

**BERKS COUNTY SOLID WASTE AUTHORITY
MINUTES OF THE REGULAR MEETING OF
January 19, 2016**

A regular meeting of the Board of the Berks County Solid Waste Authority (the “Authority”) was called to order at 3:00 p.m. on January 19, 2016, in the Commissioners’ meeting room, 13th Floor, County Services Center, 633 Court Street, Reading, Pennsylvania.

The following members were present:

Mr. Charles Mowbray
Ms. Michelle Kircher
Ms. Dale-Ann Farina
John Pagerly, CPA
Michael Gombar, Jr., Esquire
Charles Jones, PE

Mr. Brian W. Clements, Mr. Tony Rymar and Mr. Tony Sacco, were absent.

Also present:

Ms. Jane Meeks, Executive Director of the Berks County Solid Waste Authority
Douglas Paul Rauch, Esquire, Georgeadis Setley.

The Chairman declared a quorum was present and called the meeting to order.

Public Comment

No members of the public chose to speak.

Reorganization

a. Election of Officers:

The Nominating Committee submitted the following slate of officers for 2016:

Charles Mowbray – Chairman
Michelle Kircher – Vice Chairman
John Pagerly – Treasurer
Dale-Ann Farina – Secretary
Tony Sacco – Assistant Secretary

Mr. Jones moved and Mr. Gombar seconded the closing of nominations.

Upon a motion by Mr. Jones, seconded by Mr. Gombar, the above slate of officers were unanimously elected and approved.

b. Appointment of Solicitor:

Upon a motion by Ms. Farina, seconded by Ms. Kircher, the Board unanimously resolved to retain the services of Georgeadis Setley Attorneys and Advisors, for the fiscal year 2016, at an annual retainer of \$25,000. It was also agreed that Georgeadis Setley will invoice the Authority separately for any unknown large projects that will require the assistance of Georgeadis Setley that are not anticipated at this time, as was the case in 2014 and 2015.

c. Appointment of Auditor:

Upon a motion by Mr. Pagerly, seconded by Mr. Jones, the Board unanimously resolved to retain the services of Reinsel Kuntz Leshner, to conduct our 2015 Audit, at a rate of \$7,900 and to authorize their Executive Director to sign the engagement letters.

Minutes

Upon a motion by Ms. Kircher, seconded by Mr. Gombar, the minutes of the regular meetings of November 17, 2015, were approved.

Finance

a. Treasurer's Report:

Ms. Meeks distributed the Treasurer's Report and reviewed it with the Board. Upon a motion by Mr. Jones, seconded by Ms. Kircher, the Board unanimously approved the payment of all invoices, ratified the payment of invoices previously paid and accepted the Year End Treasurer's Report, subject to Audit.

b. 2016 Authority Budget

Ms. Meeks indicated that the Finance Committee, which is made up of Mr. Pagerly, Mr. Mowbray and Mr. Jones met to review and develop the 2016 Authority Budget. She then reviewed the revenue and expenses, with the Board. Ms. Meeks indicated that the 2016 Budget contemplates using \$90,560 from our reserve funds to balance this budget. Ms. Meeks indicated that the Authority has received the \$185,000 allocation from the County for 2016, which is one of our largest revenue sources.

Upon a motion by Ms. Farina, seconded by Mr. Gombar, the Board unanimously approved the 2016 Budget, as proposed. A copy of the Budget is attached hereto.

Solicitor's Report

Mr. Rauch reported that since the Authority's last Board meeting, he has been working on various matters including, the financial issues raised by ECOvanta, the termination of the Rural Recycling program at Greenwich Township and a Right-to-Know request, received by the Authority.

New Business

A. 2015 Year End Report

Ms. Meeks distributed and reviewed the 2015 Annual Report with the Board. Mr. Mowbray indicated that he thinks the Report is helpful in clarifying the role of the Authority and the projects undertaken by this Board. Mr. Mowbray requested that the Board review the Report prior to our March Board meeting, for further discussion and approval at that time. Mr. Mowbray indicated that the Report will be shared with the County Commissioners, after our March Board meeting.

