

**TOWN OF CASTLETON**  
**SPECIAL SELECT BOARD MINUTES**  
**Monday, February 18, 2019 at 6:00pm**  
**Castleton Town Offices**  
**263 VT – 30**

**PRESENT:** Joe Bruno, Select Board Chair; Richard Combs, Select Board Vice Chair; Zack Holzworth, Select Board Secretary; Robert Spaulding, Select Board Member; Jim Leamy, Select Board Member; Michael Jones, Town Manager; Eliza LeBrun, Recording Secretary; Janet Currie, Planning Commission Chair; Dwayne Gibbs, Hubbardton Select Board Member; Robert Gibbs, Hubbardton Select Board Chair; James O’Gorman, Rutland County Solid Waste District (RCSWD); Tim Gilbert, Rutland County Solid Waste District (RCSWD); Pam Clapp, Administrator for the Solid Waste Alliance Communities (SWAC); Bonnie Rosati (sp), Secretary Treasurer and Representative for the Town of Fair Haven for Solid Waste Alliance Communities (SWAC); John Tozwick; Mike Holden; Laura Jakobowski; Mary Droege, Ed Balch, Diane Baker

**CALL MEETING TO ORDER**

The meeting was called to order by Mr. Joe Bruno at 6:10p.m.

**PLEDGE OF ALLEGIANCE**

Mr. Bruno led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

**Mr. Holzworth made a motion to approve the Agenda. Mr. Leamy seconded the motion.**

Mr. Combs recommended that the Order of the Agenda be changed so that the meeting is opened with what Article 51 is then go to Solid Waste Alliance Communities comments, then to Rutland Solid Waste District comments, Citizen comments, followed by Select Board comments.

**All were in favor, the motion carried.**

***SELECT BOARD COMMENTS ON ARTICLE 51: Shall the Town vote to allow the Select Board to withdraw from the contract with Rutland County Solid Waste District and join the Solid Waste Alliance Communities to provide less expensive services for the Town’s solid waste.***

Select Board Chair, Mr. Bruno; opened the discussion by reading Article 51 (as stated above.) Mr. Bruno then introduced Pam Clapp, Administrator for the Solid Waste Alliance Communities for the past twenty-five (25) years.

**SOLID WASTE ALLIANCE COMMUNITIES COMMENTS**

Ms. Clapp introduced Bonnie Rosati as the Secretary Treasurer and Town of Fair Haven representative for SWAC. In Vermont, all towns are required to have a SWIP, Solid Waste Implementation Plan. The SWIP is a five (5) year comprehensive planning document for the disposal of solid and hazardous waste. Towns can choose to undertake this themselves, become members of a group or alliance or members of a district. In Vermont there are twenty-nine (29) solid waste management entities. There are thirteen (13) individual Towns; ten (10) Districts; and six (6) Alliances. It does not matter which group a Town is a member of, all the groups have the same requirements that they have to meet.

SWAC is an alliance that includes Benson, Chittenden, Fair Haven, Middletown Springs, Pawlet, Rutland Town, Shrewsbury, Sudbury, Tinmouth and West Haven. Seven (7) of those towns operate transfer stations. Each town gets one (1) vote, their own representative and the ability to choose an alternate.

Select Board member, Robert Spaulding asked if SWAC was providing more than three (3) hazardous waste events this year. Ms. Clapp explained that this year, the state required four (4) hazardous waste events. Ms. Clapp also stated that as this is the last year of the current five (5) year SWIP, all SWIPs will have to be redone and at this time, Ms. Clapp has been advised that the requirements for hazardous waste events will either stay the same or be reduced. Also, legislature is now reviewing Bill H.75. Bill H.75 will require manufacturers to pay for the disposal of their hazardous waste products. They will be required to either cite facilities or have to have a certain number of hazardous waste collection events. This bill will cover 80% of what all Towns pay to be collected and disposed of.

Select Board member, Jim Leamy asked if SWAC was providing the same or more services than the Rutland County solid Waste District (RCSWD) at a reduced price. Ms. Clapp answered no. Ms. Clapp clarified that all solid waste management entities are required by the state to provide at least four (4) events this year within fifteen (15) miles of the population; this may require more than four (4) events in some instances. SWAC contracts to a company for hazardous waste collections.

