

SUSSEX COUNTY SOLID WASTE ADVISORY COUNCIL

MINUTES

DECEMBER 13, 2011

The meeting was opened at 7:30 p.m. by Chairman Landrith. The meeting was held in compliance with the Open Public Meetings Act, N.J.S.A. 10:4-1 of 1975, as amended, and notice has been forwarded to the newspapers and posted on the bulletin board maintained at the Sussex County Administrative Center for public announcement.

**ROLL CALL:**

MEMBERS PRESENT: James Landrith, Andover Borough, Chairman  
Bob Smith, Andover Township  
William Koellhoffer, Byram Township  
Jason Doyle, Franklin Borough  
Howard Baker, Hopatcong Borough  
Jo-Ann Williamson, Sandyston Township  
Don Drake, Stanhope Borough  
John Armeno, At-Large  
Eleanor Mensonides, At-Large, Vice Chair

EXCUSED MEMBERS: Allan Esenlohr, Green Township  
Ken Jaekel, Town of Newton  
Kathy Little, Sussex Borough  
Richard Fenimore, At-Large

STAFF MEMBERS: Eric Snyder, Planning Director  
Neal Leitner, Program Manager  
Antoinette Wasiewicz, Recording Secretary  
Jim McDonald, Health Department  
Reenee Casapulla, Recycling Coordinator  
Tom Varro, SCMUA

ALSO PRESENT: Freeholder Richard Vohden

**MINUTES CORRECTION/APPROVAL:**

Minutes were not available.

**CHAIRMAN'S REMARKS:**

Chairman Landrith said a few words in memory of William Sanford who was a longtime member of SWAC and the Water Quality Committee. He said Mr. Sanford was never afraid to speak up which made life good for him as a Chairman because he was always willing to bring up subjects, even if they were unpopular. Additionally, Mr. Sanford gave SWAC an insight of what things were like 50-75 years ago. He will be missed. SWAC will send a letter of appreciation to his hometown.

**NEW BUSINESS:**

A. APPOINTMENT OF NOMINATING COMMITTEE FOR 2012 REORGANIZATION:

Chairman Landrith appointed Jason Doyle and John Armeno to serve as the Nominating Committee for the 2012 Reorganization. Anyone interested in serving as Chair or Vice Chair should contact them.

**REPORTS:**

A. SCMUA UPDATE:

Mr. Varro reported on Fiscal Year 2011 from December 1, 2010 through November 30, 2011. The MUA collected a total of 108,512 tons, an increase over last year by 12.6% and a two year increase of 20.4%. The tip fee finished fairly strong at \$95.48, that is a blended rate over all the incoming material.

The MUA had their Rate Hearing in November. Quite a few people came out to comment. The MUA increased their tip for ID-10 material by \$6.00, bringing it to \$95.00 per ton. There was also an increase for ID-13 which went to \$115.00 per ton. Both of those increases will be implemented as of January 1, 2012. This will give the municipalities and haulers a little bit of time to catch up with that. A lot of the comments they received were from municipalities as well as haulers saying that times are tough. Municipalities that offer disposal service through their tax base talked about their 2% cap that they have to remain within. The MUA tried to explain that they had to cover their operating expenses and had to make up for the fact that they did not receive any State aid this year. Mr. Varro said the MUA's fees are in line with the Morris County Transfer Station. He said they tried to balance everybody's concerns as well as the Authority's fiscal responsibility.

John Armeno asked what the percentage of increase was to the municipalities. Mr. Varro said the increase was about 7%. Mr. Armeno asked what was the justification in going over the 2% that everybody is stuck with. Mr. Varro said the money has to come from somewhere and if it doesn't come from the rate payers then they have to

look to the County. Mr. Armeno said that was something that maybe the County had to look at. The MUA put the municipalities on the spot and they have nobody to go to except their people to raise taxes. Mr. Varro said that is an unfortunate situation. The money has to come from somewhere and if the money is coming from the County, it's still coming from people's pockets. Mr. Armeno said the Freeholders would have had to deal with it.

Reenee Casapulla asked how many municipalities include this in their tax base. Multiple members answered, "Five or six."

William Koellhoffer said that Joe Sabatini from Byram had that same concern. He said with flow control, he renegotiated with Blue Diamond and the \$7.00 increase in the tip fee with Byram is another \$25,000.00. Somehow he has to try to find the money. He said they sent out notices trying to encourage people to go to the Public Hearing. It was unfortunate that more people did not attend. Mr. Sabatini's concern was that if they have any future plans for another meeting on tip fees and post closure plans, etc., maybe the mayors of every town could attend to get better educated on what is going on. Mr. Varro said the MUA has a Rate Hearing once per year that's publically advertised.

