

MINUTES OF MEETING
DELAWARE SOLID WASTE AUTHORITY
BOARD OF DIRECTORS

DATE: March 24, 2011

LOCATION: Rehoboth Beach Convention Center
Rehoboth Beach, Delaware

TIME: 5:00 p.m.

ATTENDEES:

DIRECTORS

Richard V. Pryor
Ronald G. McCabe
Theodore W. Ryan
Tonda L. Parks
Gregory V. Moore

STAFF

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

LEGAL COUNSEL

F. Michael Parkowski

GENERAL PUBLIC

See attached

REGULAR BOARD MEETING

The Chairman, Richard V. Pryor called the three hundredth and thirty-first regular meeting of the Delaware Solid Waste Authority Board of Directors to order on Thursday, March 24, 2011. 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 Ms. Parks

“The Minutes of the February 24, 2011 Board of Directors’ meeting of the Delaware Solid Waste Authority be accepted as written.”

Second – Mr. Moore

Vote – (Moore, Parks, Ryan,
McCabe, Pryor)

Motion Adopted
(unanimous)

B. GEOTECHNICAL MONITORING AT CHERRY ISLAND & PIGEON POINT LANDFILLS – CONTRACT S-10-647-NPNC

Motion B – Mr. Ryan

“The Board award the contract for Geotechnical Monitoring at Cherry Island & Pigeon Point Landfills to Geosyntec Consultants for a three-year period.”

Second – Ms. Parks

Mr. Canzano stated that this work is predominantly driven by our permits that we get from DNREC. It has to do with both geotechnical and other types of monitoring at the site. It is a three-year contract that would begin on April 1, 2011. Geosyntec has done work for us before, they have done excellent work and they have been out to Pigeon Point and done all the original work up there. There are essentially three items that are contained in this particular contract. One has to do with the geotechnical monitoring again at Cherry Island and reporting requirements. Likewise, geotechnical monitoring and reporting requirements at the Pigeon Point Landfill. The wireless automation of all vibrating wire instruments has to do with the piezometers and the settlement sensors. It will allow us to take automated readings of the core pressure so we can determine on a remote basis how the subsoils are reacting. The total amount of the contract is \$445,387 and staff recommends proceeding to award the contract to Geosyntec.

Mr. Moore - Yes
Ms. Parks - Yes
Mr. Ryan - Yes
Mr. McCabe - Yes
Mr. Pryor - Yes

Motion Adopted
(5 Yes 2 absent)

**C. CHERRY ISLAND LANDFILL – RICHARD S. BURNS & COMPANY, INC.
AGREEMENT**

Motion C – Mr. Ryan

“The Board approve the Agreement with Richard S. Burns & Company for utilizing Barrier™ at the Cherry Island Landfill for a two-year period.”

Second – Mr. McCabe

Mr. Canzano stated that Burns & Company produces this material from recycled construction and demolition waste which they trademark as Barrier™ and we have been using it for over 10 years and it has saved us a lot of money. There was a point at which they were giving it to us at no cost. Robin Roddy deserves the credit for negotiating this contract. They will be paying us a fee of \$1.15/ton for every ton they supply us over the two-year period. There are no minimum commitments on either side of this. It is really a win-win agreement for us. Staff recommends signing the agreement with Burns & Company for two years.

Mr. Moore - Yes
Ms. Parks - Yes
Mr. Ryan - Yes
Mr. McCabe - Yes
Mr. Pryor - Yes

Motion Adopted
(5 Yes 2 absent)

D. CONSTRUCTION OF AREA F DISPOSAL AREA AT CENTRAL SOLID WASTE MANAGEMENT CENTER – CONTRACT C-08-597-CS

Motion D – Mr. Ryan

“The Board approve a change order in the amount of \$70,864.64 to American Infrastructure to relocate an existing 12-inch LFG line and remove an electric line.”

Second – Ms. Parks

Mr. Canzano explained that American Infrastructure was the low bid for the construction of Area F at Sandtown. As the work progressed, these two items came to light. The electric line was an old line that was used for one of our stormwater pumps and can be disconnected. The 12-inch LFG line is a line that we do need in terms of collecting the gas and utilizing it at the site. As you know, we are generating green power through the Ameresco projects. The reduction in the price that is identified in the memo from \$92,000 to \$71,000, is a result of the fact that the line that AI assumed they were going to have to put it in a completely new line. As it turned out, we could use the line that was there because it was only three years old. So we saved some money when staff pointed this out. We are recommending going forward with the change order as stated.

Mr. Moore – Yes

Ms. Parks – Yes

Mr. Ryan – Yes

Mr. McCabe – Yes

Mr. Pryor – Yes

Motion Adopted
(5 Yes 2 absent)

E. SUPPLY OF COVER SOIL AT CENTRAL SOLID WASTE MANAGEMENT CENTER – CONTRACT F-09-612-CS

Motion E – Mr. Moore

“The Board approve extending the contract for the third year with Roland Clayton, LLC to Supply Cover Soil at CSWMC.”

