



## APPROVED Meeting Minutes

### 2016 Nashua Region Solid Waste Management District Meeting

December 15, 2016

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#### **Attendees:**

Sally Hyland	City of Nashua	Joan P. Cudworth	Town of Hollis
Steve Doumas	Town of Merrimack	Mike Fimbel	Town of Mont Vernon
Tom Bayrd	Town of Hollis	Tim Roache	NRPC
Bruce Berry	Town of Amherst	Jill Longval	NRPC
Tad Putney	Town of Brookline	Karen Baker	NRPC
Mark Bender	Town of Milford	Tanya Reinert	NRPC

#### **I. Call to Order**

The meeting was called to order at 10:03 pm by Hyland.

#### **II. Discussion of NRSWMD Updated Cooperative Agreement**

Roache provided a brief overview of how the District came to this point noting that it was based on an effort to establish bylaws for the NRSWMD and the subsequent recommendation from Attorney Waugh that the District's Cooperative Agreement should be updated. In the process of reviewing the District's draft bylaws, Waugh determined that the District was never formed under RSA 53-B, but rather as a cooperative agreement under RSA 49-M:19. Roache noted that after much discussion and based on the advice of Attorney Waugh, it was best to keep running the District as a cooperative agreement and to simply document the process and steps already in place through an updated Cooperative Agreement. He passed the floor to Longval who provided a summary of the process involved in running the Household Hazardous Waste (HHW) program.

Longval referred to the Member Services handout included in the agenda packet. She reviewed all components of the program from Outreach to the Collections and NRSWMD Management. She noted that NRPC has always been responsible for the tasks as outlined, but they are now formally documented as a Scope of Work in Exhibit 3 of NRSWMD Cooperative Agreement. Longval reiterated Roache's earlier comment that Attorney Waugh advised the District to continue operating as they always have, but simply to formally document the process. Bender asked if there was a budget. Hyland said there was an annual budget, based on the number of HHW collection events held. Putney suggested that there should be a reporting out on the collection season. Longval said that is done in the annual reports she prepares for NRSWMD members. Roache noted

that NRPC and the NRSWMD are separate entities. Berry informed the group that he builds the dues into his solid waste budget for Amherst. He also noted that he had previously run a HHW program for another town and it was very involved. He stated that being a member of the NRSWMD takes the burden of running HHW collections off each municipality and provides the residents with more than one event to participate in. Hyland provided a background of how the District came about, noting that it resulted from requirements to close landfills and at the time it made sense for communities to come together. She also noted that EPA provided \$25,000 in grant funds to purchase the permanent hazardous waste storage facility. The City provided land and funding to prepare the plot for the building.

Roache informed Bender that \$8,077 was requested from Milford for the FY2017 NRSWMD dues and the total FY2017 income is \$167,077. Bender asked how much it costs to have the vendor. Longval said it costs \$16,250 per event. Hyland commented on Veolia, the vendor used by the District to deal with the hazardous waste, and the amount of years we have been using them and how great they are to work with. Berry noted that there is also a cost to maintain the storage facility and also noted the reserve the District holds due to the fact grant money is never a guarantee. Bender asked if there were any plans to have events in locations other than Nashua and Milford. Roache noted that there was an additional event held this year in Pelham and said it is up to the District to determine whether to hold collections in other towns. Hyland stated that there used to be additional satellite events.

Putney asked if the events would be moved due to the potential relocation of the Nashua DPW. Hyland said it could happen in the future. Bender asked about requirements for attending meetings and who is the Milford representative. Longval stated the District meets four times per year—December, March, June, and September—and that Tammy Scott is the representative for Milford.

Fimbel asked if the updated Cooperative Agreement has to go to town meeting. Roache said it just needs to go to the Selectmen for approval but Nashua would like to review it with the City officials first. He added that the proposed timeline is to have all Agreements signed by June 30, 2017. Roache asked how much help would be needed to present the updated Agreements to the Selectmen. Putney said it is pretty straight forward. The group discussed letting Nashua take the lead and waiting for them before proceeding.

Longval referred to the Nashua Solid Waste Management District Cooperative Agreement included in the agenda packet and began to review with the group.

Bender asked who owned the storage facility. Hyland answered that it is owned by the City and operated on behalf of the District.

Hyland asked if the Cooperative Agreement would have to be signed every year. Longval stated that it only needs to be signed once, though it can be amended in the future. Hyland stated that the intro should be updated to reflect that Small Quantity Generators have only participated since the permanent storage facility was established.

Section 4.3 Annual Grant and Contract Authorization: Hyland asked that there be language added for clarification on who signs. She felt it should be the District who signs, not the City. If there is a District Chair, then the Chair signs on behalf of the District. Berry said it should be done almost like a rental agreement.

Section 6.0 Amendments to the Cooperative Agreement: Hyland said more time is needed than 30 days for amendments to the agreement; at least 60 days. Berry asked if it is going to be those present, due to the issue of getting representation at the meetings. Longval read the language outlined in the agreement to the group.

Fimbel asked if there was a section related to a town backing out of the agreement. Longval noted that it was in Section 7.0 Withdrawal or Addition of Member Municipalities. Putney asked if there was language in the agreement for a period of time if a municipality fails to pay. Longval noted it is included in Section 4.4. Roache commented that he, Longval and Reinert spent a significant amount of time writing the Agreement so that it accurately reflects what the District already does.

Longval moved onto Exhibit 1 – Permanent Storage Facility Use Agreement, included in the agenda packet. Longval noted that most of this section is draft and was added more as a placeholder. Longval will work with Hyland to meet with appropriate City staff in order to further develop this section.

Longval moved onto Exhibit 2 – Responsibilities of the HHW Host Municipality, included in the agenda packet. Longval stated that it outlines the responsibilities of the municipality holding a satellite event. Longval talked to the Upper Valley Regional Planning Commission who compensates host facilities \$500 to cover trash, staff, prep work, etc. Longval said the NRSWMD proposed \$1000 per event. Berry asked why the District did not pay the City for this in the past. Hyland said the City got a break in their dues to cover this. Berry said the intent is good, but it might not be sufficient if the reimbursement is not used to compensate the appropriate department. Hyland felt this should be deducted from the dues. Bender felt it should be a fixed amount and that he did not want to have to track it. Roache said it can be refined. Hyland commented that it should not be a reimbursement as she has no line item for it.

Longval moved onto Exhibit 3 – Scope of Work for the Nashua Regional Planning Commission, as included in the agenda packet. Longval explained that the purpose of this exhibit is to outline what the NRPC does for the program. Hyland felt that SQG's should be mentioned in conjunction with the vendor in section 1.2, Task 8. Berry suggested also modifying Section 1.2, Task 7 to reflect the Exhibit 2 change. Hyland felt there should be language requiring training in Section 1.2, Task 5 and in Section 2.0, Task 11 there should be reporting to the State also.

Longval noted that Attorney Waugh has reviewed all these documents. The next step is to meet with City of Nashua staff to discuss these changes. Once Nashua has had a chance to weigh in, NRPC will forward the updated documents to all NRSWMD members and will review steps needed for presenting the document to Selectmen.

Fimbel referred to the original district agreements dating back to the 1980's and said he would like to get a copy of them.

**III. Set January 2017 meeting date**

Longval informed the group that she sent a pole out to set the January meeting but only 3 responded. Hyland asked that there be an alternate date in case of weather. Hyland also thanked Longval, Reinert, and Roache for all their work. Berry asked when the City would respond on the next version. Hyland said hopefully by the end of the month but she said she could not promise.

***Motion to adjourn came from Berry and seconded by Fimbel. The meeting ended at 11:11am.***