



DIVISION OF PLANNING
Office of Environmental Planning
Sussex County Administrative Center
One Spring Street
Newton, New Jersey 07860
Tel. 973-579-0500
FAX 973-579-0513

County of Sussex

SUSSEX COUNTY SOLID WASTE ADVISORY COMMITTEE

MINUTES

FEBRUARY 10, 2009

The meeting was called to order at 7:35 p.m. by Chairman Jim Landrith. The meeting is held in compliance with the Open Public Meetings Act, NJSA 10:4-1 of 1975, as amended. Present were:

MEMBERS PRESENT:

Eleanor Mensonides, Vice-Chairman, Vernon Township
William Koellhoffer, Byram Township
Allan Esenlohr, Green Township
Jason Doyle, Franklin Borough
Chris Kelly, Hamburg Borough
William Sanford, Hampton Township
Howard Baker, Hopatcong Borough
Edith McGrath, Lafayette Township
John Armeno, At-Large
James Wright, At-Large
Dick Plog, At-Large

MEMBERS EXCUSED:

Robert Schultz, Hardyston Township

STAFF PRESENT:

John Eskilson, County Administrator
Dennis McConnell, County Counsel
Reenee Casapulla, Recycling Coordinator
Jim McDonald, Health Department
Tom Varro, SCMUA
Neal Leitner, Program Manager
Susan Heintz, Recording Secretary

ALSO PRESENT:

John Hatzelis, Administrator, SCMUA

MINUTES:

A motion was made by John Armeno to approve the minutes of May 13, 2008. It was seconded by Ellie Mensonides and carried. A motion was made by John Armeno to approve the minutes of December 9, 2008 as originally distributed. This motion was seconded by Bill Sanford and carried. There was a motion by John Armeno to put the minutes of January 13, 2009 on the floor. It was seconded by Bill Sanford, and Mr. Armeno then took the floor and discussed these minutes. He stated that Mr. Hatzelis came to the January meeting and wanted to clarify what he and Mr. Varro said during the December meeting. Mr. Hatzelis submitted a report, representing a clarification of what was said in the minutes of December 9, 2008. Being as he presented this at the January meeting, it will be made part of the January 13, 2009 minutes. Mr. Hatzelis had a question regarding a paragraph on page 4 of the January 13, 2009 minutes. The minutes stated that it was recommended to staff to inform Grinnell of Sussex County figures that the tonnage numbers need to be reported and who was to receive that report. Mr. Hatzelis thought there was a motion, therefore a directive, not just a recommendation. A motion was made to table the January minutes pending staff review of the tape. Motion died due to lack of a second. There was then a motion on the floor to accept the January minutes as distributed. The motion was seconded and minutes were approved.

REPORTS:

A. SCMUA Update - Tom Varro spoke about SCMUA's tonnages and revenue charts. So far this year SCMUA is slightly over 15,000 tons. That compares unfavorably to the 2008 quantity which was 17,000. 2007 was a little over 19,000 tons for this same period. That reflects the continuing trend of greater than 10% falloff from prior year's tonnages. Looking at the tip fees - that number to date is a little low. SCMUA would expect to see that rise because they are comparing current year to end of the year totals. That number will come up slightly, however, the drop off in tonnage is critical and it's affecting current operations. Mr. Varro also brought to SWAC's attention that in 2008 SCMUA did not receive their full allotment of state aid to help with the budget gap; they counted on a full contribution from the state. At this point it's the third year in a row that tonnages have fallen off and the past two years have seen dramatic falloffs. Overall the financial situation for this solid waste facility is difficult. Mr. Hatzelis will further discuss where we need to go from here.

Mr. Hatzelis spoke about a report by municipality. This is 2006 data. It's from the DEP and is the most current information. There is a lot of detail in here. It's broken down to each municipality, what type of solid waste, where it went, and the tonnages. Mr. Hatzelis took that information and broke it out into percentage of in-county versus out-of-county waste. A good number of the municipalities keep solid waste in Sussex County. Again, this is 2006 data. If you take the individual county information and use last year's numbers, it translates to about \$900,000 of revenue that is going out of

county. Border municipalities are the ones that show a lot of slippage. Mr. Hatzelis suggests that each SWAC member bring this information back to his or her municipal officials.

B. Environmental & Public Health Services Update - Jim McDonald spoke about adopting Recycling Regulations. He had a few copies to hand out and asked, if anyone is interested in receiving a copy of this lengthy document, to please give him an email address. Although too long to discuss each page, Jim highlighted the new rules that would pertain to the municipalities, such as item separation, penalties for failing to adhere and the responsibilities of municipalities. Jim said that if and when money comes available and the Health Department can fund staff to do enforcement, there will be enforcement. The Health Department gave a proposal to County Administration that in the range of 1,000 recycling inspections will be conducted in 2009 provided the department is funded to do that.

A question was raised regarding the recycling grant application for inspection/enforcement. The funds are roughly \$80,000 additional to do the enforcement. This figure is based on an analysis that this will be enforcement for all the municipalities in the County. What if a municipality doesn't want the County to do their enforcement; what if they want to do their own enforcement? If the County gets this grant to do the enforcement for the entire County and 50% of the municipalities say that they don't want the County to do it, they want to do their own, is this proportioned out somehow? The answer he received is every municipality is getting their own grant money; they have an ordinance at their municipal level. There is enforcement at the county level and at the local level too. Municipalities are required to enforce their own codes.

