

MINUTES OF MEETING  
DELAWARE SOLID WASTE AUTHORITY  
BOARD OF DIRECTORS

DATE: February 25, 2010  
LOCATION: 1128 S. Bradford Street  
Dover, DE 19901  
TIME: 5:00 p.m.

ATTENDEES:

DIRECTORS

Ronald G. McCabe  
Theodore W. Ryan  
Tonda L. Parks  
Timothy P. Sheldon  
Gerard L. Esposito  
William J. DiMondi

STAFF

Pasquale S. Canzano  
Richard P. Watson  
Anne M. Germain  
John J. Lechner  
Logan V. Miller

LEGAL COUNSEL

F. Michael Parkowski

GENERAL PUBLIC

(See List Attached)

REGULAR BOARD MEETING

The Vice-Chairman, Ronald G. McCabe called the three hundredth and twentieth regular meeting of the Delaware Solid Waste Authority Board of Directors to order on Thursday, February 25, 2010. 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 Mr. Sheldon

“The Minutes of the January 28, 2010 Board of Directors’ meeting of the Delaware Solid Waste Authority be accepted as written.”

**Second** – Ms. Parks

**Vote** – (DiMondi, Esposito, Parks, Ryan,  
Sheldon, McCabe,)

**Motion Adopted**  
(unanimous)

Mr. McCabe mentioned that Mr. Kramer is not able to join us tonight. He is home recovering from surgery and may require additional treatments. On behalf of the Board of Directors and DSWA, Mr. Canzano will send a ‘Get Well’ card to Mr. Kramer.

**Report of Citizens’ Affairs Committee**

**B. SALE AND/OR PURCHASE OF A WHEEL LOADER AT THE DELAWARE RECYCLING CENTER – CONTARCT P-09-615-ND**

**Motion B** – Moved by Mr. Ryan

“The Committee recommends the Board approve the sale of two (2) wheel loaders and the purchase of one (1) new Caterpillar 938H wheel loader for a cost of \$140,953.72.”

**Second** – Ms. Parks

Mr. Watson commented that we currently have three wheel loaders at the DRC and we have two operating areas. All three are very old and each has over 10,000 operating hours. After evaluation, we propose to trade in two of the wheel loaders and purchase one replacement loader. We put out a Request for Proposal and we received three proposals. The 938H Caterpillar meets our needs and staff recommends purchasing the Caterpillar and trading in the two used wheel loaders. If approved, the new wheel loader will be ordered now for delivery in July.

Mr. DiMondi - Yes  
Mr. Esposito- Yes  
Ms. Parks - Yes  
Mr. Ryan - Yes  
Mr. Sheldon - Yes  
Mr. McCabe - Yes

Motion Adopted  
(6 Yes 1 absent 0 No)

### C. CONTRIBUTIONS/DONATIONS

**Motion C** – Mr. Ryan

“The Citizens’ Affairs Committee recommends the Board act on the request for contributions as recommended by staff in accordance with DSWA’s Policy Guidance on Contributions.”

**Second** – Ms. Parks

Mr. Watson commented that we received the request for sponsorship from the Delaware Envirothon. The Delaware Solid Waste Authority has been a sponsor of the Envirothon for many years. This request is for a \$2,000 sponsorship which is a Diamond level and allows us to serve on the operating committee. We will be involved in organizing the event and will work with the Kent County Conservation District, USDA, and Wesley College. The event will be held on April 29 at Camp Arrowhead in Lewes.

Mr. Canzano added that we will have a table at the event and our staff will be judges of the competition.

Mr. DiMondi - Yes  
Mr. Esposito- Yes  
Ms. Parks - Yes  
Mr. Ryan - Yes  
Mr. Sheldon - Yes  
Mr. McCabe - Yes

Motion Adopted  
(6 Yes 1 absent 0 No)

## Report of Administrative Affairs Committee

### D. REIMBURSEMENT RESOLUTION FOR THE 2010 BOND PROCEEDS

#### Motion D – Ms. Parks

“The Board is considering authorizing the reimbursement of prior expenditures of funds from the proceeds of bonds to be issued for the financing of certain capital projects. The Board has a copy of the Resolution and specifically it will be the design and construction for expansion at the Sandtown Landfill, Felton, Delaware; the design and construction for expansion at the Jones Crossroads Landfill in Georgetown, Delaware; and completion of the expansion at the Cherry Island Landfill in New Castle County. The Resolution is available for the public to view in our offices and the recommendation is for the Board to adopt the Resolution as presented.”

#### Second – Mr. Sheldon

Mr. Canzano stated that we are getting ready to go out for the Bond Sale in the spring of this year for \$40 million to cover primarily the expansions at Sandtown and Jones Crossroads. In going forward with these projects, we are just finalizing the draft permits to their final stage. This will allow us to reimburse ourselves from the proceeds of these bonds to cover any expenditures we make.

Mr. DiMondi – Yes

Mr. Esposito – Yes

Ms. Parks – Yes

Mr. Ryan – Yes

Mr. Sheldon – Yes

Mr. McCabe – Yes

Motion Adopted

(6 Yes 1 absent 0 No)

#### Moved by Mr. Ryan

“The Board of Directors go into Executive Session.”

#### Second – Ms. Parks

Vote – Unanimous

(DiMondi, Esposito, Parks, Ryan  
Sheldon, McCabe,)

Motion Adopted

(unanimous)

**Moved** – Mr. Esposito

“The Board of Directors return to regular session.”

**Second** – Mr. DiMondi

**Vote** – Unanimous  
(DiMondi, Esposito, Parks,  
Ryan, Sheldon, McCabe)

**Motion Adopted**  
(unanimous)

**E. GTP/Merichem**

**Motion E** – Mr. DiMondi

“Be it Resolved, that the Chief Executive Officer, Pasquale S. Canzano, of the Delaware Solid Waste Authority (DSWA) be and is hereby authorized, empowered, and directed to enter into and otherwise execute on behalf of DSWA a settlement and mutual release agreement reached by DSWA and Merichem Chemicals Refinery Services LLC, successor-in-interest of Gas Technology Products, LLC, said agreement being presented to the DSWA Board of Directors on this 25<sup>th</sup> day of February 2010.”

**Second** – Mr. Sheldon

Mr. DiMondi – Yes  
Mr. Esposito – Yes  
Ms. Parks – Yes  
Mr. Ryan – Yes  
Mr. Sheldon – Yes  
Mr. McCabe – Yes

**Motion Adopted**  
(6 Yes 1 absent 0 No)

PUBLIC COMMENT

No public comment

**Motion** – Mr. Sheldon

“The Board Meeting is adjourned.”

**Second:** Ms. Parks

**Vote** – (DiMondi, Esposito, Parks,  
Ryan, Sheldon, McCabe)

**Motion Adopted**  
(unanimous)

Respectfully submitted,

Libby J. Kelley

Meeting Adjourned: 5:29