

**Authority Meeting Minutes  
373<sup>rd</sup> Meeting (via Conference Call)  
December 5, 2023 at 12 p.m.**

**Members Present:** Joseph J. Siemek  
Rhody Holthaus  
Mark DeLuca  
Phil Harris  
D'Andrea Walker  
Cliff Engle

**Other Participants:** Tim Ford (MES)  
Andrew Kays (NMWDA)  
Kim Gordon (NMWDA)  
Traci Baker (NMWDA)  
John Schott (NMWDA)

**Public access via livestream at the following link:**

[https://youtube.com/live/Tq\\_UyAtuwR8?feature=share](https://youtube.com/live/Tq_UyAtuwR8?feature=share). *This stream was turned on at 12:01 p.m. local time.*

Board Chairman, Joseph Siemek opened the meeting at 12:02 p.m. local time after confirming the presence of a quorum. Mr. Siemek noted that the instructions for the public to view the meeting were provided in advance and that there were no plans for any portion of the meeting to be held in closed session. Mr. Siemek requested that Members identify themselves when speaking and confirmed the presence of a quorum.

Andrew Kays identified the non-Board Members present at the meeting as follows: Andrew Kays, Kim Gordon, Traci Baker and John Schott (Authority Staff) and Tim Ford (MES).

Mr. Siemek noted consideration of the minutes of the previous Board Meeting on October 18, 2023, and that such minutes were approved and posted on the Authority website.

410.333.2730 / 410.333.2721 fax / [authority@nmwda.org](mailto:authority@nmwda.org)  
[nmwda.org](http://nmwda.org) / Business-to-Business Recycling: [mdrecycles.org](http://mdrecycles.org)  
Tower II – Suite 402, 100 S. Charles Street, Baltimore, MD 21201-2705

**Comprehensive Waste Management Through Recycling, Reuse, Resource Recovery and Landfill**

**MEMBERS:**

Rhody R. Holthaus, Anne Arundel County / Vacant, Baltimore City / D'Andrea L. Walker, Baltimore County / Clifford J. Engle, Carroll County  
Phillip S. Harris, Frederick County / Joseph J. Siemek, Harford County / Mark A. DeLuca, Howard County / Guillermo Wainer, Montgomery County  
Charles Glass, Maryland Environmental Service / Andrew Kays, Executive Director



**ACTION ITEM NO. 2023-6-1 – Approval of Audited Financial Statements (June 30, 2023 and 2022)**

A motion was made by Rhody Holthaus and seconded by D’Andrea Walker to approve this item.

Kim Gordon explained that the Authority’s Audited Financial Statements for June 30, 2023 and 2022 as provided to the Board for review were prepared by CliftonLarsonAllen LLP. There are no changes to the audited financial statements since the draft audited financial statements were submitted to the Board for review on November 16, 2023.

Staff is requesting approval of the Audited Financial Statements for June 30, 2023 and 2022.

Joseph Siemek asked if there were any questions or matters for discussion.

There being none, a vote was taken, and the item was unanimously approved.

**ACTION ITEM NO. 2023-6-2 – On-Call Contract Amendments**

A motion was made by Cliff Engle and seconded by Mark DeLuca to approve this item.

Andrew Kays explained that amendments to the Authority’s on-call contracts are requested as set forth below:

- (1) Barton & Loguidice, Inc. (B&L) - An increase in the amount of \$250,000 is needed for the B&L contract for anticipated work for projects on behalf of the Authority’s Member Jurisdictions. The applicable jurisdiction will provide a purchase order to fund the work.
- (2) EA Engineering, Science, and Technology, Inc. (EA) – An increase in the amount of \$700,000 (over an estimated 48-month period) is needed for the EA contract to fund the Waste-to-Energy Phase III Demolition/Site Restoration effort for Harford County. Harford County will provide a sign-off from their Board of Estimates and a purchase order to fund the work.

Joseph Siemek asked if there were any questions or matters for discussion.

There being none, a vote was taken, and the item was unanimously approved.

**ACTION ITEM NO. 2023-6-3 – Budget Amendments**

A motion was made by D’Andrea Walker and seconded by Rhody Holthaus to approve this item.

Andrew Kays explained that budget amendments are requested as set forth below:

1. Montgomery County Ash Account – The Service Agreement between the Northeast Maryland Waste Disposal Authority and BFI Waste Systems of Virginia, LLC, dated February 9, 2017, has been assigned to Montgomery County, effective as of October 9, 2023. The Authority’s budget for the Montgomery County Ash Contract Account was reduced by \$8,000,000 at the board meeting on October 18<sup>th</sup>, with the understanding that the balance of the funds under that account would be used to cover the Authority’s obligation for invoicing ash through October 9<sup>th</sup>. The Authority’s remaining obligations under the contract have been satisfied, and the Authority requests approval to further reduce the Ash Account by \$214,650.34, to zero out the budget item.
2. Harford County Facility Account – Harford County will pay the Authority via purchase orders, as and when approved by the County. A budget increase in the amount of \$450,000.00 is needed for the Harford County Facility Account to fund the Waste-to-Energy Phase III Demolition/Site Restoration effort in support of Action Item 2023-6-2 (2).
3. Baltimore County Solid Waste Study Group Support Account – Baltimore County will pay the Authority via purchase order, as and when approved by the County. A budget increase in the amount of \$50,000 is needed for the Solid Waste Sort Account to fund a second waste sort for the County in support of planning recommendations from the Solid Waste Study Group.
4. Carroll County Landfill Account - Carroll County will pay the Authority’s on-call consultant directly. A budget increase in the amount of \$15,000 is needed for landfill gas (“LFG”) monitoring support for Carroll County in meeting the new Maryland Department of the Environment (“MDE”) regulations for LFG monitoring.
5. Frederick County Landfill Account - Frederick County will pay the Authority via purchase order, as and when approved by the County. A budget increase in the amount of \$35,000 is needed for LFG monitoring support for Frederick County in meeting the new MDE regulations for LFG monitoring.

Joseph Siemek asked if there were any questions or matters for discussion.

D’Andrea Walker sought clarification on the difference between the two Harford County Facility items, as the descriptions seemed the same, or if there are two different vendors. Andrew Kays explained that the Board approved the budget amendment in October in the amount of \$250,000 in an effort to potentially facilitate getting the work done early. However, once the proposals came in, the pricing was different, so we are making the adjustment now to reflect the total value of the effort. The two items added together total the \$700,000 amount. The vendor is the same. The budget action item was just broken apart.

Ms. Walker thanked Mr. Kays for the clarification. Joseph Siemek asked if there were any other questions or matters for discussion.

There being none, a vote was taken, and the item was unanimously approved.

Joseph Siemek thanked Mr. Kays and asked if there were any additional matters for discussion. There being no additional comments or discussion items, the meeting adjourned at 12:10 p.m. and Mr. Siemek wished everyone a safe and happy holiday season.

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Andrew Kays, Executive Director