Jo-Ann Williamson said the MUA has a Rate Hearing and then they immediately vote. The MUA spent months creating the budget and then had the Public Hearing the week before the budget had to be in to the County. They listened to the comments but there was not enough time to change the budget. She said at the Hearing felt that some of the MUA's Board members were not paying attention and they had no intention of using any of the input that was offered. Their minds were made up. If they had the Public Hearing one month before the vote, they would have had an opportunity to consider some of the suggestions.

Mr. Varro said that Ms. Williamson has her opinion and that she's had a chance to express it. He will relay that back to his Administrator and Board. He said if she feels that strongly about it to follow up with a letter asking them to change the process next year. Ms. Williamson said she wanted SWAC to realize that there were people at the Hearing that had some legitimate.... . She said with the 2% cap, the only way the municipalities will be able to meet their commitment to their taxpayers is by cutting some other service.

Chairman Landrith asked if anyone knew the percentage the tipping fee is on the total cost of solid waste disposal. A member said it varies individually. Mr. Snyder said one of the problems is that the State does not tell you whether you are going to get aid or not until right around the League of Municipalities Convention, leaving the MUA only weeks to react.

Don Drake said Stanhope has to find another \$20,000.00. When asked, he said that was more than 2% of the total cost. He asked if the MUA was a utility. Mr. Varro said it is a municipal utility authority. He thought the utilities were exempt from the 2%. Mr. Varro said they have a user based system, not a tax based system. Mr. Drake asked what has the MUA done to decrease their operating costs. Mr. Varro said

they're trying to get revenue wherever they can. In the recycling markets they're looking to maximize the collection of recyclables and marketing them back out at a good rate. They've done a number of different things operationally to reduce their operating costs including staff attrition, using part-time staff without benefits, cutting back on overtime usage while maintaining the facility. Unfortunately there is still a lot of debt associated with the original facility that they are trying to pay off. He talked about the period from 1994, when the landfill was in its infancy through 1997, the blended rate was well over \$110.00 per ton, peaking at \$118.00. He said that was acceptable to the County and the residents at that time. The major drop was when they lost flow control and they were limited to charging market rates to protect the tonnage coming in through the front gate of the facility. Since then, they've had a bump up last year because there was a half a year where they started with flow control and they put the tip fee where it needed to be. Then they received State aid and they reduced the tip fee. He said he recognizes everyone's concern and sympathizes with them but that they tried their best and the fairest way is for the people who are using the facility to pay for it rather than try to spread it out to the entire County tax base.

Mr. Baker said that everybody understands that the MUA has a large debt service. There are also the regular operating costs as the municipalities have. The MUA's increases in tipping fees are probably going to result in some municipal employees losing their jobs. He added that if there are any unrealized opportunities for cost savings at SCMUA, they need to be taken advantage of. It would be a good idea to look even harder for cost saving opportunities because of what's at stake. The towns don't have a choice, they can't raise their tipping fees in the towns to cover the shortfalls. They can't even raise taxes to do it. Any external increases in their costs directly hurt their ability to deliver the services that they are responsible to deliver. Solid Waste is only part of that. He asked Mr. Varro to carry that back to his Administrator and the MUA Board.

Jim McDonald asked if at the point of time when the MUA realized that they received the aid from the State and they lowered the tip fee, did any of the municipalities go back to their haulers and did they seek a return or did the haulers just keep that money.

Mr. Varro said in 1997-1998, he could almost guarantee that the huge drop in their tip fee did not result in Countywide savings of customers. The drop took it down 40% and is doubtful that anybody's rates dropped by 40%. That was taken up in profit by the haulers.

Don Drake said that flow control hurt Stanhope substantially. Howard Baker added that with the 2% cap on top of flow control, they've taken a double hit. Eric Snyder said in fairness the landfill was a State mandate.

B. RECYCLING COORDINATOR:

Reenee Casapulla said there was a Household Hazardous Waste Day Event on November 5. They had 615 participants which included schools, four municipalities

and three County agencies. They were fortunate to have the County Health Department there to work with them with Hazmat issues. They helped screen the vehicles as they came in as to what type of material they had and they provided extra sets of eyes for the vendor. They were also able to test "unknown materials." They collected a total of 16.67 tons of hazardous materials during the event. This is their 24<sup>th</sup> year of hosting the Hazardous Waste Program at the MUA.

