



DIVISION OF PLANNING

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Eric K. Snyder, PP, AICP  
Director

County of Sussex

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SUSSEX COUNTY SOLID WASTE ADVISORY COMMITTEE

MINUTES

MAY 12, 2009

The meeting was called to order at 7:31 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:

James Landrith, Chairman, Andover Borough  
Eleanor Mensonides, Vice-Chairman, Vernon Township  
William Koellhoffer, Byram Township  
Richard Pumphrey, Frankford Township  
Jason Doyle, Franklin Borough  
Allan Esenlohr, Green Township  
Chris Kelly, Hamburg Borough  
William Sanford, Hampton Township  
Robert Schultz, Hardyston Township  
Howard Baker, Hopatcong Borough  
Edith McGrath, Lafayette Township  
Ken Jaekel, Newton  
Jo-Ann Williamson, Sandyston Township  
Eric Powell, Sparta Township  
Katherine Little, Sussex Borough  
John Armeno, At-Large  
James Wright, At-Large  
Dick Plog, At-Large

MEMBERS EXCUSED:

Jason Cofrancesco, At-Large

STAFF PRESENT:

Eric Snyder, Planning Director  
Reenee Casapulla, Recycling Coordinator  
Jim McDonald, Health Department  
Tom Varro, SCMUA

**ALSO PRESENT:**

John Eskilson, County Administrator  
 John Hatzelis, Administrator, SCMUA  
 James Sparnon, Solid Waste Superintendent  
 Jay Fischer - Ag Choice, Organics Recycling

**MINUTES**

A motion was made by Mr. Armeno to approve the minutes of April 14, 2009. It was seconded by Mr. Baker and carried. All were in favor.

**REPORTS**

A. SCMUA Update - Tom Varro reported on the monthly tonnages and revenues. This report was done in a different format this month to provide a better illustration of the numbers. From December to April, SCMUA had a total of 34,347 tons into the facility. This represents a 16.2% drop from the same period in 2008. Again, that deficit keeps increasing. It was about 11% earlier this year. The next item on the chart is ID10; it's down 10.4% from last year to 27,148 tons. This is not a dramatic drop off; it's been fairly consistent each month at around 10%. The biggest drop off is the ID13; it's down 32.6% from the same time last year. The bulk of the decrease is due to ID13. As with anything, the bottom line is reduced tonnages, reduced revenues. Mr. Schultz asked why we have seen such a drop off in bulky waste. Mr. Varro said he believes its economic conditions; not much drop off from contractors; not much home building and renovations.

B. Environmental & Public Health Services Update - Herb Yardley reported on the activities of the Health Department. There was an inspection done at the Grinnell facility; Class B recycling facilities were inspected; 41 interviews were done, for a total of 50 for the year; 60 recycling surveys have been completed; 40 container inspections were completed; 67 complaints have been investigated. The department has also investigated five of 12 tire dump sites. It will be conducting additional inspections of seven exempt Class C recycling facilities and will complete the eight municipal convenience centers. Mr. McDonald said inspection of the MRF facility was completed that day and paperwork is still pending on that. Any violations will be addressed by the State.

C. Recycling Coordinator - Reenee Casapulla reported on the first SCMUA E-Bulletin, announcing the upcoming E-Waste collection day on May 16. Please speak to her if you wish to attend because there are limitations that need to be adhered to. Also, Reenee asked for feedback regarding who should be notified about SCMUA services. She is working on developing list serves for groups who should receive this information. If anyone has suggestions for such groups, please let Reenee know. The next E-Bulletin will be mailed shortly regarding the Household Hazardous Waste event scheduled for June 6. At this time, 13 out of 24 municipalities have adopted their updated town ordinances. Branchville, Stanhope, Sussex Borough, Vernon and Lafayette are a part of that 13. Reenee

has been working with recycling coordinators on the annual recycling tonnage report, due to the DEP by April 30. As of this time, 12 municipalities have completed and submitted these reports. SCMUA Earth Day was held on April 22. Many County agencies were involved and it was very successful. Finally, SCMUA pamphlets are available. Please let Reenee know if you need a large quantity.

D. State Liaison - not present - no report

### DIRECTOR'S REPORTS

Mr. Snyder reported on working to amend the Plan to incorporate a means by which we can get the landfill and its associated operations on a sustainable basis. At the last meeting it was talked about giving this committee further analysis. That analysis was provided a few weeks ago and today a resolution was emailed to members that is designed to codify all of that information and to continue the work that has begun. Mr. Snyder said he hoped everyone had a chance to look at the financial analysis for the landfill prepared by Mr. Hatzelis, since it paints a pretty clear picture. The proposed amendment is something that the staff put together because that is what is recommended to the Freeholders through the resolution. Mr. Snyder then opened the floor to any questions or suggestions.

