



**MIDCOAST SOLID WASTE CORPORATION
BOARD OF DIRECTORS
March 23, 2016
MEETING**

MEMBERS PRESENT: Art Durity (Chairman) -Lincolnvillle, Cindy Gerry -Lincolnvillle, John French (Camden Board of Selectmen) -Camden, Bill Chapman (Vice-Chairman) -Rockport, Tom Ford (Secretary) -Hope, Jim Annis –Hope, Tracy Lee Murphy –Rockport

MEMBERS ABSENT: Jim Kierstead (Treasurer) -Camden

REPRESENTATIVES PRESENT: Jim Guerra-MCSWC Manager, Pat Finnigan-Camden Town Manager, Richard C. Bates, Rockport Town Manager, David Kinney-Lincolnvillle Town Administrator, Jon Duke-Hope Town Administrator

REPRESENTATIVES ABSENT:

Public Guests: Representative Joan Welch, Lissa Bittermann, Business Development Director, ecomaine, Alison McKellar, Owen Casas, Selectman and several Community Members

Chairman Art Durity called meeting to order @ 7:07 p.m.

1. PUBLIC COMMENT ON NON-AGENDA ITEMS: Alison McKellar commented that the Board considers having alternates, like other towns use, in the event that a current Board Member could not vote on important decisions like the one pending tonight.

Owen Casas, Selectman spoke to the Board about how the decision being made tonight is different from other towns he cited having binding decisions made by Boards for a group of towns. His concern was that following the Board decision and then passing it to the individual four towns would cause complications if the votes were not in line. He wondered if the Board decision could make it binding for all the towns to make it simpler. He also enquired if a split would make it possible to dissolve the Mid-Coast Solid Waste Corporation.

2. AGENDA ADJUSTMENTS: None

3. APPROVE MINUTES OF February 24, 2016 MEETING:

Art Durity entertained a motion to approve the minutes of the February 24, 2016 meeting. Bill Chapman made motion to approve the minutes as presented. John French seconded the motion. Chairman, Art Durity called for a vote. No Discussion. Motion passed 7-0-0

4. MANAGERS UPDATE:

QuickBooks and Point of Sale: – The financial software for the gatehouse and office were successfully updated in January.

RFP for Bulldozer Purchase: Gary Leighton and Jim are working on the replacement machine for the landfill. Responses will be due by June 1, 2016 for the lease purchase options available.

Annual DEP Report: Jim has begun working with Hydro geologist for our annual report. Most of the work will be done in-house as usual

MCSWC Website: The website is up to date and, whilst still a work in progress, is in good shape and a valuable community resource. Please take time to look at it and provide feedback if you have any. Discussion followed.

Employee Retirement : Granville Ames has retired from the facility. He held a 32 hr a week position for 14 years and will be missed. Bill Chapman made reference to the enjoyment Granville provided at the Rockport Anniversary Celebration recently and his dedicated work at the facility. Tracy Lee Murphy suggested a letter of “thanks” from the Board.

Employee Hiring: Dan Fogg was hired from a temporary position to a full time position. He trained himself to run the skid steer and baler, drives the Rolloff truck very well and will be cross training in the future at the compactors and the landfill.

Cross training: Sydney Leach has also begun learning to operate the recycling building which is a good example of the cross training effort at the facility.

Skid Steer: Jim will be providing pictures of the new machine in the near future.

5. **JOAN WELCH (Guest) STATEMENT:** Representative Joan Welch and House Chair for the past four years of the Environmental and Natural Resources Committee. Solid waste is a diverse topic for the entire State of Maine and there is constant work designing policy while adhering to the State Hierarchy...reduce reuse and recycle. She relayed that the E&NR Committee has concerns on the technology that MRC is proposing. She recently toured waste to energy sites and anaerobic digesters in California. The experience they have had is that a municipality should not be the guinea pig for private enterprises. The MRC communities are right to look at PERC as not so viable and their size is a big factor. Fiberight is interesting and compelling but there are concerns because there are no working sites of this technology to evaluate. Joan stressed that the Board ensure there is a performance clause in the final contract in case something doesn't go right to be sure it is not the responsibility of the municipalities. The reuse of materials is of great concern in the area of composting. A model on how much waste is committed to the facilities should be based on the State Law which will increase the goal for recycling to 50% shortly. Therefore any contract should have a diminishing number so that the hierarchy can be adhered to. Representative Welch guaranteed the tipping fees for landfills will be going up and the Committee will continue to work hard on these issues. John French asked about the organic legislation in play now. Representative Welch responded that any type of mandate was removed, the original bill required larger companies (hospitals, supermarkets and schools) to take organic waste to facilities within 20 miles if available. Instead the growing market processing waste allows the Committee to encourage but not mandate. Jim asked if anaerobic digesting was being considered as composting. She agreed it was, and Jim asked her to call them what they are individually to avoid confusion.

