

NERC

Northeast Recycling Council, Inc.

139 Main Street, Suite 401 • Brattleboro, Vermont 05301-2800
802.254.3636 • 802.254.5870 fax • www.nerc.org • info@nerc.org

**Board of Directors Meeting
The New England Center at the University of New Hampshire
July 11, 2006
MINUTES**

Present:

Board Members: Jeff Bednar, Pennsylvania, President of the Board; Brenda Grober, New York, Vice-President; Don Maurer, New Hampshire, Treasurer; George MacDonald, Maine; Brooke Nash, Massachusetts; John Trevor, Rhode Island

Member Represented but no voting member present: K.C. Alexander, Connecticut; Steve Hammond, New York; Jeff Fehrs, Vermont

Others: Peggy Harlow (Massachusetts)

Staff: Lynn Rubinstein, Executive Director and Secretary to the Board; Mary Ann Remolador, Assistant Director; Chaille Blais, Office Manager

Absent: Judy Belaval, Connecticut; Jim Short, Delaware; Tom Houska, Delaware; Guy Watson, New Jersey; Jeff Schmidt, New York; Carolyn Grodinsky, Vermont

Recorders: Chaille Blais and Lynn Rubinstein

Meeting Called to Order: 9:34 a.m. by Jeff Bednar

Welcoming Remarks and Introductions

Staff Updates – Executive Director

NERC has received notice of two federal grant awards, both projects to begin October 1, 2006 (USDA small business \$150,000 and State Electronics Challenge \$140,000). In addition, preliminary notice of a grant on behalf of TPCH to expand its education and testing program for compliance with toxics in packaging laws in New England from Region 1 has also been received.

NERC was awarded a grant by the Community Pharmacy Foundation for work with retail pharmacies on a national basis to promote unwanted medication collections and consumer education.

Updates were given on current grants: USDA and EPA unwanted medication collection grants, and EPA Regions 1 & 3 EPEAT projects.

The NERC website is being redesigned. It is hoped that in approximately eight weeks it will be ready for review and comment.

NERC has been advised that there is the potential of an EPA audit of their grants covering the past three years. NERC has also learned that it needs to ask Advisory Committee members to track their time spent on NERC grant-funded projects. A form will be provided.

Staff Updates – Assistant Director

- USDA Special Events guide is on the NERC website and universally accessible.
- USDA Business Peer mentoring project is complete and the guide will be completed this fall.
- NY Database project is going well and there is discussion regarding how make the information available online.
- EPPnet and archive is almost wholly handled by Jessica.
- NERC has had a summer intern who has updated the hazardous waste guides developed under the USDA grant last year, as well as put together asphalt shingle and gypsum wallboard fact sheets (currently out for comment), and updated the directories of material exchanges and recycling markets located on the NERC website.
- Environmental Benefits Calculator is being updated. State members were asked to provide Jessica with updated recycling data.

A desire to have the C&D category in the Calculator expanded was shared.

Fall Conference – a Hauler’s Roundtable discussion has been added to the afternoon of the third day of the conference. Chaz Miller will moderate the discussion. Each NERC member state is asked to limit participation to one representative per agency. The planning committee has developed a short list of questions to begin the discussion.

It was requested that the questions be made available in advance to member states. It was noted that there is a need to ensure that the meeting represents a broad spectrum and goes beyond the “old school” hauler approach.

Staff Updates – Office Manager

NERC purchased a “new-to-them” phone system.

Since the Board Meeting in May 2005, NERC staff has been tracking the type and source of requests for information that they receive. An analysis of this data was shared. It was determined that this information should be included in the Annual Report.

Recycling Economic Information (REI) Study –

Jeff Bednar reported that the Pennsylvania Department of Environmental Protection has committed \$250,000 to update the REI study and is seeking and expecting other states to join in the effort. Because there is no funding for the project on a regional level only states that contribute to the study will have data developed and reported.

A discussion regarding state funding and data followed. It was agreed that Lynn Rubinstein will send a letter inviting state participation in the project.

