

**BERKS COUNTY SOLID WASTE AUTHORITY
MINUTES OF THE REGULAR MEETING OF
January 19, 2010**

A regular meeting of the Board of the Berks County Solid Waste Authority (the "Authority") was called to order at 3:05 p.m. on January 19, 2010, 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
Mr. Tony Sacco
Mr. Brian W. Clements
John Pagerly, CPA
Charles Jones, PE

Absent were Ms. Dale-Ann Farina, Mr. William Evans and John Bradley, Esquire.

Also present:

Ms. Jane Meeks, Executive Director of the Berks County Solid Waste Authority
Douglas Paul Rauch, Esquire, Setley, Rauch & Bucolo, LLC.
Commissioner Christian Leinbach

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

Public Comment

No members of the public chose to speak.

Landfill Inspection

Mr. Mowbray thanked Commissioner Leinbach for attending today's meeting. Mr. Mowbray indicated that the Authority had been contacted by the Commissioners' to review the landfill inspection proposal received by the Commissioners' from John Ravert and evaluate what inspections are currently being completed. Mr. Mowbray requested that Ms. Meeks give a brief update on the findings and review the possible options.

Ms. Meeks indicated that the proposal received from Mr. Ravert dated September 3, 2009 included three types of service. The first being to provide the monthly and annual municipal solid waste tonnages and tipping fee summaries for the four landfills located in Berks County. The second service would be to provide host county municipal inspections at the Conestoga Landfill, Rolling Hills Landfill and the Western Berks Community Landfill. The third service would be to represent Berks County on the Conestoga Landfill Citizen's Advisory Committee (CAC).

Ms. Meeks indicated that she is not sure if Mr. Ravert is still interested in being a member of the CAC, since he has since resigned from that position and she has not been in touch with him to obtain updated information.

Ms. Kircher indicated that it is important that the County have a representative visiting each of the landfills to compare and evaluate the data that is being submitted by the landfills and compare that to the State data. Ms. Kircher indicated that Commissioner Scott is currently working on a project with John Ravert in an effort to obtain past due funding from one of the local landfills. She believes that it is imperative that the County has our own inspector reviewing both the operations and construction at the landfills located within the County.

Mr. Mowbray indicated that it is difficult to determine the scope of work and the type of inspection that will be completed from the proposal received from John Ravert. He indicated that when reviewing the past inspection reports of the Conservation District it appeared that they primarily looked at erosion and sedimentation issues. He indicated that if the County is to have our own inspector that it is important that they look at all permit requirements during the inspection.

Commissioner Leinbach agreed with Mr. Mowbray and stated that he believes that the Authority should develop a Request for Proposal stating the types of services the Authority is looking for and then determine how best to get that project completed. He indicated that there are a few ways that those services can be completed, such as: an Authority employee, a private Contractor or the Conservation District.

Mr. Sacco questioned how the proposal came about. Commissioner Leinbach indicated that John Ravert submitted this unsolicited proposal based on the types of inspections the County Conservation District was providing prior the separation of that organization from the County and John's knowledge of the services provided to the County. Commissioner Leinbach indicated that his preference would be for the Authority to develop a Request for Proposal and solicit bids for the service.

Mr. Mowbray requested that Ms. Kircher and Mr. Clements participate in the development of the scope of work for this project and review that information with the County Commissioners for their comments prior to our March 16, 2010 Board meeting.

Mr. Clements indicated that he feels since we are only inspecting three of the four landfills that we are not getting the full picture and that it would be helpful if we could obtain the data from all four of the landfills. Ms. Kircher indicated that we may be able to obtain information on Pioneer Crossing from Exeter Township.

Reorganization:

A. Election of Officers:

In the absence of the chairman of the Nominating Committee of the Board, Ms. Jane Meeks submitted the following slate of officers, for 2010, as received from the Chairman, Mr. William Evans:

Charles Mowbray	Chairman
Michelle Kircher	Vice Chairman
John Pagerly, CPA	Treasurer
William Evans	Secretary

Mr. Clements moved and Mr. Sacco seconded the closing of nominations.

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

Mr. Rauch requested that the Board appoint an Assistant Secretary to assist with signing of documents in the absence of the Secretary.

Mr. Sacco volunteered to assist with that position.

Upon a motion by Mr. Clements, seconded by Mr. Pagerly, the board unanimously approved Mr. Sacco's appointment.

B. Appointment of Solicitor:

Upon a motion by Ms. Kircher, seconded by Mr. Jones, the Board unanimously resolved to retain the services of Setley, Rauch & Bucolo, LLC, for the fiscal year 2010, under the same terms as 2009.

C. Appointment of Auditor:

Mr. Pagerly indicated that the Authority has received a proposal from Reinsel Kuntz Leshner to once again conduct the Authority year end audit. Mr. Pagerly recommended moving forward with the appointment of Reinsel Kuntz Leshner for our 2009 Audit and believes they have done a profession job in the past.

Upon a motion by Mr. Pagerly, seconded by Mr. Sacco, the Board unanimously resolved to retain the services of Reinsel Kuntz Leshner, to conduct our 2009 Audit, at a rate of \$6,400 and to authorize the Executive Director to sign the engagement letter.

Minutes

Upon a motion by Mr. Clements, seconded by Ms. Kircher, the minutes of the regular meetings of November 17, 2009, were approved, as amended.

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 Mr. Clements, the Board unanimously approved the payment of all invoices, ratified the payment of invoices previously paid and accepted the Treasurer's Report.

B. 2010 Authority Budget

Ms. Meeks reviewed the revenue and expenses, as proposed, for the 2010 Budget. Ms. Meeks indicated that the Authority has received the \$220,000 allocation from the County, for 2010.