SWAC is different from the District because they do not have the authority to charge tax, assess surcharges or bond, however, they can contract out for services. SWAC pays for its budget through per capita fees. The only other fees associated with being a member of SWAC are the costs for the hazardous waste events. Last year these events were estimated at \$11,000, which ends up being about \$0.80 per capita. However, SWAC will be receiving a solid waste implementation grant for hazardous waste so the cost should be around \$0.50 per capita (this amount changes every year.)

Select Board Secretary, Mr. Holzworth asked what the fee per capita was for SWAC. The response was \$4.50 per capita (estimated population based on the 2010 Census =  $4,717 \times \$4.50 = \$21,226.50$ .)

SWAC also provides outreach to residents, businesses and schools. The Town would receive a free membership to the Northeast Resource and Recovery Association (NRRRA) if they choose. NRRRA provides outreach to schools.

Mr. Leamy asked if SWAC was not providing the same services as RCSWD. Ms. Clapp answered no, SWAC provides very different services. SWAC does not have a regional transfer station, they have programs. SWAC also meets the requirements for SWIP, they just do it differently. In SWAC each Town operates their own transfer station. Ms. Clapp's job as the SWAC Administrator is to implement the SWIP and make sure that each Town is in compliance.

Mr. Leamy asked for confirmation that administrative support such as quarterly reports were provided by SWAC. Ms. Clapp stated that is her job, she files all reports with the State, quarterly reports, annual reports, it all depends on what the Town asks her to do.

Mr. Combs asked for clarification on whether the hazardous waste collection events would be held in one Town or would they move from Town to Town. Ms. Clapp explained that SWAC hazardous waste collection events are held in several locations that are centrally located throughout the year.

## **RUTLAND COUNTY SOLID WASTE DISTRICT COMMENTS**

Jim O’Gorman, Rutland County Solid Waste District representative, stated that RCSWD does a lot of the same things that SWAC does, quarterly and annual reports as well as dealing with SWIP issues. One difference is that RCSWD runs the regional transfer station and runs a year-round permanent hazardous waste depot. The state has a minimum requirement of transfer stations to be open four (4) hours per day including Saturday, RCSWD regional transfer station is open eight (8) hours per day including Saturday.

Mr. O’Gorman referred the Board to a document he provided which listed the 2018 Castleton surcharge payments to RCSWD as \$20,903.97 for a total of 1,046.68 tons of materials. Mr. O’Gorman determined that if 30% of the tonnage comes from the Town of Hubbardton, then the cost to the Town would only be \$14,631.00. Casella picked up an estimated 648 tons of which an estimated 150 tons are from Castleton University. There is an additional surcharge of \$9,945.06 (648 tons – 150tons = 498 tons x \$19.97) for a total of \$24,576.67 charged to the Town of Castleton.

As of last year, RCSWD hired a part-time 20hrs per week Outreach Coordinator to meet with all the schools and businesses in the district to discuss Act 148, composting and household hazardous waste.

Mr. O’Gorman provided the Board with a list of tickets generated by individual customers, excluding materials dropped off by Casella, at the Gleason Road Transfer Station. Castleton generated 146 tickets. Mr. Spaulding asked if the tickets were for household hazardous waste, Mr. O’Gorman replied that they were for regular trash and C&D. Mr. Spaulding felt the number was high as the roundtrip mileage was approximately 30 miles to Gleason Road and Castleton has its own transfer station. The difference could be attributed to the reduced hours the Castleton transfer station is open. Mr. Leamy noted that the document provided by RCSWD separated Bomoseen tickets from the total number of Castleton tickets when they should be included.

Tim Gilbert of RCSWD was asked to determine the amount of trash produced in the Town of Castleton separate from what is picked up by Casella. Casella picked up an estimated 648 tons between the University and residential properties. Mr. Gilbert was advised that the Castleton Transfer station collected an estimated 600 tons of Castleton trash (there was discussion of how the 600 tons were determined. Mr. Spaulding advised that he was not sure if that if Mr. Gilbert had used the same calculation method as the Town Accountant.) Mr. Gilbert stated that his estimate was that Castleton produces a total of 1,312.8 tons of trash. At a cost of \$20/ton this would equal \$26,256 as the cost to the Town, Residential and Transfer Station. If the Town switched to a per capita rate plus household hazardous waste, Mr. Gilbert determined that the Town would be above the \$26,000 that RCSWD is estimating the Town pay, therefore Mr. Gilbert stated that the Town would have to increase the tax rate or increase the transfer station fees to make up the difference between \$16,000 and the SWAC cost of \$28,000. Mr. Spaulding asked for documentation of these numbers as he was confused over how they were derived, he also noted that numbers provided by Mr. Gilbert did not include any commercial or private hauler trash. There was some confusion over the total tonnage that was used to determine the cost to the Town. Mr. Spaulding noted that the current numbers provided were down by almost 300 tons compared to those determined a year ago.

