

**BERKS COUNTY SOLID WASTE AUTHORITY
MINUTES OF THE REGULAR MEETING OF
May 21, 2019**

A regular meeting of the Board of the Berks County Solid Waste Authority (the “Authority”) was called to order at 3:00 p.m. on May 21, 2019, in the Commissioners’ meeting room, 13th Floor, County Services Center, 633 Court Street, Reading, Pennsylvania.

The following members were present:

Mr. Charles Mowbray
Mr. Brian Clements
Ms. Dale-Ann Farina
Mr. Tony Rymar
John Pagerly, CPA
Charles Jones, PE

Absent were Michelle Kircher, Tony Sacco and Michael Gombar, Jr.

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 Ms. Farina, the minutes of the regular meetings of March 19, 2019, were approved.

FINANCE

Presentation of 2018 Audit:

The Chairman introduced Mr. Andrew Kehl of Reinsel Kuntz Leshner (“RKL”), the Authority’s independent auditors. The Board received the audit report (the “Report”) for their review. Mr. Kehl attended this meeting to review the highlights with the Board of the financial statements presented in the Report.

Mr. Mowbray indicated that the Finance Committee met with Mr. Carman and Mr. Kehl of RKL to review our 2018 Audit last week. Mr. Kehl indicated that there were no problems

encountered during the Audit and the only control deficiencies reported were the same as prior years, which are related to the size of our staff and the lack of segregation of duties.

Mr. Kehl reported his firm issued a clean unqualified opinion with respect to the Report and reported that in 2018 all funds of the Authority were covered under FDIC insurance. He reviewed the balance sheet, the income statement and the statement of cash flow sections of the Report. Mr. Kehl then explained the Management Discussion and Analysis section of the Report.

Mr. Kehl indicated that the Authority is no longer considered a component unit of the County and that that determination is made exclusively by the primary government. Rather, the Authority is referenced to as a related party. This determination was made primarily based on the Bonds that were previously guaranteed by the County being paid off. Mr. Clements questioned if the Authority's personnel policies and procedures are in any way tied to the Counties policies. Mr. Rauch responded that all of the Authority's policies and procedures are set by the Authority Board and are not in any way tied to the County.

Upon a motion by Mr. Clements, seconded by Ms. Farina, the Board unanimously accepted the 2018 Financial Statement.

Treasurer's Report:

Ms. Meeks distributed the Treasurer's Report and invoices for payment and reviewed them with the Board. Mr. Rymar questioned if the Authority receives bids for our hazardous waste hauler or how the contract with MXI is secured. Ms. Meeks explained that the Authority piggy backs on the State Department of Agriculture contract with MXI, which saves us the time and expense of issuing our own bid documents and also allows a portion of our pesticides to be paid for by the Department of Agriculture, which would not be the case if we secured our own contractor. Upon a motion by Mr. Jones, seconded by Mr. Clements, the Board unanimously approved the payment of all invoices, ratified the payment of invoices previously paid and accepted the Treasurer's Report.

SOLICITOR'S REPORT

Bylaws – Amend and restate

Mr. Rauch indicated that on May 7, 2019 he provided each Authority member with a Notice of Bylaws Amendment, setting forth a notice of the intent to amend and restate the Authority Bylaws, together with a copy of the proposed Bylaws including the comments previously received from the Board members. Mr. Rauch indicated that the Bylaws changes will be effective January 1, 2018.

Upon a motion by Mr. Clements, seconded by Mr. Rymar, the Board unanimously amended and restated the Bylaws of the Authority. Attached is a copy of the amended Bylaws.

Mr. Rauch reported that since the Authority's last Board meeting, he has been working on various matters including issues related to the 2018 audit.

Mr. Rauch then recommended that the Board enter into Executive Session to discuss the current litigation with New Morgan Landfill Company as well as personnel issues relating to the yearly review of their Executive Director.

At 4:25 PM, the meeting reconvened.

Upon a motion by Mr. Clements, seconded by Mr. Rymar, the Board unanimously agreed to increase the salary of their Executive Director, by \$8,000 per year retroactive to April 1, 2019. Mr. Mowbray stated that the Board is very pleased with the performance of their Executive Director and the projects that have been undertaken this past year.

NEW BUSINESS

a. Update on collection events:

Ms. Meeks indicated that the location for the spring collection events, held at Governor Mifflin Intermediate Center allowed for a nice flow of traffic, while allowing plenty of room to ensure a smooth and safe collection event. Ms. Meeks indicated that 1,906 residents attended our household hazardous waste collection disposing of 125,544 pounds of hazardous waste and 1,413 residents participated in the shredding event recycling 81,800 pounds of confidential documents. Ms. Meeks indicated that the hazardous waste collection costs came in within budget and the Authority's cost for our shredding event is minimal, which includes reimbursement of three extra staff members from Vital Records Control and food and refreshments for our volunteers. The in-kind value of the spring shredding event provided by Vital Records Control was \$7,513.20.

