

MINUTES OF MEETING
DELAWARE SOLID WASTE AUTHORITY
BOARD OF DIRECTORS

DATE: January 27, 2011

LOCATION: 1128 S. Bradford St.
Dover, Delaware

TIME: 5:00 p.m.

ATTENDEES:

DIRECTORS

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

STAFF

Pasquale S. Canzano
Richard P. Watson
Anne M. Germain
Jason M. Munyan
Bruce D. Hulman

LEGAL COUNSEL

F. Michael Parkowski
Michael Teichman

GENERAL PUBLIC

Thomas E. Houska, Waste Mgt.

REGULAR BOARD MEETING

The Vice-Chairman, Ronald G. McCabe called the three hundredth and twenty-ninth regular meeting of the Delaware Solid Waste Authority Board of Directors to order on Thursday, January 27, 2011. 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. Ryan

“The Minutes of the December 2, 2010 Board of Directors’ meeting of the Delaware Solid Waste Authority be accepted as written.”

Second – Mr. Sheldon

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

Motion Adopted
(unanimous)

B. CONTRIBUTIONS AND DONATIONS

Motion B – Moved by Mr. Ryan

“The 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 explained that we have a \$2,000 request from the Delaware Envirothon for a Diamond Sponsorship for their program. DSWA has participated in this high school scholarship program for several years. We have been a partner and actually judge the event. Successful schools go onto national competitions. Last year the successful school finished 2nd place in the country.

Mr. Esposito – Yes

Mr. Moore – Yes

Ms. Parks – Yes

Mr. Ryan – Yes

Mr. Sheldon – Yes

Mr. McCabe – Yes

Motion Adopted
(6 Yes 1 absent)

C. SINGLE STREAM RECYCLING TRANSFER AGREEMENT

Motion C – Mr. Ryan

“The Board authorizes staff to renew the single stream recycling transfer agreement with Blue Mountain Recycling, LLC for an additional five (5) years.”

Second – Mr. Moore

Mr. Canzano stated that DSWA has been working with Blue Mountain Recycling out of Pennsylvania. The City of Wilmington currently collects the single stream materials and they bring them to our facility at the DRC. We load the material onto Blue Mountain trucks and they transport it to their MRF in Philadelphia. The current agreement will be up in June and we are looking to extend the agreement through 2015. Their proposed prices are about a 3% increase per year. This is a good contract for DSWA because we have the men and equipment there to handle our own recyclables so this is additional material. The contract does generate a positive revenue for DSWA of about \$38,000/year. Staff recommends to continue this agreement through December 31, 2015

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

Motion Adopted
(6 Yes 1 absent)

D. ENVIRONMENTAL MONITORING SERVICES FOR PIGEON POINT AND CHERRY ISLAND – CONTRACT NO S-10-635-NPNC

Motion D – Mr. Sheldon

“The Board awards the contract for Environmental Monitoring Services at Pigeon Point and Cherry Island to Brickhouse Environmental, Inc. for a three-year period.”

Second – Mr. Esposito

Mr. Canzano explained that both Cherry Island and Pigeon Point are two major facilities. This is pretty much driven by DNREC’s permits for those facilities that we have to do certain monitoring in terms of water quality and the leachate at the facility. We received a proposal from Brickhouse and ARM. ARM is the current contractor and they work with ALSI laboratory. Brickhouse will also be working with ALSI laboratories.

Anne Germain added that ALSI has been acquired by ALS laboratories but there will be no change in personnel or laboratory.

Mr. Canzano commended Dan Fluman for handling the negotiations. He was able to negotiate the price down to \$470,000.

Staff is recommending the contract be awarded to Brickhouse Environmental out of West Chester, Pennsylvania for a price of \$469,863.00 for a three-year contract.

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

Motion Adopted
(6 Yes 1 absent)

**E. LANDFILL EXPANSION PROJECT AT CHERRY ISLAND LANDFILL
CONTRACT NO. C-06-562-NC**

Motion E - Mr. Sheldon

“The Board approves a change order in the amount of \$304,050.00 and a 21-day calendar day time extension to Severson.”

Second - Mr. Moore

Ms. Germain stated that the change order work is for three separate items. They are blacktop for the outbound road that the original contract only had for the width of the existing road. Severson has widened the existing road to support two lanes of traffic. The additional width has helped and we would like to maintain the additional width. The amount for this work will be \$59,000

The next amount of \$75,000 is for the Raven Dura Skrim cover material. This is basically to prevent the protective soil from sliding down the 2:1 side slope. They have agreed to install the material at their cost. The last item is for the relocation of a utility berm. There is a temporary utility berm inside the landfill that interfered with Severson’s ability to construct the liner tie-in along Delaware River and the berm needs to be relocated.

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

Motion Adopted
(6 Yes 1 absent)

F. CONSTRUCTION OF EXPANSION JOINT REPAIRS AT BUILDING 1 – PINE TREE CORNERS TRANSFER STATION – CONTRACT C-10-629-NT

Motion F – Mr. Sheldon

“The Board awards the contract for the Construction of Expansion Joint Repairs at Building 1 – Pine Tree Corners Transfer Station to Quinn Construction, Inc. in the amount of \$219,813.

Second – Mr. Ryan

Mr. Canzano explained that Building 1 is the original building and over time the expansion joints have degraded. This particular work will replace the expansion joints with a concrete section. The contract time should be about 30 days. Quinn Construction is the low bidder at about \$220,000 and legal has reviewed their bid.

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

Motion Adopted
(6 Yes 1 absent)

G. CONSTRUCTION TO REPAIR TIPPING FLOOR AT BUILDING 2 – PINE TREE CORNERS TRANSFER STATION – CONTRACT C-10-649-NT

Motion G – Mr. Sheldon

“The Board awards the contract for the Construction to Repair Tipping Floor at Building 2 – Pine Tree Corners Transfer Station to Quinn Construction Inc. in the amount of \$372,965.

