



**MIDCOAST SOLID WASTE CORPORATION  
BOARD OF DIRECTORS ANNUAL MEETING**

**July 27, 2022**

**MEMBERS PRESENT:** Bob Falciani (Chair) – Camden, Alison McKellar (Treasurer) – Camden, Michael Brown – Hope, Brian Powers, Jr – Hope, Josh Gerritsen– Lincolnville, Keryn Laite (Vice-Chair) – Lincolnville, Eric Boucher – Rockport, Debra Hall – Rockport

**MEMBERS ABSENT:** Brian Powers, Jr – Hope

**REPRESENTATIVES PRESENT:** David St. Laurent, MCSWC Interim Manager

Robert Falciani, Chair, called the meeting to order at 6:34 pm.

**1. ELECTION AND APPROVAL OF OFFICERS OF THE CORPORATION – Chair, Vice Chair, Secretary and Treasurer. Note: Newly elected Officers assume duties.**

Falciani, Chair opened the nominations for officers for fiscal year 2022-2023.

*Falciani called for nominations for the position of Board Chair. Keryn Laite moved to nominate Robert Falciani. McKellar seconded the nomination. No Discussion on the nomination. With no further nominations, a vote was taken. Motion passed (100% in favor and 0 opposed).*

*Falciani called for nominations for the position of Vice Chair. Robert Falciani moved to nominate Keryn Laite. Gerritsen seconded the nomination. No Discussion on the nomination. With no further nominations, a vote was taken. Motion passed (100% in favor and 0 opposed).*

*Falciani called for nominations for the position of Treasurer. Keryn Laite moved to nominate Alison McKellar. Hall seconded the nomination. No Discussion on the nomination. With no further nominations, a vote was taken. Motion passed (100% in favor and 0 opposed).*

*Falciani called for nominations for the position of Secretary. Bob Falciani moved to nominate Debra Hall. Boucher seconded the nomination. No Discussion on the nomination. With no further nominations, a vote was taken. Motion passed (100% in favor and 0 opposed).*

**2. REVIEW AND APPROVAL MARCH 23, 2022 MEETING MINUTES:**

*Chair Falciani entertained a motion to approve the minutes of March 23, 2022. Josh Gerritsen moved to accept the minutes of the March 23, 2022 meeting as presented. Hall seconded.*

*Discussion followed. McKellar asked for a spelling correction. Falciani called the vote. Motion passed (89.84% in favor; 10.17 Hope due to absence).*

**3. APPOINTMENT OF TREASURER AND DESIGNEE AUTHORITY TO SIGN WARRANTS:**

*Chair Falciani entertained a motion for the appointment of Treasurer and designee authority to sign warrants. McKellar is the appointed Treasurer of record. Debra Hall moved to appoint Chair Robert Falciani, as the designee authority to sign warrants. Late seconded. Discussion to clarify that the designated nominee may be needed, to sign documents, along with the Treasurer, and Manager if either one or the other is not available or as needed. With no further nomination and no further discussion, Chair Falciani called the vote. Motion passed (100% in favor and 0 opposed).*

**4. PUBLIC & DIRECTOR COMMENTS:** McKellar provided information on the recent annual Household Hazardous Waste day held on June 18, 2022. McKellar reviewed the costs to members of the community and suggested a review of how MCSW subsidizes the funding of the event take place.

**5. FACILITY MANAGER REPORT:**

Chair Falciani asked if members of the board had any questions on the content of the Manager's report provided by St. Laurent. There were no questions. Falciani asked St. Laurent if there were any items or issues the Board be apprised of or he wanted to highlight regarding MCSWC. St. Laurent is continuing looking at a new hybrid design model for the recycling building. Falciani suggested Brown make a time for a site visit to review the recycling building plan being formulated. St. Laurent has submitted the 2021 DEP Annual Report and noted that the noted the estimated life for the landfill is 6.5 to 14.8 years until closure. Falciani added that a review of future financial investing decisions for the current accounts set up for closure costs take place. St. Laurent expressed that the new group of employees are building on teamwork and getting back to basics that include cleaning up the facility.