Ms. Mensonides said it should be indicated that it's a *public* solid waste facility and also suggested that the actual waste types of materials be defined. Ms. Mensonides also suggested the document say *collected* and *delivered*. Mr. Snyder said the amendment that is proposed is an amendment to the existing Solid Waste Management Plan and was taken from the contents of that Plan; it says that all waste generated in the County will go to the County landfill. In the former Plan there was not an indication of which types of waste. Mr. Snyder then asked Mr. Hatzelis if there is an issue regarding hazardous wastes. Mr. Hatzelis said we need to specify the waste types in the Plan amendment and we should reference the permit. He also said the introduction references publically owned and operated facilities. The introduction isn't the guiding document; that would be the resolution and the Plan amendment.

Mr. Schultz raised a question on the enforcement program. Mr. Hatzelis said it's going to be similar to how it was done in the past, but there are new laws that have been passed. Looking at what other counties are doing, the County Health Department has the enforcement authority and they can subcontract or handle it themselves. Mr. Eskilson said it is likely to be one full time person, but the mechanism by which we do it is a subcontract of our health authority to enforce solid waste regulating laws on behalf of the DEP. The County Health Department has the oversight and responsibility; they can designate the MUA or another subcontractor to do some of the work.

Mr. Schultz asked about the financial impact on the community. We're looking at an 18 or 20% increase in tipping fee right now. Mr. Hatzelis said we're looking in the neighborhood of \$15 to \$20, and how it affects communities is something we still need to analyze.

A hauler contract has two components - service component and disposal component - and we're trying to determine the percentage of that increase, therefore the tip fee is not definite. Mr. Schultz said his fear is seeing roadside garbage if a resident gets a substantial increase in tipping fees. Mr. Eskilson said the increase is now or later - the tipping fee or the County taxes. Which is the more equitable way? We believe the tipping fee is more appropriate. But the debt, unfortunately, will be paid by residents and businesses. Chairman Landrith pointed out an observation. He said if we send our garbage out of County, we'll be paying the tipping fee for out of County and, in addition, we'll be paying taxes to cover the shortfall of the landfill. In other words, we'll be paying twice. Mr. Kelly asked if the State has officially bailed out. Have they indicated this year there will be no funding? He said that in FY2008 they still did contribute the \$1.5 million, and if we go to flow control and pick up an additional \$2.5 million from Sussex County residents, the State has no incentive to kick in anything. Mr. Eskilson said that's true and unfortunately the State will not let us know whether or not they will pay until the debt service is due. They simply won't let us know what they are going to do and the belief is that they are backing away.

Mr. Schultz asked if the debt will be affected by any of the cell closures. Are we at full service debt for full closure? Mr. Hatzelis said for building landfill cells, we're at the end of the road. The cost of post closure care is pretty much covered, but cell closure care has been a problem because we have not been able to contribute enough money into those accounts, and the State has said we'll give you this much money (for the stranded debt) and you can take the rest of the money out of the cell closure account. What's going to happen is there will be no money in that account and when we have to cap, we'll have to bond for it. The problem with bonding for it is we don't have any revenue left until 2017. What we need to do is come up with a plan to continually fund the cell closure as we go and the post closure care for 30 years after the landfill is closed.

Jay Fischer, Ag Choice, mentioned his concern about raising fees. He keeps hearing from all different government agencies and wants to know if anyone has looked into cutting expenses. If incoming material is way down, in correlation to that, fuel costs should be down, as well as manpower and labor hours. Is anyone really looking at the numbers? As a business person, since I'm not taking in as much, I shouldn't be spending as much. Mr. Hatzelis said that's a good question and we've looked at that. Even though our tonnage is down, we still have residents coming in. Even with the current economic situation we still need a certain amount of staffing. The biggest part is the debt service and we have no control over that. Mr. Fischer then gave an example. He said when he went to the landfill recently, one of the big machines was sitting there idling and two guys were relaxing with their feet up. From a business point of view, that's not what customers should see. Maybe we should look at this on a smaller scale. Instead of sitting in an office and looking at the big numbers, what we need is to have people out there making better use of their time. Mr. Fischer then asked about office staff. Mr. Hatzelis said office staff has been reduced since 1997 when flow control was discontinued.

