



**MIDCOAST SOLID WASTE CORPORATION
BOARD OF DIRECTORS
MINUTES OF
April 4, 2016**

**MCSWC Board of Directors Joint Meeting with the Selectboards of Hope,
Camden, Rockport and Lincolnville**

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

MEMBER ABSENT (EXCUSED): James Annis –Hope, Jim Kierstead (Treasurer) -Camden

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

SELECT BOARD MEMBERS PRESENT:

Camden: Donald A. White, Jr., Martin Cates, Leonard Lookner

Hope: David Bosken, Wendy Pelletier, J. Christopher Pinchbeck, Brian Powers, Jr.

Lincolnville: Ladleah Dunn, Rosendel Gerry, Cathy Hardy,

Rockport: Kenneth McKinley, Owen Casas, Geoffrey C. Parker

SELECT BOARD MEMBERS ABSENT: Lincolnville: Keryn Laite, Jr., Camden: James Heard

Chairman Art Durity called meeting to order @ 6:01 p.m.

AGENDA ADJUSTMENTS: None

Introductions: Art Durity outlined the procedures for the meeting and made introductions of the MCSWC Board and area Select Board Members. Art provided a verbal run down of the meetings held to date on the subject of solid waste management. Discussion Followed.

2. Overview of MCSWC Post 2018 Planning Efforts: A short presentation was made by David Kinney who spoke for the Executive Committee outlining an overview and general interpretation of the information that the MCSWC Board of Directors had collected on the Post 2018 planning. He discussed the various proposals that were provided, meetings held and reports produced and how they factored into the evaluation. No Discussion Followed.

3. Town Managers' / Town Administrators' Recommended Option: Pat Finnigan read an outline of the determining factors on what the Executive Committee used to determine their support of ecomaine located in Portland, ME over the proposed Fiberite plant to be built in Hampden, ME. The recommendation was unanimous for the four communities serviced by MCSWC that when the contract ends with Penobscot Energy Recovery Company in 2018 that they support a new contract with ecomaine. Richard Bates discussed the review of the presented contracts that came with the RFP information from different businesses under consideration. He stated that the MRC/Fiberite contract was extensive as this facility was being built from the ground up vs. the relatively simple contract presented by ecomaine and established company. Reviewing all the information has been a time consuming process in order to make an informed decision. Discussion Followed.

4. MCWSC Board of Directors' Recommendation: Jon Duke went over the vote that was taken at the March 23, 2016 meeting of the pm. He spoke to the importance of a timely decision from those present in order to meet timing constraints that would need to be met to introduce this subject for town votes as required. Discussion Followed. Art Durity asked the MCSWC Board members to provide a brief comment on why they voted the way they did. John French, Cindy Gerry, Tom Ford, Bill Chapman and Tracy Murphy shared several reasons each on the things that formed their votes. During his comments, *Bill Chapman stated for the record: That he was in favor of Fiberite even though he voted NO because he was only voting on the motion on the table at the March 23rd meeting.*

5. Contract Terms: Art Durity moved the discussion to focus on the contract that was being reviewed. Discussion from the area Select Board Members and the MCSWC Board of Directors took place involving a variety of concerns. Including: contract length, hauling distances, GAT, tonnage estimates, reducing waste, and handling of organic materials, financial and legal concerns. Discussion Followed. Lissa Bitterman from ecomaine was present and made some inquiries into some of the questions being raised regarding organics and the length of contracts possible.

6. Future Actions: Jon Duke presented the Sample Warrant Article, crafted by Corporate Attorney Paul Gibbons, which will be put before the four towns for voters to consider. The Town Meetings will be held as per each Towns' requirements and getting it on the warrant is important to the timing of the contract expiration in the near future. He discussed the contractual obligations the four towns have under Interlocal Agreement and how that outlines the voting process. The wording presented was as follows; Shall the voters of the Town of Camden authorize the Board of Directors of the Mid Coast Solid Waste Corporation to enter into a 20 year contract for the disposal of Municipal Solid Waste for the fixed price of \$70.50 per ton plus annual increases in the Consumer Price Index and on such other terms and conditions as the Board of Directors deem appropriate with ecomaine, a nonprofit corporation owned solely by 20 municipalities organized under the laws of the State of Maine and having a place of business in Portland, Maine?

7. Questions and Answers: Many discussions took place all across both panels of representatives. A large portion of the discussion was on the viability of removing organics from our waste stream. A

discussion on having a collective vote and the possibility that one town wouldn't agree with the others. Contract severability was discussed as well. Chip Reeves of the MRC Board spoke on behalf of the Fiberite group and discussed that the contract presented by this group was extensive. With the historical history of the MRC group they felt obligated to providing the membership a complete and informative contract with all possible issues outlined for consideration.

MEETING RECESS: *Chairman Art Durity asked the group to take a short break and to discuss their options in the hopes of being able to produce a consensus on this issue at this meeting.*

8. Concurrence with the MCSWC Board of Directors' Recommendation: Following the recess, Lissa Bitterman was able to speak to a few of the contract concerns raised during the question and answer session. The general consensus from the executive she spoke with was that they would be willing to discuss organics and contract terms that may be presented by MCSWC and provide a response. Lissa reminded the group that ecomaine is truly committed to the Waste Hierarchy and amendments to enhance that commitment would be considered. She was unable to speak to the more legal minded questions, but would follow them up.

Art Durity took the pulse of the Select Boards present. Camden was 4-0 for ecomaine, Lincolnville was for ecomaine 3-0, Hope felt a consensus of their members was not available, and Rockport was tenuous at the moment and does not have consensus they were split. Discussion followed about the split between the towns and possible outcomes. David Kinney recommended examining the Interlocal Agreement and to use the Town Managers and Administrators and available past meeting information to get the additional support they might need to make the decision.

Chairman, Art Durity entertained for a motion to adjourn. **Tom Ford moved to adjourn the meeting. John French seconded. Motion was unanimous. Passed 6-0-0.**

The meeting was adjourned at 8:31 p.m.

Respectfully Submitted
Beth Kwiatkowski, Recording Secretary

SCHEDULED MEETINGS:

The Board scheduled the following meetings:

June 22, 2016	Rockport Town Office	7:00 pm
MCSWC Board Directors Meeting		

Committee Meetings: TBA