**6. REDEEMABLE BOTTLE CONTRACT AWARD:**

Chair Falciani entertained a motion to accept the application to collaborate with the Camden Lions Club to continue the redeemable bottle program. *Keryn Laite moved to approve the Lions Club Redeemable Bottle Contract for a term of one year. Boucher seconded. Discussion followed.* McKellar noted a copy of the application was not in the packet due to concerns on personal information being disclosed. Laite questioned the current percentage of breakdown paid between the two parties from redemption funds received and had questions on the time commitment from MCSWC employees to assist the program. A brief discussion to review the current Bottle Redemption Policy was held. St. Laurent informed the membership that changes to the program may be made when the hybrid recycling changes are developed. *Falciani called the motion. Motion passed (100% in favor and 0 opposed).*

**7. FINANCE COMMITTEE REPORT:**

Chair Falciani asked the membership if there were any questions on the Finance Committee Report provided to the membership. There were no initial questions. McKellar was asked to highlight any

issues the board should focus on. McKellar provided a written copy of the committee minutes that incorporated several recommended actions port forth by the Committee to the Board. McKellar stated that the facility is costing the Towns a good deal of money budgeted annually and will continue to do so; therefore, either fees need to be raised, or more tax allocation will be needed. and will continue to McKellar suggested that the Finance Committee is looking for input on the best strategy going forward, suggesting that they continue to work on designating fee changes that support operational costs that will be brought back to the board for consideration.

- a. Un-Audited FY2021-22 Year End Update These accounts along with healthy unassigned fund balance have been used in recent years to assist keeping the assessments flat. The Finance Committee met and reviewed the FY22 financials, which are still being adjusted by bookkeeping and have not been audited. Reserve account figures are not final and input for allocation will come from the Auditor. McKellar pointed out spending from the equipment reserves, and facility improvement reserve accounts will be reviewed. An evaluation on how the facility is subsidized vs. income from fees collected needs to be reviewed for future budgets. The engagement letter for auditing services from William H. Brewer & Co. should arrive soon.
- b. Credit Card Processing Fee  
McKellar provided an update on the implementation of credit card processing at the facility. This change was budgeted in FY22. St. Laurent has asked the Finance Committee to recommend. MCSWC will have a full point of sale system, including upgrades. MCSWC convenience fee will be higher than those charged by local towns due to the volume of sales and the point of a processing fee for the program sale system required to process transactions. The maximum convenience fee allowed charged under state law is 4% on each transaction. The company we are working with, Ardiah, quoted our costs at 3.88%, which is a figure that can possibly be negotiated in the future. A discussion on the transition to credit card processing was held.  
***Josh Gerritsen moved that the Board set a 4% credit card processing fee to be charged as a convenience fee for customers wishing to pay with a credit card and that all fee schedules contain a note alerting people of the charge. Laite seconded. Motion passed (100% in favor and 0 opposed).***
- c. FY23 Budget Outlook  
McKellar outlined that FY23 budget is already seeing changes in salary and labor costs, wastewater (leachate) processing charges and several reviews for costs based on the current financial climate. The costs associated with hauling and disposing of our MSW are under review ahead of contract negotiation due to changes in surcharges for travel and State fees. Wages for new employees and contract changes are more than budgeted. Leachate costs and landfill costs are exceeding the revenue brought in overall.
- d. Additional Fee Changes for FY23  
McKellar presented that an overall review of fees is needed to support facility costs. The idea of budgeting flat assessments to the Towns is not sustainable without fee increases. The Finance Committee recommends that the Board direct management to adjust fees for items other than recycling and MSW fees as necessary to keep up with the direct and indirect costs to MCSWC.

McKellar suggested that the miscellaneous fees be changed, advertised and brought back to the board at the next meeting for review to be sure there is no problematic feedback from the public. St. Laurent clarified that anything that is not a recycling, landfill fee or a tipping fee, the goal is to have the fees recuperated by the organization should cover the costs of each part of the operation. Discussion on fees followed. Falciani entertained a vote to authorize management to adjust miscellaneous fees and report back if any issues arise at next meeting. Gerritsen asked about the notice for these types of fees. McKellar said that the Interlocal Agreement states all fee changes require a 30-day notice. A brief discussion on fee changes followed. Chair Falciani entertained a motion to allow management to review and publicize changes to fees with the exception of recycling, MSW and landfill fees.