Second – Mr. Ryan

Mr. Canzano explained that Building 2 is about nine years old and the tipping floor has experienced some wear and this particular work is necessary to repair that because the wear has actually exposed some of the upper reinforcing steel. The structural integrity and strength of the floor is being compromised unless we do this work. This was an RFP that included some options and the engineer requested Emroy Top, which is a hardened type of flooring and the option was a

concrete overlay. Option B is the concrete with the surface hardener that was the best combination of material and cost.

Staff is recommending that we proceed with Quinn as the most responsive proposer for this particular work.

Mr. Ryan asked if that building will close down and if so, where will the big haulers go.

Jason Munyan replied that staff will be meeting with Waste Management to discuss completing the construction while operating.

Ms. Germain added that ideally staff would like for operations to be able to use one of the buildings. We cannot have commercial operations in building 2 while the work is going on. If we move them over to building 1, that might mean that the homeowners might have to be moved outside for a period of time. It would be 30 days.

Mr. Houska, Waste Management, stated that he knew this was coming up and he needs to know the scheduling and how this is going to impact the operations.

Ms. Germain added that from an operations point of view, we can probably stage the homeowners outside but we cannot stage the commercial vehicles outside.

Mr. Canzano commented that we need to resolve this quickly and accommodate the commercial haulers as well as the homeowners.

Mr. Esposito - Yes

Mr. Moore - Yes

Ms. Parks - Yes

Mr. Ryan - Yes

Mr. Sheldon - Yes

Mr. McCabe - Yes

Motion Adopted
(6 Yes 1 absent)

PUBLIC COMMENT

Mr. Houska wished everyone a Happy New Year. He commented that there is an issue that has come up for Waste Management. They have sent out their notices for curbside recycling program. They are getting a lot of push back regarding the drop off centers. People are saying they don't have to use their

service because they can continue to use the drop off centers. They are having a difficult time telling them that the drop off centers aren't going to close down because it's not our decision. At some point in time, we need to know what your plans are. It is an important piece of information for us to pass on to our customers.

Mr. Canzano commented that when the bill was being debated in both the Committee meetings and on the House floor, that was a major topic of concern to the legislators. There are many legislators who don't want to see the drop-off centers disappear and in addition to that there is a specific provision in the bill, with respect to the municipalities. Originally we couldn't even pull them out of the municipalities without the approval of the municipalities. That was finally watered down to we have to advise them at such time as we do that. We said that obviously there will be a point at which we will be reducing the number of drop off centers. There is always going to be drop off centers out there. We have been meeting with Rich to get some sense of where the light center locations might be. He doesn't think there will be any major changes within the next year. The haulers need to be aware that at some point we may pull the single stream containers but not the site because we still collect textiles, batteries, oil and oil filters.

Mr. Houska stated we all knew this was coming and just wanted to let you know that we are hearing it. It is going to be a bigger issue as we move forward and people have to start doing this. We are targeting April to get started.

Mr. Canzano replied that 16-18% of our waste comes from people who bring their stuff to us and they will continue to do that.

Mr. Houska stated that the drop off centers at your facilities make absolute perfect sense for those people. He just wanted to make DSWA aware that it is a concern of the haulers and at least we can be on the same page.

Mr. Canzano replied that Michael Parkowski attended the last RPAC meeting and apparently Debbie Smedley made some comments about it and Michael did respond to her. Again, bottom line is there will be some changes but I don't see anything major happening between now and April 1. I think what's really important is the industry make a concerted effort to educate people that this is a matter of law. This is a democracy and if people decide they want to take their stuff to the landfill, obviously they can do that. But, we understand what your concern is, we know it is an issue, we are looking at the numbers and we do plan to take some action on that.

Mr. Watson added that DSWA has their existing recycle Delaware contract coming up in the next month we will be working on the scope of work for the next period of time. We will be talking with you to get some feedback.

Mr. Canzano added that it would have a provision that says as we reduce the number of sites we will look at a credit.

Mr. Houska added that on the other issue, to remind people certainly that to shut down for 30 days is a significant impact on our contract and with our contract we have expectations. We want to work together to mitigate and minimize as much as possible. Again, it needs to be done and we support the work.

Ms. Parks commented on the drop off centers, that it would make sense that the haulers have dialogue with the municipalities and the locations to talk to them about the importance of reducing and making that happen. Obviously, on our end we are doing what we can, we want to reduce expenses and that is an expense to this Authority.

Moved – Mr. Sheldon:

“The Board of Directors go into Executive Session.”

Second – Ms. Parks

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

Motion Adopted
(unanimous)

Moved – Mr. Esposito

“The Board of Directors return to regular session.”

Second – Mr. Moore

Vote – Unanimous
(Esposito, Moore, Parks,
Ryan, Sheldon, McCabe)

Motion Adopted
(unanimous)

H. PURCHASE OF LANDFILL GAS – CHERRY ISLAND LANDFILL
CONTRACT A-09-616-NC

Motion H – Mr. Sheldon

“The Board approves the staff to enter into an agreement with Cummins Power Generation for the purchase of landfill gas from the Cherry Island Landfill in accordance with the material terms set forth in the contract term sheet, and subject to final legal review.”

Second – Ms. Parks

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

Motion Adopted
(6 Yes 1 absent)

Moved – Mr. Ryan

“The Board Meeting is adjourned.”

Second – Mr. Sheldon

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

Motion Adopted
(unanimous)

Respectfully submitted,

Libby J. Kelley

Meeting Adjourned: 6:30