Parks Yes
Mr. Sheldon Yes
Mr. Strickland Yes
Mr. McCabe Yes
Mr. Esposito Yes

Motion Adopted

(7 Yes, 0 No, 0 Absent)

H. LEGAL ADVICE

Pursuant to 29 Del. C. Section 10004(b), the Board of Directors anticipates that it may go into Executive Session for the purpose of obtaining legal advice on pending litigation.

Motion H - moved by Mr. Griffiths

“Pursuant to 29 Del. C. Section 10004(b), the Board of Directors anticipates that it may go into Executive Session for the purpose of discussing personnel issues.”

Second – Mr. Sheldon

Vote – (Griffiths, Paraskewich, Parks,
Sheldon, Strickland, McCabe, Esposito)

Motion Adopted

(7 Yes, 0 No, 0 Absent)

Board voted into Executive Session at 5:23 p.m.

Motion I - moved by Mr. Sheldon

“The Board return to regular session.”

Second – Ms. Parks

Vote – (Griffiths, Paraskewich, Parks,
Sheldon, Strickland, McCabe, Esposito)

Motion Adopted

(7 Yes, 0 No, 0 Absent)

Board back to Regular Session 6:17 p.m.

NEW BUSINESS

No comment

PUBLIC COMMENT

No comment

Motion – Mr. Griffiths

“The Board Meeting is adjourned.”

Second – Mr. Sheldon

Vote – (Griffiths, Paraskewich, Parks,
Sheldon, Strickland, McCabe, Esposito)

Motion Adopted
(7 Yes, 0 No, 0 Absent)

Respectfully submitted,

Pamela Williamson

Meeting Adjourned: 6:20 p.m.