6. **RECOMMENDATIONS POST 18 MSW DISPOSAL OPTIONS:**

Chairman, Art Durity opened the meeting to a discussion on the recommendation of the Executive Committee to the Board on their proposal for solid waste disposal post 2018. A written recommendation was handed out that outlined the choice made by the Executive Committee to support a contract with ecomaine. David Kinney explained the Committee's recommendation. The Executive Committee felt it was their responsibility along with the four Town Select Boards to provide the best

choice for the communities who comprise the MCSWC. They felt that ecomaine was ready to handle our trash on day one without any chance of bypass to a landfill. The fact that ecomaine is a quasi-municipal non-profit corporation fit with a primary goal they had with how the environmental impact of this decision for our area is made. Municipal waste is approximately 40% organic waste, it is the forethought that a future investment in the way this waste is handled along with recycling and education components would be better supported with the contract presented by ecomaine. The lower risk is desirable at this time based on experience in the past with solid waste disposal challenges and changes. Pat Finneran added that the geographical area is further away, but that in terms of looking to the future and using a window of time to make the options work for us. Ecomaine is reliable, low risk, environmentally conscious and financially sound. Hauling is a concern and our future amounts of waste can be reduced. Richard Bates wants the Fiberight concept to work but he feels a lower risk proven system is more results oriented. The philosophical difference is seen in that ecomaine doesn't need our waste to make their operation work. Fiberight is in need of our waste to make their project work. A decreasing waste number through recycling and other future changes can be attained with ecomaine as MCSW works with the hierarchy of the State. Jon Duke thought the flexibility over many years, in relation to the market of solid waste in Maine, will be a plus as the issues are solved within the State and our individual communities. He felt the solid dependability was found in the ecomaine proposal and that such stability is not foreseeable with the Fiberight proposal. He had a number of questions and well placed concerns surrounding the Fiberight plant proposal for our communities. Jon felt there is not time to get the answers and this was supported by the review of Corporate Attorney Paul Gibbons.

James Guerra, Manager of the Mid-Coast Solid Waste presented in support of the Fiberight proposal as a member of the MCSWC Board of Directors. Jim is also on the Board of the Municipal Review Committee. Jim felt that we are voting on an environmental issue. His concerns with hauling with fossil fuels go against this criterion. It is possible to reach 0 net carbon if we can begin using the natural gas vehicles as proposed with the Fiberight plan. Jim believes if MCSWC went with the Fiberight proposal it would stand out in the State and the Nation. Jim felt obtaining a 45% recycling rate could be attained. He feels that standard consumable recyclables is still a problem and therefore discussing going to an organic material program is going to be a struggle. Currently, in the Fiberight plan all organic material is processed; it will be used 100% by going through the digesters proposed at Fiberight. Jim provided articles on composting in his presentation and pointed out that composting is going to release carbon, methane, and other gases into the atmosphere when doing it on a major scale. Contaminants still need to be removed, it is low quality/low nutrient compost is the end result. Anaerobic digestion allows for the capture of this gas and allows flexibility in the output of different products from a plant such as the one proposed. It also reduces the waste to landfill percentage to 20%. Jim reviewed the way the partner money will be reserved in different areas for the plant production, start-up risk coverage and rebate structures. Jim spoke to the perceived risk factor with the technology. The technology is known, it is used in many places. He walked the Board through a schematic of the plant processes showing how the plan is most simply described as mechanical separation of waste. The waste will reduce by 50% in the initial stages of the process. These items will not be going to the landfill even at start up if the plant is built in time. This design will collect an additional 30% in the last stages of the process in the digestion and fuel capture stages. The tip fees cannot increase unless it was a forced majority issue.