B. Update on Electronic Recycling Contract

Ms. Meeks indicated that ECOvanta, our Electronic Recycling Contractor, has been in contact with the Authority regarding ongoing financial issues, related to our contract and the Covered Device Recycling Act. Ms. Meeks indicated that ECOvanta has requested financial assistance from Berks County to offset transportation costs of our electronics. Ms. Meeks expressed her concern with ECOvanta regarding this request, as she believes this is a violation of the CDRA Law. In addition, ECOvanta has indicated that they will not be able to accept non-covered devices without receiving a processing fee. Ms. Meeks indicated that she is waiting for additional written information on the specifics of their request and will communicate that information with the Board, upon receipt.

Ms. Meeks reviewed the background of electronic recycling in Berks and throughout Pennsylvania with the Board, in an attempt to give them a greater understanding of the issues Counties operating electronic recycling centers are facing.

Ms. Meeks indicated that York County's program was terminated in December of 2015, with the termination of their Contract with ECOvanta and not being able to successfully find another certified recycler able to process the three million pounds of electronics they collect each year. Ms. Meeks indicated that ECOvanta is requesting the same financial assistance from Lancaster County as they are from Berks County.

Mr. Mowbray request that their Executive Director and Solicitor continue working with ECOvanta and communicate with the Board by e-mail, once a recommendation is developed. Mr. Mowbray requested that this issue remain on each Agenda for further updates and discussions.

Old Business

A. Land Development Plan

Ms. Meeks indicated that she had requested a detailed proposal from Great Valley Consultants for the completion of a Land Development Plan and preparation of associated permit applications, as it relates to future improvements at the Berks County Recycling Center located on Hilltop Rd., in Leesport. This Land Development Plan and permitting process was discussed at length at our November 17, 2015 meeting, in relationship to the submittal of our 902 Recycling Grant for the construction of a new storage building and paving project. Mr. Jones indicated that Mr. Ryan Rhode, PE, would be assigned as the project manager for Great Valley Consultants, for this project.

The following tasks will be completed as part of the Land Development Project;

1. Additional land surveying and preparation of base plan. All existing structures, walls, driveways will be shown on the plans. Proposed contours will be completed for the area to be developed.
2. Soil testing will be completed, if necessary.
3. Erosion and sediment pollution control plans will be completed along with required NPDES permitting.
4. Land Development plans will be completed showing all existing facilities and any proposed improvements.
5. GVC will attend up to two meetings for project review.
6. GVC will attend any meetings of the Bern Township Planning Commission or Board of Supervisors required for approval of the Land Development Plan.
7. All plans will receive a final check prior to recording.

Upon a motion by Ms. Farina, seconded by Mr. Pagerly the Board approved hiring Great Valley Consultants to complete these tasks at a time and materials cost, not to exceed a fee of Thirty Two Thousand Dollars. Abstaining from this vote were Mr. Jones and Mr. Gombard. Attached is a copy of the proposal from Great Valley Consultants, including their 2016 Rate Sheet.

Executive Director's Report

Ms. Meeks indicated that our 903 Recycling Coordinator grant to PADEP was submitted by the County this week, covering 50% of my salary and expenses.

Ms. Meeks informed the Board that the Department of Agriculture has agreed to pay for a portion of our 2016 Pesticides collected at our spring and fall collection events, up to a maximum of \$ 15,000. This amount will be finalized in March and is slightly more than we received in 2015.

Ms. Meeks indicated that most of the other items outlined in her report have been discussed throughout today's meeting and offered to answer any questions that members may have, regarding her report.

Next Meeting Date

Mr. Mowbray indicated that the next Authority meeting will be held on Tuesday, March 15, 2016 at 3:00 PM in the Commissioners' meeting room.

Adjournment

At 4:20p.m., upon a motion by Ms. Kircher, seconded by Ms. Farina, the Board unanimously resolved to adjourn.