Jim McDonald then spoke about the regulation passed regarding the electronics recycling. There is going to be a registration fee on all major television manufacturers, not the businesses that sell the TVs. The money that is collected is to fund at least one recycling day per year per county. It also makes it mandatory for individuals to recycle TVs as well as other electronic components. There will be penalties involved for non-compliance.

C. Recycling Coordinator - Reenee Casapulla continued the discussion about the regulations. She mentioned two other things about the electronics recycling - the regulations don't go in effect until 2010 and the landfill advantage does not go into effect until 2011. These are two important dates to keep in mind as we go forward. She then talked about the County's current electronics recycling situation. Reenee said our County has struggled with our recycling rate year after year, but one of the things we are proud of is our electronics recycling program. Compared to other counties, of much greater size, Sussex did very well in our diversion efforts - both with our events and at our solid waste facility. At the same time we were able to keep the costs at a minimum and have been able to supplement them with grant funding. When the County started

this program in 2002, the tonnage was minimal. We've now gone to 240 tons in 2008. You can see the percentage increase year after year as to how much has been collected or diverted from the landfill. We've talked about strategies for diverting material from the landfill - here's a good strategy - it has worked. It's very successful, keeps toxic materials out of the landfill; but there were support mechanisms which made it successful but these support mechanisms are no longer in existence. Everyday is a new dilemma. The global fiscal crisis has directly affected marketing for recyclable materials. Electronics have been affected the most. Reenee also spoke about the same figures but with dollars associated with them. She outlined the programs that are in place and how much they cost year after year. She then showed where we are going in 2009; projected costs for the same program that cost \$5,500 last year will cost, at a minimum, \$86,000 in 2009. At this point we do not have a contract with a vendor for our electronics. We have gone out for quotes, over 30, and have received only one back. This situation is difficult. Reenee wanted to make SWAC aware that this well developed program is in jeopardy.

At this point the meeting diverted from the agenda and a question regarding the Avian Flu was directed to Ross Hull. Ross said he's going to refer to Jim on that. He knows a little about electronics and recycling stuff, but the bird flu has nothing to do with his bureau. Jim asked Ross for some information, Ross got him in touch with someone else and Jim has since received a copy of that information. At this point there is no direction to landfills, there is only a discussion of landfill options, but nothing is definite. It was suggested by Ross Hull that some one here write a letter of recommendation saying that we don't want Warren County's material. Motion made by Ellie Mensonides and seconded for staff to write a letter to the freeholders requesting discussion and clarification of the DEP avian flu policy, specifically to Assistant Commissioner, Nancy Wittenberg.

At this time, Ross Hull mentioned a few specific chapters in the Electronic Waste Recycling Act. He said that only five to seven pages of this lengthy document really apply to the County. After reading this document, if anyone has any questions, feel free to call Ross.

Ross Hull then embarked on a lengthy discussion regarding waste flow. He said what the county does is up to the county, but DEP will offer advice of what it thinks should be done. Mr. Hull summarized the Supreme Court's decision by saying there was an argument for allowing a public body to direct waste to that public body and to charge more than a similar operation to a private body. Those additional monies that the public body was charging were to run the county recycling program and the household hazardous waste program. They weren't just taking waste to a landfill and paying fees; they were also funding environmental programs which were protective of human health. He wished to make sure that the SWAC takes that into consideration.

A question was asked regarding what counties receive state aid and recycling rates of other counties. There is a failure to capture what is being recycled. Reporting from

counties is not good. When and if flow control is put into place, who pays the bill? We need to have the full disclosure on the financing of this arrangement.

At this time, Chairman Jim Landrith said we've jumped around a little bit and would like to hear from the Program Manager so he tabled "New Business".

D. Program Manager - Neal Leitner gave a report on the resolution that could be adopted that would bring grant money, \$82,000. It's called the Recycling Grant Inspection/Enforcement. This ultimately needs to be adopted by the Board of Chosen Freeholders. The resolution proposes new funds to be received by the County of Sussex to inspect and enforce activities through the County Department of Environmental and Public Health Services. The \$82,000, or whatever final amount is determined by the DEP, would be used for implementing recycling inspection and enforcement. A motion was sought to bring this to the Freeholders.

At this time, the question was raised that the above subject is New Business and it was determined earlier that New Business would be tabled. The committee decided to put this Resolution on next month's agenda so all had time to review it.

Although tabled, a discussion ensued regarding the monies from the above mentioned resolution. Mr. Hatzelis spoke to Mr. Hull about the allocation of dollars. He mentioned that the grant money could be directed to SCMUA rather than recycling enforcement operations. A lively discussion ensued regarding state grant funds and where they are allocated. Mr. Hatzelis reminded SWAC that the reduction in waste being delivered to the landfill is causing financial difficulties for SCMUA.

At this time all discussions were stopped by Mr. Eskilson and the meeting promptly ended.

E. State Liaison - Input was given throughout the meeting; no specific report here.

CORRESPONDENCE:

Topics were discussed previously.

NEW BUSINESS:

A motion was made by Ellie Mensonides to table this agenda item. It was seconded and carried.

OPEN TO PUBLIC:

No topic was mentioned.

ADJOURNMENT:

There was no further business to be discussed at this time and a motion was made by John Armeno to adjourn. Motion was seconded by Ellie Mensonides and carried. Meeting adjourned at 9:50 p.m.