Ms. Clapp noted that for SWAC the cost would be \$4.50 per capita plus an additional \$0.80 per capita for a total of \$5.30 per capita, this would end up being \$25,000. (using the 2010 census population of 4,717 residents.) Mr. Spaulding noted that his method for calculation for the SWAC cost was using the

SWAC per capita rate of \$4.50 and adding the \$3,800 household hazardous waste number provided by RCSWD totaled around \$23,800. There was some discussion over the \$3,800 HHW amount.

Mr. Gilbert stated that the direct cost to Castleton was \$15,000 for RCSWD and would be \$23,800 to go to SWAC, how would the Town cover the difference? Mr. Gilbert felt that the statement in Article 51 was not supported by what he presented as the direct cost to the Town for SWAC would be more.

Mr. Bruno questioned why Mr. Gilbert had quoted a total cost of \$26,256 to the Town of Castleton, then gave the number of \$15,000. As the direct cost to the Town for RCSWD. Mr. Gilbert stated that the \$26,256 included Casella and the private haulers, so the direct cost to the Town is only approximately \$15,000. Mr. Bruno noted that \$16,000 was the number Mr. Gilbert had used previously, not \$15,000. Mr. Bruno also noted that Ms. Clapp had provided the number of approximately \$23,800. Mr. Bruno believes that that SWAC is about \$3,000 less than RCSWD.

Mr. Gilbert states that the Town pays a direct cost of \$16,000, and if SWAC is going to charge a per capita rate of \$4.50, it would be much higher. Ms. Clapp asked for clarification on the estimated 30% referred to as the cost for Hubbardton. Mr. Bruno asked the attending Hubbardton Select Board Chair Robert Gibbs and member Dwayne Gibbs what the population was. They agreed it is approximately 700 residents, and not all of them use the transfer station. Therefore, an estimate of 30% appears too high.

There was discussion amongst the Board over the information provided by RCSWD. Mr. Bruno and Mr. Spaulding were unsure that the numbers represented all of the Town as they only took into account those who brought their trash to the Transfer Station which represents only about 1/3 of the population.

Mr. Bruno asked if Mr. Spaulding had more accurate information. Mr. Spaulding referred to information he found two (2) years ago that included Casella and private haulers. This was almost 900 tons, a 300 ton difference.

## **CITIZENS COMMENTS**

Mr. Bruno introduced Ms. Janet Currie to present the information she found regarding the costs and tonnage for the Town.

Ms. Currie spoke to the question of which entity would be less expensive to the Town of Castleton. Ms. Currie received a 21-page report submitted by the RCSWD and they showed up tonight with changes. There have been multiple requests for the complete tonnage to include Casella, private haulers, transfer station, etc and that has not happened. Page 7 of the report refers to the amount paid in 2018 by the Town of Castleton as referenced on page 12 (which should be page 14,) however, this is the amount paid in 2018 by the transfer station, not the entire Town. This page shows total tonnage of 992.09; 665.10 tons of MSW plus 326.99 of C&D = \$19,812.03 that Castleton paid for to RCSWD. However, Ms. Currie referred to Retrac reports provided by RCSWD which show a different amount of tonnage reported to the State of Vermont; 820.44 tons of MSW plus 411.55 tons of C&D for a total tonnage of 1,231.99 = \$24,602.84 paid by the Town of Castleton to RCSWD. This is inaccurate reporting. Page 7 refers to Attachment B which was not provided. Ms. Currie feels that page 12 is not complete or accurate (RCSWD numbers only represent the Transfer Station) nor does it answer the Select Board question of which entity is less expensive to the Town. To find the total number of tons, all private haulers would need to be called. Ms. Currie stated that there should be no reason why RCSWD have not been able to answer that question.

Furthermore, if the Town switched to SWAC, would the haulers continue to charge \$19.97 per ton, the answer was the rate would be up to the haulers, however ethically it is likely they would reduce the rate.

Mr. Spaulding wanted an answer as to why the Rectrac number reported to the State of Vermont was off 239 tons.