Mr. Pagerly indicated that the salary line item in the 2010 Budget was increased to allow for the expansion of the electronic recycling program on the Hilltop Rd. and an end of year employee evaluation increase for employees. Mr. Pagerly indicated that although the budget calls for a \$10,000 surplus for 2010, he believes that that amount could surpass that since the revenue budget was very conservative.

Upon a motion by Mr. Clements, seconded by Mr. Jones the Board unanimously approved the 2010 Budget, as proposed, in the amount of \$ 623,900. A copy of the budget is attached hereto.

D. Utilities Employees Credit Union

Ms. Meeks indicated that Mr. Mowbray requested that she investigate the possibility of opening a Money Market Account at the Utilities Employees Credit Union. She indicated that the Authority has been accepted as a member. Since that time, there have been some concerns raised by a few members regarding the amount of insurance protection that may be available through the Credit Union.

Mr. Pagerly indicated that he has investigated the issue and has determined that Act 72, requires PA Banks to keep 102% of the money deposited by Governments in a reserve specifically dedicated to these funds. Mr. Pagerly indicated that Act 72 does not apply to Credit Unions and therefore is not sure what liability the Authority may have in doing business at this type of Financial Institution.

After much discussion it was agreed to contact the Utilities Employees Credit Union to determine their insurance levels and to make a decision on this issue by e-mail communication

with the Board, once the information is obtained.

Solicitor's Report

Mr. Rauch reported that since the Authority's last Board meeting, he has been working on various matters including the Contracts for the Authority's upcoming collection events and the Authority Personnel Code. Mr. Rauch indicated that he had been contacted by the Bond Trustee who indicated that there are some accounts that still contain bond money that was never used. Mr. Rauch indicated that the Bond Trustee will be compiling a list of those account, amounts and purposes of the funds for discussion at our next meeting.

New Business

A. Award of Contracts

1. 2010 HHW – Renewal of Contract with PSC Environmental

Ms. Meeks recommended that the Authority exercise our rights to renew the existing 2009 Contract for our 2010 collections, at the same contract terms.

2. 2010 Electronic Waste

Ms. Meeks indicated that AERC is interested in providing the collection and disposal services for our 2010 electronic waste collection under the same terms and conditions as our 2007 Contract. Their rates will remain the same as they were in 2009 with the exception of charging a \$500 mobilization fee, to the Authority.

3. 2010 Tire Collection

Ms. Meeks indicated that the Companies that we used for our tire collection in 2009 have agreed to keep their rates the same and recommended that the following contracts be awarded:

Cadence Environmental Energy (Lehigh Cement) Tire disposal without rims - \$25.00 per ton

Emanuel Tire of Pa – Tire disposal with rims - \$95 per ton, Transportation- \$295 per trailer

Quality Disposal – Transportation without rims - \$200 per roll-off

4. 2010 Pharmaceutical Waste Collection

Ms. Meeks indicated that PSC has reduced their collection and disposal costs from our 2009 fall collection and recommended awarding the contract to PSC at the rates stated below:

Staffing	-	\$ 400.00 per site
Transportation	-	\$ 400.00 to Lancaster Incinerator
Disposal of Hazardous Waste	-	\$ 50.00 per 5 gallon pail

Ms. Meeks explained that the controlled substances will be collected by the District Attorney's office and transported directly to the Lancaster County Solid Waste Authority incinerator for destruction at a rate of \$200, per ton.

5. 2010 Paper Shredding

Ms. Meeks indicated that United Document Destruction & Storage has offered to provide our shredding services for both our spring and fall collections in 2010, free of charge. Ms. Meeks indicated that Mr. Spencer has offered to provide three (3) trained employees, one onsite shredding truck, one tractor trailer and one box truck for each of our events. Ms. Meeks indicated that this will allow residents to either have their materials shredded on site or have the materials taken to United Document Destruction in Muhlenberg Township, where the materials will be shredded under professional security.

Upon a motion by Mr. Kircher, seconded by Mr. Jones the Board unanimously approved awarding the contracts as recommended by their Executive Director.

B. Public Education

Ms. Meeks reported that Redner's Market has agreed to donate 9,000 reusable grocery bags to be used for promoting our 2010 collection events. Ms. Meeks stated that Kinteco Screen Printing can print our collection schedule, on the bags, at a cost of \$4,000. Lamar Advertising has agreed to provide six (6) billboards for advertising each of our spring collection events, with the Authority paying only for the printing of the display boards at an estimated cost of \$2,000. Ms. Meeks also recommended spending \$5,000 to advertise our events in the Reading Eagle. In addition Ms. Meeks recommended purchasing paint hardener to be distributed at our hazardous waste collections at a cost not to exceed \$3,000.

C. 2009 Year End Report

Ms. Meeks distributed a copy of the 2009 Year End Report and requested that the Board review the data and submit any comments or suggestions to her by February 8, 2010, so that the report can be distributed and posted on our website.

Old Business

a. Personnel Code

Ms. Meeks distributed a copy of the updated Draft Personnel Code for review by the Board. Ms. Kircher recommended that the Draft Personnel Code be sent to the County HR Department for their review and comment.

Executive Director's Report

Ms. Meeks briefly reviewed her Executive Director's report, which is attached.

Ms. Meeks stated that she will be working with Maxatawny Township on the expansion of their recycling reporting program to better understand the existing services that are being provided and the number of commercial and residential properties currently being serviced, prior to working on the development of a Township drop-off program.

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 16, 2010 at 3:00 PM in the Commissioners' meeting room.

Adjournment

At 4:15 p.m., upon a motion by Ms. Kircher, seconded by Mr. Clements, the Board unanimously resolved to adjourn.