Brainstorming Session about Value of NERC to Member States –

1. NERC provides a forum to share information and ideas; be with colleagues; a venue for professional development with other states and advisory members that is free of politics.
2. NERC website is a timesaver and resource.
3. NERC's increasing visibility (e.g. electronics, pharmaceuticals, joint meeting in Philadelphia this past March.)
4. NERC is in a position to "lobby" and the states get leverage from that (with emphasis on linking and partnerships.)
5. NERC is well-regarded. Projects are germane and efficient.
6. NERC is multi-dimensional in scope and provides market development assistance in some states.
7. It would be helpful if NERC could help state officials see the benefits of recycling and solid waste management.
8. Depending on individual state priorities, the time that NERC spends on some projects is hard to justify.
9. NERC is an independent voice.

Brainstorming Session about Project Ideas for NERC –

1. How is waste moving. How do you capture the backhaul data? "Economic recycling" regional data study.
2. Get ASTM to finish standards for plastic lumber: design specifications.
3. Could ask MACRO/MACRDO to join in and get maximum leverage.

4. C&D. What one state does affects the others.
5. Solid waste capacity – disposal – position paper?
6. How to get more out of the waste stream for U.S. use.
7. Anaerobic digestion.
8. Biomass or mulch – what do we do when policies are in conflict?
9. Sustainable business practices.
10. Zero waste.

Brenda Grober wondered if NERC might play a role in national discussions about tax-exempt bond status and the federal regulatory issues that have emerged. Board members expressed interest and asked that she distribute information to them for their consideration.

Ideas for Future Conference Topics –

- Plastic Lumber
- Glass Aggregate for Filtration
- Asphalt Shingle Recycling
- Update on e-waste programs (DE, ME, MA, NH, RI)

Treasurer's Report:

The NERC FY 2007 was distributed and discussed by Treasurer Don Maurer.

Board members were asked to give Lynn Rubinstein leads for potential advisory members and conference exhibitors, as well as to notify NERC of state grant solicitations or RFP's, etc.

Don Maurer noted that the states could do in-kind donations to NERC, i.e. use state conference call lines, allow NERC to purchase items under the auspices of state vendor contracts, etc.

Brenda offered that NY DED could do conference calls of six people or fewer.

K.C. and Steve Hammond both mentioned a program (SEP violator and EBP's, respectively) in their states that NERC could benefit from.

It was suggested that NERC think about doing fee-for-service work and discussion followed.

It was agreed that in the next fiscal year invoices for dues that the full amount of dues scheduled for each state/agency be stated, and that a percent increase be applied to the amount that has been paid in the most recent fiscal year. As an example: X state is scheduled to pay \$20,000 per year. In FY 2006 (and since 2002) it has paid \$10,000. State that on the invoice and say that "\$10,500 is now owing, a 5% increase. This is the first increase in dues since 2002."

Operating Plan FY 07 –

Feedback was requested on the Plan that was distributed prior to the meeting. Suggestions made included:

- Adding number of “hits” to NERC website
- Website re-vamping
- Providing additional information about non-grant work
- Add more detail when available (staff hours, grants, general, conference, graphical description of Answering Questions data)
- Include more pictures & graphs, less text
- Set benchmarks to use as basis for future operating plans

Discussion of projects and priorities followed. It was agreed to Form a committee to begin work on the FY 08 Operating Plan. Brooke Nash volunteered for the committee, as did Don Maurer. It was agreed that a survey should be sent to the Board Members to ask what they would like to see worked on for future projects and/or discussed at conferences, and if there was a known funding source for the projects.

It was suggested that the revised draft of the '07 Operating Plan go the Executive Committee for review and finalization. Then the final version should be distributed to the full Board and a vote called. There was full agreement that this process was acceptable.

Regional Recycling Message –

This was a session at the Fall 2005 NERC conference on this topic and the slogan that was picked was “Recycling: It Really Matters.” A committee was created after the conference to move the slogan forward but doing so has been very difficult and NERC is unsure where to go from this point. It was suggested that Mary Ann contact Keene State College (NH) and Connecticut College to see if they would take on the market research component.

Adjournment:

John Trevor moved that the meeting be adjourned at 4:42, Brooke seconded, no discussion followed and the vote was unanimous with no abstentions.

NERC

Northeast Recycling Council, Inc.