Second – Mr. Ryan

Mr. Canzano stated this agreement is a two-year agreement with an option for the third year. We are asking to exercise the third year option. The numbers that you see in the memo of \$3.50/ton are for the third year. There is no increase in the cost and Roland Clayton has done a good job. We are recommending exercising the third year option.

Mr. Ryan asked that if we are satisfied with a contractor such as Roland Clayton, couldn't we extend the contract with the same company and build in a cost increase?

Mr. Canzano deferred to legal counsel. Mr. Parkowski stated that if you go out and solicit and say that and you receive all the bids on that basis, then you can make extensions to the contract as long it is structured that way. But once the contract that you solicited is over, you can't just add things onto it without going through the solicitation process again.

Mr. Moore - Yes
Ms. Parks - Yes
Mr. Ryan - Yes
Mr. McCabe - Yes
Mr. Pryor - Yes

Motion Adopted
(5 Yes 2 absent)

**F. MILFORD TRANSFER STATION OPERATIONS
CONTRACT O-08-602-CM**

Motion F – Mr. Moore

“The Board approve extending the contract for the third year with Independent Disposal Services for operations of the Milford Transfer Station.”

Second – Mr. Ryan

Mr. Canzano stated that this was a two-year contract with an option for a third year. The change in prices for the lump sum amount is about 2.4% and the waste transfer fee is only about 2%. Staff feels the increases are reasonable and recommends exercising the third year option.

Mr. Moore - Yes
Ms. Parks - Yes
Mr. Ryan - Yes
Mr. McCabe - Yes
Mr. Pryor - Yes

Motion Adopted
(5 Yes 2 absent)

**G. ROUTE 5 TRANSFER STATION OPERATIONS
CONTRACT O-08-603-SR**

Motion G – Mr. Moore

“The Board approve extending the contract for the third year with Independent Disposal Services for operations of the Rt. 5 Transfer Station.

Second – Mr. McCabe

Mr. Canzano added that this is simply a replay of the previous agenda item with respect to the contract structure being that it was two years with an option for a third year. Independent Disposal Services is the contractor, and has done a very good job with both contracts. In this contract, there are only two items, a lump sum fee and a waste transport fee to only the Southern Solid Waste Management Center at Jones Crossroads. They do not transfer any material to the Sandtown landfill. The lump sum fee is only increasing by about 2.3% fee and the waste transport fee is only increasing by a little over 2.0%. We think these are reasonable increases, a good contractor and recommend proceeding with the third year option.

Mr. Moore - Yes
Ms. Parks - Yes
Mr. Ryan - Yes
Mr. McCabe - Yes
Mr. Pryor - Yes

Motion Adopted
(5 Yes 2 absent)

H. 2012 BUDGET

Motion H – Mr. McCabe

“The Board authorize staff to conduct a public workshop and public hearing for the FY 2012 proposed budget.”

Second – Mr. Ryan

Mr. Jack Lechner discussed the FY 2012 proposed budget. In summary, we are looking at tonnage of 675,000 for the basis of the budget. That is about 10% under the FY 2011 tonnage. He reviewed the revenue expense page and explained that we will be on a breakeven for the year. Within the budget, we have a recycling program that will still generate a loss of \$2.8 million. In the past, recycling had generated losses of anywhere from \$7 – 9 million. The user fees will increase to \$82.00/ton and DDF customers will receive an \$8.00 rebate at the landfill and a \$4.00 rebate if they utilize the transfer stations. He also reviewed the proposed rates for FY 2013. Staff is requesting approval to hold the budget workshop on April 13 at the Dover office and the budget hearing on April 26. Staff will come back to the Board at the May meeting for final budget approval.

- Mr. Moore – Yes
- Ms. Parks – Yes
- Mr. Ryan – Yes
- Mr. McCabe – Yes
- Mr. Pryor – Yes

Motion Adopted
(5 Yes 2 absent)

I. PIGEON POINT LANDFILL POST CLOSURE PERMIT APPEAL

No action

PUBLIC COMMENT

Moved – Ms. Parks

“The Board of Directors go into Executive Session.”

Second – Mr. Moore

Vote – (Moore, Parks, Ryan
McCabe, Pryor)

Motion Adopted
(unanimous)

Moved – Mr. Ryan

“The Board of Directors return to regular session.”

Second – Ms. Parks

Vote – Unanimous
(Moore, Parks, Ryan
McCabe, Pryor)

Motion Adopted
(unanimous)

Moved – Mr. Moore

“The Board Meeting is adjourned.”

Second – Mr. Ryan

Vote – (Moore, Parks, Ryan
McCabe, Pryor)

Motion Adopted
(unanimous)

Respectfully submitted,

Libby J. Kelley

Meeting Adjourned: 6:15