Art Durity reviewed meeting procedure with the Board for the voting process so that the Board can present the best proposal moving forward to discussions with the Town Select Boards. The voting process was reviewed with respect to the MCSW Corporation By-Laws. Bill Chapman provided the percentage figures per representative vote. Votes are weighted based on the 2010 census and the most recent state provided evaluation of 2016. As such, the total share by town is as follows: Camden - 41.919 %, Hope - 9.870% Lincolnville - 16.315% Rockport - 31.897. Each Board Member has one half of that and if only one member is present from one town, that member gets the whole weight. Discussion followed.

Art Durity entertained a motion. John French motioned that we go with the RFP proposal of ecomaine for the rate of \$70.50 for a twenty year agreement beginning in 2018. Tracy Lee Murphy seconded. An individual vote was taken from each board member and they were allowed a brief statement to explain why they voted in the manner they did. The motion passed 6-2-0.

Bill Chapman	No
Tom Ford	ecomaine
Art Durity	ecomaine
John French (2 Votes)	ecomaine
Cindy Gerry	ecomaine
Jim Annis	Fiberight
Tracy Lee Murphy	ecomaine

7. Sevee & Mahar Engineering Cost Overage for Post 2018 Options Report:

David Kinney presented information on an additional invoice from Sevee & Mahar that was for an overrun on the initial amount designated for the report which was not to exceed \$16,000 in total. The study involved more research and input than initially thought for the study to be complete. David Kinney supported that the study was valuable and that the overrun invoice should be paid. Discussion followed. ***John French moved to pay the pending invoice. Tracy Lee Murphy seconded. Discussion on the invoice total due followed. John French revised his initial motion to pay \$5000 but not to exceed \$5000 for the pending invoice. The motion passed, 5-2-0. (Bill Chapman and Jim Annis opposed).***

8. EXECUTIVE SESSION

Tracy Lee Murphy moved that the Board enter executive session under 1 M.R.S.A § 406 (6) (D) to discuss Collective Bargaining Agreement between Mid-Coast Solid Waste Corporation and Teamsters Local 340. Jim Annis Seconded. No discussion. The motion passed with unanimous approval. Executive session was called to order at 9:03 pm by Art Durity.

Bill Chapman moved to leave executive session at 9:23 pm. Tracy Lee Murphy seconded the motion. No discussion. The motion passed unanimously.

9. VOTE TO APPROVE / OPPOSE: Collective Bargaining Agreement between Mid-Coast Solid Waste Corporation and Teamsters Local 340

Chairman Art Durity entertained a motion for a vote on the Collective Bargaining Agreement between Mid-Coast Solid Waste Corporation and the Teamsters Local 340. Discussion on the effective date and signing followed. John French motioned to accept the contract as presented. Tracy Lee Murphy seconded. Motion passed, 7-0-0.

Chairman Art Durity entertained a motion to designate that the contract be signed. John French motioned have the contract signed by the managers with Board approval. Jim Annis seconded. Motion passed, 7-0-0.

10. EXECUTIVE SESSION

Chairman Art Durity entertained a motion to go into executive session. Tracy moved to enter into executive under 1 M.R.S.A. § 405 (6) (A), to discuss employee Matters at 9:28 pm. Bill Chapman seconded. Motion passed unanimously.

Chairman Art Durity entertained a motion to leave executive session. Tracy Lee Murphy moved to leave executive session at 9:40 pm. John French seconded. Motion passed unanimously.

11. FINANCIALS:

Revenues & Expenses were reviewed.

A/R Aging Summary: Several delinquent accounts have been brought current. Bill Chapman questioned some accounts with small balances. Discussion followed.

Chairman, Art Durity entertained for a motion to adjourn. *Tracy Lee Murphy moved to adjourn the meeting. John French seconded. Motion passed 7-0-0.*

The meeting was adjourned at 9:53 p.m.

Respectfully Submitted

Beth Kwiatkowski, Recording Secretary

SCHEDULED MEETINGS:

The Board scheduled the following meetings:

April 4, 2016 Joint Meeting with the Select Boards Rockport Town Hall 6:00 pm

Committee Meetings

TBA