***Falciani entertained a motion. Keryn Laite moved to that the Board allow management to adjust fees for items other than MSW as necessary to keep up with direct and indirect costs to MCSWC. The public shall be provided notice and the Board shall review all fees on an annual basis. McKellar seconded. No discussion. Motion passed (100% in favor and 0 opposed).***

**Note:** McKellar reminded the Board a discussion on MSW/bag fees needs to be taken into consideration in the near future. St. Laurent added that the costs for the MCSWC operation has many factors to take into consideration including increases in State fees, fuel, and collection sites to name a few. Discussion followed on the pending conversation on future MSW costs.

e. Landfill Fees

The Finance Committee reviewed budget figures for the landfill operational expenses and landfill revenue. The Committee generally agreed that not all residents use the landfill equally and that fees should cover the operational costs through revenue receipts; costs include the expense of leachate, which has risen in recent years. The landfill is costing more than it is currently bringing in. It was noted that municipalities are not required to provide service for Construction and Demolition Debris disposal to residents. McKellar stated the landfill has a finite time to bring in revenue. St. Laurent developed and presented a cost table estimating tonnage fees needed to cover operational costs. The projected tonnage for FY23 is estimated be in the 2500-ton range based on historical data. The cost table suggests that tonnage at today's costs would reflect a cost per ton of \$192-\$200/ton. This table reflects that landfill is costing more than it is currently bringing in. The Finance Committee additionally reviewed the current moratorium in place on the facility prohibiting anyone from outside the four towns from using the landfill. After consideration of the cost of closure and ongoing maintenance obligation, the Finance Committee suggests it is more financially sound to increase fees for landfill debris and allow debris from outside the four towns to be brought to the landfill in an effort to recover operational costs through fees.

***Josh Gerritsen a moved that the Board set fee for the Landfill Construction and Demolition Debris material at \$192 per ton or 10 cents per pound and remove the restriction on material from outside the four towns and that the impact of the change be reviewed in 6 months to monitor the impact on revenue and volume. Eric Boucher seconded. Discussion followed.*** McKellar touched on the life of the

landfill and how issues such as the amount of leachate sent to the Camden Treatment Plant and the future work to be done related to PFAS (polyfluoroalkyl substances) are part of the future costs. St. Laurent briefly reviewed the costs chart presented and the costs per ton was discussed further. Falciani asked how long a notice is needed to raise the CD&D rate further. McKellar stated it is a 30-day notice. A lengthy discussion on the pricing per ton was held. ***Gerritsen amended his motion to change the Landfill Construction and Demolition Debris material charge be changed from \$192 per ton to a rate of \$200 per ton. Second by Boucher stood. Falciani called the vote. Motion passed unanimously.***

**8. FINANCIALS:**

Falciani suggested that the Expense and Revenue reports be annotated to explain other money/fund movements and accounts involved in the overall finance of the corporation.

**9. EXECUTIVE SESSION: PURSUANT TO CONTRACTS, 1 M.R.S.A. § 405(6)D, AND PERSONNEL MATTERS  
1 M.R.S.A. § 405(6)(A)**

***Falciani entertained a motion to leave the regular meeting at 7:38 pm and go into Executive Session pursuant to Contract, 1 M.R.S.A. § 405(6)(D) and Personnel Matter and 1 M.R.S.A. § 405(6)(A).***

***Alison McKellar moved to leave regular meeting and go into Executive Session as stated by Falciani. Laite seconded. No Discussion. Motion passed (100% in favor and 0 opposed)***

***The Board exited the Executive Session at 8:30 p.m. and reconvene the board meeting.***

***Debra Hall moved to add a new position of Operational Supervisor as a non-union position at \$26.00 per hour and to reduce the annual stipend for the Facility Manager to \$57,000 per year. Keryn Laite seconded. Motion passed (100% in favor and 0 opposed)***

**10. ADJOURN:**

***Chair Falciani adjourned the meeting at 8:32 p.m.***

Respectfully Submitted,  
Beth Kwiatkowski  
Recording Secretary

*If there are any questions regarding the decisions made at the meeting please refer to the meeting video found at [www.youtube.com/TownofCamdenMaine](http://www.youtube.com/TownofCamdenMaine)*

**SCHEDULED MEETINGS:**

**Board of Directors Meetings:**

September 28, 2022 at 6:30 p.m., John French Jr. Conference Room – Camden Town Office

November 16, 2022 at 6:30 p.m., John French Jr. Conference Room – Camden Town Office