139 Main Street, Suite 401 • Brattleboro, Vermont 05301-2800
802.254.3636 • 802.254.5870 fax • www.nerc.org • info@nerc.org

**Board of Directors Meeting
The New England Center at the University of New Hampshire
July 12, 2006
MINUTES**

Present:

Board Members: Jeff Bednar, Pennsylvania, President of the Board; Brenda Grober, New York, Vice-President; Don Maurer, New Hampshire, Treasurer; George MacDonald, Maine; Brooke Nash, Massachusetts; John Trevor, Rhode Island

Member Represented but no voting member present: K.C. Alexander, Connecticut; Steve Hammond, New York; Jeff Fehrs, Vermont

Others: Peggy Harlow (Massachusetts)

Staff: Lynn Rubinstein, Executive Director and Secretary to the Board; Mary Ann Remolador, Assistant Director; Chaille Blais, Office Manager

Absent: Judy Belaval, Connecticut; Jim Short, Delaware; Tom Houska, Delaware; Guy Watson, New Jersey; Jeff Schmidt, New York; Carolyn Grodinsky, Vermont

Recorders: Chaille Blais and Lynn Rubinstein

Meeting Called to Order: 8:43 a.m. by Jeff Bednar

Conference Topics –

An explanation of the process that determines the upcoming conference topics was reviewed. Per their request, it was agreed that the conference agenda development process should be expanded to include Brooke Nash and/or Carolyn Grodinsky, if they are interested.

NERC will provide a whiteboard at conferences to solicit attendee's ideas for future topics. Mary Ann will send reminders to members that topic ideas are wanted.

The agenda for the Fall 2006 conference was discussed.

Conference Dates –

NERC has tried to track other organizations' events and alert them to the dates for NERC conferences, but date conflict still occur.

- March 2007
Spring Conference March 13-14, Board Meeting March 15th
- October 2007
Fall Conference October 16-17, Board Meeting October 18th
- March 2008
Spring Conference March 18-19, Board Meeting March 20th
- October 2008
Fall Conference October 28-29, Board Meeting October 30th
- March 2009
Spring Conference March 17-18, Board Meeting March 19th
- October 2009
Fall Conference October 27-28, Board Meeting October 29th

It was proposed that we hold the Fall Conference at the Hotel Northampton and move the Spring Conferences to locales that multiple states can travel to easily. Board members with suggestions for venues are asked to contact Chaille.

Joint Meetings –

NERC may want to consider making conferences available on interactive TV systems.

Collaboration with the Southeast Recycling Development Council, Inc. (SERDC) is of interest.

Regional Electronics Legislation –

A discussion was held on the recent vote whether NERC should endorse the model regional electronics legislation. Two states voted "yes", one voted "no". All other states abstained. Discussion followed regarding the role of Board Members of the Board. Lynn Rubinstein explained that The fiduciary responsibility of Board Members to a 501(c)(3) corporation is to ensure that decisions and actions are made in the best interest of the organization and its mission. That when a member of the NERC Board of Directors casts its vote they should do so based on whether the action is in NERC's best interest and if it will further NERC's mission. Their decision should not be determined by whether their individual state should take this action or support it for "the state".

It is potentially challenging drawing those lines, and even confusing at times. While the seat that state representatives have on the Board are directly the result of their position with the individual state, that is the only true relationship between the individual state interest and that of NERC. There is always the hope, of course, that NERC efforts will benefit both. However, the question must always be about NERC, and not about what “your state” thinks are in its own best interests.

So, regarding the motion whether NERC should support the regional electronics legislation, the question is *not* “Is the model legislation the right strategy for [state]?”, nor even “Will [state agency] support this legislation if it is filed?”, but rather, “Is casting this vote (taking this action) in the best interest of NERC and its mission?”

Board members felt that more review time would have been helpful and asked what the step after endorsement would be. Lynn Rubinstein answered that the next step would be an article in the Email Bulletin. That is the only anticipated action. NERC will not lobby for the adoption or filing of the legislation.

Brooke Nash moved that “NERC supports the Model Electronics Legislation developed through a project jointly lead by the Council of State Governments/Eastern Regional Conference and NERC; recognizing that when enacted the legislation may require state specific modifications.” The motion was seconded by John Trevor.

It was agreed that the vote will be called via email and that voting will be open for six weeks following the call. Lynn Rubinstein will provide a memo in conjunction with the vote that explains the role of Board Members when casting a vote, the background of the legislation and NERC’s role in its development, and what action would result by NERC if there is a decision in favor of the motion.

Adjournment:

Brenda moved that the meeting be adjourned at 11:16, Jeff seconded, no discussion followed and the vote was unanimous with no abstentions.