Ms. Meeks reported that we currently have a balance of \$30,249 of our \$100,000 per year grant, which covers 50% of our operating costs of our hazardous waste collections. The additional expenses of \$12,012 will be submitted on July 1st, under the new funding period. The Act 190 grant which covers the hazardous waste collection events has a maximum funding of \$100,000 per fiscal year, per County.

b. 2020 County Budget:

Ms. Meeks briefly reviewed a draft of the Authority's 2020 proposed Budget, to determine the amount of the allocation the Authority will request from the County for 2020. Ms. Meeks indicated that the Finance Committee met last week to review this information and the Committee recommended that the 2020 County Budget request include a \$320,000 allocation to the Authority, for operating the County recycling programs and that no funding be taken from our reserve funds to balance the 2020 budget. Ms. Meeks indicated that the County budget will also list the alarm system at the recycling center, all electric and indirect costs and that she will work with the County Budget office to enter those numbers into the County system. Ms. Meeks indicated that the County budget will also include revenues of \$4.9 million for host fees \$38,000

from recycling performance grants, \$100,000 from litigation and \$300 in fees for the sale of recyclables. The Board unanimously approved this submission.

c. Update on baler relocation

Ms. Meeks reported that the renovations to the existing building at the recycling center at 1316 Hilltop Road, Leesport have been completed and that the baler from the City of Reading has been relocated and is currently in operation at the Center. Ms. Meeks indicated that since the baler has been sitting idle since 2015 she has contacted Recycling Equipment Corporation to do a full maintenance check on the unit, to make sure all of the fluids and fittings are in good order. Ms. Meeks indicated that the current expenses for the baler relocation are \$35,660 of which our DEP grant will reimburse \$ 33,384 plus the cost of any expenses that are incurred as a result of the maintenance check next week. Ms. Meeks indicated that once all of the payments have cleared the bank she will submit for reimbursement from DEP for these costs.

d. Berks Nature – SOTE Report

Ms. Meeks indicated she attended the State of the Environment (SOTE) Waste Summit on April 3, 2019 in addition to Mr. Mowbray and Mr. Clements. Ms. Meeks indicated that the purpose of this meeting was to review the current indicators and make any recommendations for any changes that should be made. Based on the input from the Summit she indicated that the new indicators for waste will be Special Waste Collection; Municipal Waste Generation per capita and Recycled materials. Ms. Meeks indicated that all Board members were invited to this meeting and that Total Recycle and the City of Reading were also represented during this meeting. The next planning meeting is scheduled for May 29, 2019 at 9:00 A.M.

OLD BUSINESS

a. Foam Recycling Grant

Ms. Meeks reported that she had met with representatives of Prospectus Berco regarding their possible interest in operating a foam recycling collection program through the use of the \$50,000 grant that was awarded to the Authority in October of 2018. Unfortunately, although they are very interested in partnering with the Authority on this type of project, they are not interested or able to host the project, therefore we still face the same problem as it relates to space restraints at our location on Hilltop Road.

Mr. Mowbray indicated that he thinks that Ms. Meeks has put enough time and energy into trying to find the right partner for this project and recommended and the Board agreed to decline the Grant funds at this time.

EXECUTIVE DIRECTOR

Ms. Meeks indicated that Mr. Clements had contacted her regarding the possibility of having students put together a short video explaining the importance of only placing acceptable recyclable materials into recycling containers and the problem that unwanted materials cause at

the Material Recovery Facilities. She indicated that Conrad Weiser School District is very interested in putting this video together for us but are unable to complete the task at this time, due to the closing of school for summer break. However, Ms. Stef Schneck, Digital Film and Video Broadcast Journalism Teacher was able to commit to undertaking this project in August, upon the reopening of school. Mr. Clements indicated that he thought this would be helpful in educating residents on what items should be recycled and the effect of contamination. He suggested that the Authority could share this video with our municipalities who could share it on their websites and or Facebook pages. The Board thought that this was a great idea and recommended moving forward with this project, this fall.

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, July 16, 2019 at 3:00 PM in the Commissioners' meeting room.

ADJOURNMENT

At 5:00 p.m., upon a motion by Mr. Clements, seconded by Mr. Pagerly the Board unanimously resolved to adjourn.