There were some questions about the debt portion and Mr. Varro said it is greater than 50%. Of the remaining operations, there are a number of non-discretionary operating expenses, such as DEP fees, monitoring of wells and ground water, and taxes. With these expenses factored in, that percentage is probably 60+. Mr. Fischer said there has been talk about reducing a large portion of the budget and asked about leaves, grass and brush. They have their own composting facility, but in Sussex County there are several private composting facilities. Has anyone done a cost analysis to see if the County is making money with leaves, grass and brush and selling compost? If losing money, maybe we should look into closing that part of the landfill service and let private industry take over. Mr. Hatzelis said an analysis has been done and it shows that this operation is cost effective. He said we are a class C facility and a solid waste facility, and we have certain obligations to provide these services.

Mr. Schultz asked if there would be an impact on local business if flow control was reintroduced. Mr. Hatzelis said if people source separate their metals, it's not subject to flow control. Mr. Schultz asked about the small hauler guys. Mr. Hatzelis said if they're doing this as a business, they need to go through the DEP. If everyone needs to go to one facility, it levels the playing field with the haulers and the competition comes down to the service charge. Mr. Kelly asked about the ID13 waste. Is this going to put Grinnell out of business? Mr. Hatzelis said their class B facility is exempt from flow control if it's brought in source separated. The MRF facility is an agreement between the County, the MUA and Grinnell, and they are in the Solid Waste Management Plan.

### CORRESPONDENCE

None

### NEW BUSINESS

A. Adopt a Resolution re: Flow Control – Mr. Snyder said if there are no more questions about the material that was sent out, the next step is to discuss the resolution. Chairman Landrith said this resolution was just emailed at 1:30 today; therefore it doesn't make the 48 hour requirement for us to be able analyze it. In the event of an emergency, that rule can be waived. Chairman Landrith stated we need to determine if this is, in fact, an emergency. Ms. Mensorides said this has been in discussion at the last few meetings, and she thinks there is a sense of urgency to this topic. In the amendment she would like to make sure there is designation of the types of waste. Mr. Baker asked if this resolution is a recommendation to the Freeholders or if this is what will actually become the regulation. Mr. Snyder said this is a recommendation to the Freeholders. Ms. Mensorides made a motion to send this resolution to the Freeholders with the inclusion of the definition of the waste types. Mr. Armeno stated that he emailed Mr. Snyder about including another Whereas, saying that this has been fully discussed at the March 10, April 14 and tonight's meetings. This will show that the topic was discussed, has been open to public meetings, our Freeholders have been present as well as our Administrator and representatives of SCMUA.

Mr. Kelly asked if we have concluded that we can waive the 48 hour rule. Chairman Landrith said we need a motion to do that. Ms. Mensonides said that she thought that was included in her motion. It was suggested that this be handled one at a time. Chairman Landrith then asked if we have a motion to waive the 48 hour rule. Mr. Wright made that motion. It was seconded by Mr. Doyle. All were in favor. At this time, Ms. Mensonides said again that she makes a motion to include the types of waste and Mr. Armeno's suggestion of meeting dates. It was seconded by Mr. Armeno. A roll call vote was taken. Results were as follows: Chairman Landrith - yes; W. Koellhoffer - yes; R. Pumphrey - yes; J. Doyle - yes; A. Eserlohr - abstain; C. Kelly - yes; W. Sanford - abstain; R. Schultz - yes; H. Baker - yes; E. McGrath - yes; K. Jaekel - yes; Jo-Ann Williamson - yes; E. Powell - yes; K. Little - abstain; E. Mensonides - yes; J. Armeno - yes; J. Wright - yes; D. Plog - yes.

### OPEN TO PUBLIC

Mr. Fischer wanted to compliment Reenee Casapulla and the people at SCMUA who are involved with recycling. He has only seen recycling cans for items #1-7 in Sussex County. Mr. Fischer then stated he would like to be on next month's agenda for a formal application. He is coming to the end of his RD&D. He had a meeting with the DEP and they are proposing a 3 year extension. Ms. Mensonides reminded Mr. Fisher that information is needed 10 days prior to next month's meeting.

Ms. Williamson raised a question asking if 10 days is enough notice, if we're not able to get it, because not everyone uses a computer. Mr. Snyder said we will endeavor to get the information to you earlier than the 10 days.

Mr. Fischer then raised another issue. He said one of the problems with going to a small composting facility to a larger class C type of facility is some of the DEP fees that are involved. At today's meeting with the DEP, he heard of Senator Bob Smith who is sponsoring legislation in regard to the recycling tax for the landfill where a tax is added onto the tipping fee and that money is used toward recycling. What the Senator is proposing is that some of that money be diverted away from just County projects to private entrepreneurs and businesses. Mr. Fischer has asked for help and support from the staff in looking further into this issue.

### ADJOURNMENT

There was no further business to be discussed at this time and a motion was made by Mr. Armeno to adjourn. The motion was seconded by Ms. Mensonides and carried. Meeting adjourned at 8:30p.m.