Ms. Casapulla distributed handouts regarding the School Recycling Program. The MUA is doing a program in conjunction with the Department of Health and Public Services to help invigorate recycling for all schools in Sussex County, both private and public. The purpose of this program is to address litter abatement and enhance recycling rates for Sussex County. They are having a contest for school districts to design a set of four containers in four categories: Single Stream, Mixed Fiber, Commingled Containers and Trash. The containers can be any shape and design and should represent their school. They will allow one submission per school district. There will be a container design contest committee for judging. Five school districts will get three of those soda bottle recycling containers that will have banners showing them as winners of the School Recycling Contest for Sussex County. In addition, all school districts will be getting a minimum of 100 label sets to distribute. The labels are washable, fade-resistant vinyl and should last awhile. This will help reintroduce the concept of having containers that are standardized. The contest is on February 1, 2012. More information can be found on the MUA and County websites. They announced the program on November 15 and information has already been mailed to all School Superintendents. They also met and spoke with the School District Round Table and the school maintenance superintendents.

Ms. Casapulla distributed the MUA 2012 schedule for Recycling Programs. She will send this information out to the municipal recycling coordinators.

C. STATE LIAISON:

The State Liaison did not attend this evening's meeting nor did he send a report.

D. SWAGER REPORT:

Eleanor Mensonides said based on the report that Tom Varro provided last month, they plan to prepare a list of questions for the MUA regarding the transfer station. They have questions such as whether there will be any materials pulled out and marketed from the waste coming in; the increase in traffic to, from and within the facility and the types of markets they will be looking at for disposal of waste. They also have questions on additional costs for closure and whether any of the costs will cross-over so some of the expenses of operations would be on the closure as well as transfer operation. If anyone has additional questions, please forward them to Neal Leitner.

Ms. Mensonides said at this point, they've run out of time looking at other facilities. There are still questions on the gasification. She feels they need to move forward but in the meantime still look at other processes. Mr. Varro said the ultimate destination

will be bid out. Chairman Landrith asked Tom Varro for transfer and hauling rates so they can make a recommendation to the Freeholders.

Eric Snyder said the issue of maximizing recycling should be looked at which will reduce the amount of waste to dispose of and save money in the long run.

**DIRECTOR'S REPORTS:**

A. ERIC SNYDER:

Eric Snyder asked Jim McDonald to speak about Grinnell. Mr. McDonald said he sent a request to Mr. McConnell to help him understand the amendment that says Grinnell is not subject flow control. Mr. Snyder explained there was a complaint that Grinnell was sending garbage out of County. Mr. Yardley called him so he contacted Grinnell. Their response was that they have provided residual in excess of what the contract calls for. Mr. Snyder said he talked to County Counsel and said it seemed to be okay. The County's concern is that they get 100% of the in-County garbage because of flow control. Mr. Varro said he would have John Hatzelis contact Mr. Snyder because that is not their understanding.

B. HEALTH DEPARTMENT:

Jim McDonald said the Health Department is looking for guidance with respect to the MUA on Grinnell. Once they receive their guidance from County Counsel they can proceed. They've already drafted Notice of Violation documents and if they get a directive to issue them, they'll issue them.

Mr. McDonald provided SWAC with a 2011 Quarterly Activity Enforcement Report. This is a comparison of 2010 to 2011. He explained this is what they report to the State DEP with respect to the County Environmental Health Act. They did approximately 963 solid waste activities, compared to 437 activities for solid waste in 2011. It is significantly less but last year they had \$40,000 grant to do recycling surveys and audits. Subtracting the recycling work they did in 2010, their total number of solid waste activities was only 373.

**CORRESPONDENCE:**

Neal Leitner asked for information from each township on the dates of waste and recycling collections. The County GIS Department is working with ESRI to create maps that would be usable by the residents. They would like to create a map where residents can type in their address and it would show the collection dates for their area. He asked the members to send him or the Planning Division that information by e-mail. It was mentioned that some communities have private haulers and their collection dates will vary.

A. MONTAGUE RECYCLING ELEMENT;

Montague Township submitted their updated their Recycling Element.

- B. MONTHLY REPORT FOR SCMUA:
- C. SCMUA REVENUE AND APPROPRIATIONS REPORT – SEPTEMBER 2011;
- D. GRINNELL FIGURES:

The Grinnell figures for November and December were received.

- E. CLOSURE-POST CLOSURE FOR SCMUA:

**PUBLIC COMMENT:**

None

**ADJOURNMENT:**

All business having been completed, a motion to adjourn the meeting was made by Eleanor Mensonides . The motion was seconded by John Armeno and carried unanimously. The meeting adjourned at 8:25 p.m.