Mr. Combs asked what a Rectrac number was as the Board has never seen one before. Ms. Clapp explained that a Rectrac number is a report that is required by all transfer stations to be reported in quarterly and annual reports sent to the State of Vermont. The Board asked the Town Manager if he had ever seen this document. Mr. Jones replied that he had seen the information, but not in the format presented.

Mr. Combs stated that the Board has low confidence in the tonnage numbers reported by RCSWD. Mr. Combs asked if the assumption was that about 1,000 tons come out of the transfer station, and that 30% is from Hubbardton. Mr. Combs does not believe the 30% is correct as there are only 700 residents in Hubbardton. The Board knows that they paid \$20,310 in surcharges, and Hubbardton reimbursed the Town for surcharges and trucking estimated at \$25,000. If the Town pays a little over \$300,000 to run the transfer station, then the Board knows that if you divide 5,400 (4,717 Castleton residents + 700 Hubbardton residents) by the 700/5400 = 13% approximately but will use 15% for this calculation, not the 30% used by RCSWD to calculate the cost. 15% of \$20,000 = \$3,000, so the Town pays \$17,000 from the Transfer Station to RCSWD +/- . Then the Town does not know how much the haulers are paying in surcharges to RCSWD. Mr. Spaulding stated that 2 years ago the haulers paid for 991 tons, roughly \$20,000 (991 tons x \$19.97.) For an estimated total being paid by Castleton taxpayers, the Town and haulers of \$40,000 to RCSWD. Mr. Combs estimated that if the Town went to SWAC, then the approximate cost would be \$23,800.

Ms. Clapp asked if Board had considered the 15% paid to the Town of Castleton for RCSWD, then being paid to the Town for SWAC, decreasing the cost. Mr. Combs clarified that if the Town of Castleton decided to leave RCSWD, it was unsure if Hubbardton would remain in the District or leave. If Hubbardton stayed in RCSWD, the Town of Castleton would need to keep the tonnage from Hubbardton separate as they would be paying the surcharge of \$19.97.

Ms. Currie asked what the yearly budgets were for SWAC and RCSWD. Ms. Clapp responded that SWAC is 13,817 (total population of all SWAC Towns) x \$4.50 per capita = \$62,176.50. Mr. O’Gorman stated that the budget for RCSWD was 1.9 million. Mr. O’Gorman reiterated that it was not comparing apples to apples as they run a regional transfer station.

Mr. Gilbert wanted to clarify that he had received tonnage from Casella, 648 tons. Mr. Gilbert did not get in touch with the private haulers.

There was discussion over how Casella charges for District and Non-District customers.

Mr. Bruno is still not clear on whether the Town would save money if they were to leave the District. Mr. Spaulding felt that based on the numbers, the Town would save.

Ms. Currie asked again why the numbers reported to the State of Vermont were different than what was provided. Mr. O’Gorman could not answer the question as to why the numbers are different, he agreed that the 992 tons was not correct.

According to Mr. Combs, the Town of Castleton wrote checks totaling \$20,310 as of 6/30/2018, this is an audited number. Mr. Holzworth calculated that number to equal 1,017 tons. Mr. Combs reiterated that Hubbardton would then reimburse the Town 15%, or \$3,000. Mr. Holzworth determined that an estimate would be that the Town paid \$17,263 in fees to RCSWD.

Based on Casellas numbers given to RCSWD and the amount of money that the Taxpayers paid, the total money that left Castleton was approximately \$30,600.

Mr. Gibbs stated that if the Town of Castleton were to leave RCSWD, the Town of Hubbardton would seriously consider leaving as well.

Mr. Combs estimated that the Town would pay \$4.50 per capita + \$0.80 recycling per capita x 4,717 residents = \$25,000.

If the Town were to join SWAC, the money the Town paid to SWAC would impact the rate that SWAC charges. It could decrease depending on the level of service requested. Ms. Clapp also went on to say that both organizations meet the requirements of the State of Vermont, so it is more than the difference of a couple thousand dollars, it is how the organizations operate that the Town of Castleton should consider.

Mr. Spaulding stated that it was eye opening that seventeen (17) Towns paid \$856,000 in RCSWD and if these same Towns were members of SWAC they would have only paid \$200,000 plus household hazardous waste. It is clear to Mr. Spaulding that SWAC is cheaper.

