

**BERKS COUNTY SOLID WASTE AUTHORITY
MINUTES OF THE REGULAR MEETING OF
November 21, 2017**

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 November 21, 2017, 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. Brian W. Clements
Mr. Tony Rymar
Michael Gombar, Jr., Esquire
Charlie Jones, PE

Absent were Ms. Dale-Ann Farina, John Pagerly, CPA and Mr. Tony Sacco.

Also present:

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

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

PUBLIC COMMENT

No members of the public chose to speak.

MINUTES

Upon a motion by Mr. Clements, seconded by Mr. Jones, the minutes of the regular meetings of September 19, 2017, were unanimously approved.

FINANCE

Treasurer's Report:

Ms. Meeks distributed the Treasurer's Report and invoices for payment and reviewed them with the Board. Upon a motion by Mr. Gombar, seconded by Ms. Kircher, the Board approved the payment of all invoices, ratified the payment of invoices previously paid and accepted the Treasurer's Report.

SOLICITOR'S REPORT

Mr. Rauch distributed a copy of a letter from the Pennsylvania Independent Waste Haulers Association, Inc. received by the Berks County Commissioners' and referred to the Authority on November 16, 2017, regarding Birdsboro Ordinance #469. This Ordinance requires all municipal waste collected in the Borough to be disposed of at the Pioneer Crossing Landfill. Mr. Rauch indicated that the Pennsylvania Independent Waste Haulers Association, Inc. has requested that Berks County provide a position regarding whether Act 101 authorizes the enactment of the Ordinance. The Board instructed Mr. Rauch to respond to them, stating that the Board feels that their Commerce Clause analysis has merit and that the Authority is evaluating its legal options with regard to the Ordinance.

Mr. Rauch then recommended that the Board enter into Executive Session to discuss the current litigation with New Morgan Landfill Company.

The Board entered into Executive Session and reconvened at 3:20 PM.

NEW BUSINESS

a. 2018 Meeting Schedule:

Upon a motion by Mr. Clements, seconded by Mr. Jones the Board unanimously approved the following dates for our 2018 Board meetings, to be held at 3:00 PM in the Commissioners' meeting room, 13th Floor of the Services Center and authorized their Executive Director to advertise those dates:

Tuesday, January 16, 2018
Tuesday, March 20, 2018
Tuesday, May 15, 2018
Tuesday, July 17, 2018
Tuesday, September 18, 2018
Tuesday, November 20, 2018

b. Appointment of Committees:

Nominating Committee

Mr. Mowbray indicated that a Nominating Committee will need to be created and the slate of officers presented at our January 16, 2018 Board meeting. The Chair recommend and the Board unanimously approved appointing Mr. Sacco and Mr. Jones to the Nominating Committee.

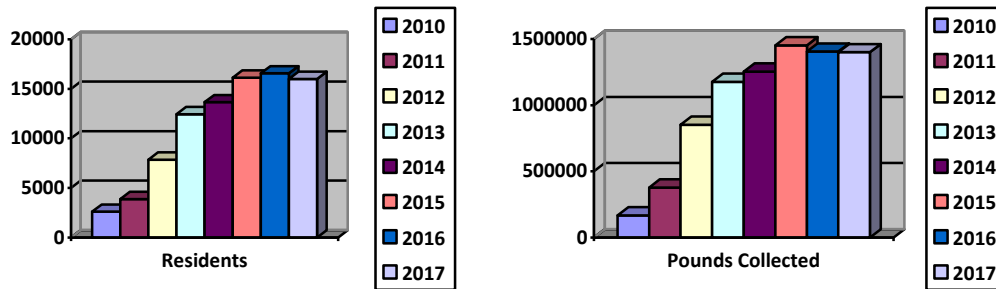
Finance Committee

Mr. Mowbray recommended that a Finance Committee once again be created for 2018 to review and recommend the 2018 Budget, as well as other financial issues that may arise

throughout the year. The Chair recommended and the Board unanimously approved appointing the following Board members to the Finance Committee: Mr. Pagerly, Mr. Mowbray and Mr. Jones.