Ms. Currie asked Bonnie Rosati, Secretary Treasurer and Representative for the Town of Fair Haven to SWAC if she has had any issues with SWAC. Ms. Rosati stated that she has not had any issues in the years she has represented Fair Haven. Ms. Rosati has always gotten responses from MS. Clapp whenever she has needed them.

RCSWD has a transfer Station that is open 6 days a week. The Town of Castleton has a transfer station that is open 3 days a week. RCSWD would also be installing household hazardous waste in the transfer station.

Mr. Spaulding asked what the District will do when the State passes the Food Waste bill? Will they be raising their rates? Yes, Mr. O’Gorman said that there will be an issue with enforcement. Mr. Gilbert also said that if the tonnage goes down, the cost will go down. Mr. Spaulding asked who audits RCSWD. O’Brien Shortel is the name of the company.

Mike Holden, Castleton resident asked Ms. Clapp what SWAC would do with the recyclables after they are delivered to the transfer station? He also asked if SWAC would come to Castleton to provide HHW events? Ms. Clapp answered that the Town of Castleton would need to contract separately for the recyclables, which Mr. O’Gorman stated was also the case in RCSWD. Ms. Clapp also stated that as Castleton is a large community, it would be possible that in the coming years, if Castleton joined SWAC, that there might be HHW events held in Town.

Mr. Holden then asked Mr. O’Gorman how much it cost to use the scales at Gleason Road? Mr. O’Gorman stated that a permit is \$145/ton.

Ms. Currie asked Mr. O’Gorman what would happen when the lease for Gleason Road ends in 2021, as it states that the Town would receive the money back. Discussion was held as to how RCSWD would reimburse the Town for leases held for the MRF and Gleason Road. No clear explanation was given.

Mr. Bruno asked what would happen to the 10% of assets that the Town paid to RCSWD for equipment when they first joined the District. Would the Town get that money back? Would it be new numbers or depreciated numbers? Mr. O’Gorman stated that the equipment is depreciated. It was stated that Castleton was renting the equipment and the only way it could get back anything would be if the District dissolved and they sold everything off, each Town would then get their percentage back.

Ms. Currie then asked about Article 6, she asked how the District votes if the Town could leave the RCSWD. Mr. O’Gorman stated that per the Charter each Town gets 1 vote per 100 registered residents. Ms. Currie then asked how to reach 66% or more (as stated in Article 6) to leave the District. Mr. Combs made a supposition that if the Town of Castleton votes to leave, then the remaining Towns would vote to decide whether Castleton could leave immediately or would need to wait one (1) year. This was not clear to the Board.

Ms. Currie then reiterated that the numbers reported to the state did not match those provided in the report by RCSWD and the complete tonnage was not included in the information provided by RCSWD. She does not believe that the Select Board does has enough information to make a decision. Mr. Bruno responded that this was part of the reason that they put this out to vote to the voters.

#### **SELECT BOARD COMMENTS**

Mr. Combs reiterated that the correct numbers were needed. Mr. Bruno asked how to get the right numbers. Mr. Combs stated; “we don’t know what we don’t know.”

Mr. Spaulding feels that if either set of numbers are used, SWAC is less expensive.

Mr. Combs restated that the tax payers pay \$17,000 for RCSWD and would pay \$25,000 for SWAC. Mr. Jones explained that in the budget, with RCSWD there would be a line for \$17,000 and if the Town went with SWAC, there would be a line for \$25,000 for SWAC. Ms. Clapp reminded the Board that (for SWAC) there are currently 2 lines in the budget, one for solid waste and one for hazardous waste so that the voters know what they are.

Mr. Combs summed up the discussion by stating that the Select Board had a responsibility to the residents in Town and the tax payers. Mr. Combs would also like to see a comparison of real services and administrative costs.

Ms. Clapp asked the Board to consider that if the Town votes to change, there would be a year transition and during that year, the Town transfer station would need to be included in a SWIP. There would need to be public meetings to make amendments to the SWIP.

Mr. Holden asked what SWAC does with TV's and electronics that are currently being dropped off at the transfer station. Ms. Clapp stated that she works with transfer station to have those removed and there is no charge.

#### **EXECUTIVE SESSIONS**

No Executive Session was called.

#### **ADJOURN**

**Mr. Combs made a motion to close the Select Board meeting at 8:00pm. Mr. Holzworth seconded the motion. All were in favor, and the motion carried.**

Respectfully submitted; Eliza LeBrun, Recording Secretary