c. Update on fall collection events

Ms. Meeks indicated that we once again had a good turnout for our fall collections and the Contractors did a great job servicing residents and keeping the traffic flowing throughout the day. Ms. Meeks indicated that although participation was down slightly, from what was expected, we still had 1,290 residents participate in our hazardous waste collection bringing in 101,376 pounds of waste. She indicated that 917 residents participated in our fall shredding event collecting 43,370 pounds of paper. Below is a chart showing the comparison over the past eight years.



d. Reimbursement Requests

Ms. Meeks indicated that the reimbursement request for our fall collection event will be completed and submitted to the DEP, once the final invoices are received from MXI. Ms. Meeks indicated that this reimbursement request should be around \$40,000, which will leave approximately \$10,000 to be carried over to our 2018 spring collections.

In addition, Ms. Meeks explained that she will be submitting the reimbursement request for our public education grant in the amount of \$5,100.

Mr. Mowbray questioned if there was any type of program that could be implemented for the collection of latex paint. Ms. Meeks indicated that a program for the collection of latex paint would be extremely costly and would also go against our prior educational programming. The Board recommended looking into the cost of providing paint hardener again during our 2018 collections as a possible option. Ms. Meeks indicated that she would reach out to DEP to see if some of our education funds could be used to cover these costs.

e. Contracts for 2018 collection events

Ms. Meeks indicated that we have received approval to once again participate in the Pa. Department of Agriculture Contract for our 2018 Household Hazardous Waste collections. MXI did a great job during our 2017 collections and will once again be the Contractor for the Pa. Department of Agriculture Chemsweep program. Ms. Meeks indicated that there will once again

be a cap on the amount of pesticides that will be paid for by the Department of Ag in 2018. We will be contacted by the Department of Ag by January 15, 2018 with the allocation amount for 2018. Ms. Meeks indicated that both DEP and MXI have been notified of our 2018 collection schedule.

EXECUTIVE DIRECTOR

Ms. Meeks reported that 92,000 residents have used our electronic recycling center since opening in July of 2010 recycling 4,150 tons of electronics. She indicated that 16,000 residents have used our site already this year, recycling 1.4 million pounds of electronics, which is similar to participation in 2016.

Ms. Meeks indicated that she attended a Hearing at the State Capital on Senate Bill 800 “Waste Electronic Recycling Act” on October 24, 2017. She indicated that although the Bill is continuing to move forward it appears that there will be no action on this anytime soon. In addition it appears that once approved it would take as long as two years to be fully implemented. She will continue to stay informed on this Bill and will share any new information as it becomes available. Ms. Meeks did indicate that our current contract that will begin on January 1, 2018 is good through December 31, 2020.

Ms. Meeks indicated that we had a Hearing on an illegal dumping case in front of Judge Gauby, who ruled in favor of the Authority. She indicated that we have cited over 75 residents to date and only two have requested Hearings, of which one pled guilty at the time of the Hearing and the other was found guilty by the Judge.

Ms. Meeks indicated that DEP has indicated that a 902 Recycling Grant round should be available late December or early January. This grant program will be open to all municipalities meeting the requirements of the program and will award grants up to a maximum of \$350,000 per applicant and expect to award \$30 million state wide.

Ms. Meeks gave an update to the Board on the status of the Rural Recycling program which is on schedule to shut down on January 2, 2018. She indicated that ten of the roll-off containers will be brought back to our recycling center and three of the containers will be taken to Upper Tulpehocken Township for their program. Mr. Mowbray requested that Ms. Meeks update the County Commissioners on the status of this program, to let them know that we will be meeting our deadlines that were previously established during our Budget discussions.

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, January 16, 2018 at 3:00 PM in the Commissioners’ meeting room.

ADJOURNMENT

At 3:50 p.m., upon a motion by Mr. Jones, seconded by Mr. Gombar the Board unanimously resolved to adjourn.