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**MIDCOAST SOLID WASTE CORPORATION**

**BOARD OF DIRECTORS**

**MINUTES OF**

**~~June 22, 2015~~ June 24, 2015**

**MEETING**

**MEMBERS PRESENT:** Chairman Jim Kierstead-Camden, Tracy Lee Murphy, Rockport, Bill Chapman-Rockport, Tom Ford-Hope, Jim Annis-Hope, Art Durity-Lincolnville

**MEMBERS ABSENT:** Sandy Carey-Lincolnville, Rick Knowlton-Camden, Paul Gibbons, Esquire

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

**REPRESENTATIVES ABSENT**: David Kinney-Lincolnville Town Administrator

Chairman Jim Kierstead called meeting to order @ 7:02 p.m.

**1. PUBLIC COMMENT ON NON-AGENDA ITEMS:**

 No Public Comment.

**2. AGENDA ADJUSTMENTS:**

No adjustments.

**3. APPROVE MINUTES OF APRIL 8, 2015 MEETING:**

***Tracy Lee Murphy made motion to approve minutes as read. Art Durity seconded motion. Jim Kierstead, Chairman, called for a vote***. ***Motion passed 4-2-0 (Bill Chapman and Jim Annis abstained).***

**4. GUEST**

Glen Reusswick was not present

**5. MANAGERS UPDATE**

**Grinder Repair** - included major belts, conveyers, and pinch wheels. Items replaced had never been replaced in the machines 12 year life. A neighbor above the entrance to the facility has complained of the noise from the grinder. We haven’t changed anything, but after visiting the home we have agreed to a schedule of grinding and will notify the neighbor if the schedule changes.

 **Teamster 340:** The arbitration and fact finding was held for two days and wereceived an invoice from the lawyer for close to $13,000 today. The record closed on the 29th and we should have their recommendations around the 10th of July. No aspect of this is binding but it is a statutory requirement to get to the next step. If we don’t come to agreement after this then we go to binding arbitration including everything but insurance, pensions and wages. Discussion followed.

**Post Closure Care Costs:** Jim had Sevee & Mahar review post closure care estimates and includes the effect of a functional grout wall. The new estimate for 30 years of post closure care is approximately $3,600,000.00 down from $5,000,000.00.

 **Facility Plan Update:**  Jim will present a concept at the July meeting for the revision of the facility plan. The focus is on getting as much activity under one roof to consolidate and minimize labor and also traffic.

**Lions Club Recyclable Contract:** As per our policy the contract was extended to the club for another year.

**PERC Update:** USA Energy has sent out proposals for contracts post 2018 they should have tipping fee numbers proposed by the end of the month.

**Christmas Holiday Schedule:** Christmas falls on a Friday and Jim presented that the Saturday be looked at as an extended closing for the holiday weekend. Discussion followed. The decision was left undecided.

**Position Policy Proposal for Management of the Northern Section of Jacobs Quarry:** The Executive Committee and Jim presented a policy to the BoD earlier in the month and there was little feedback provided. Much discussion ensued. Art Durity proposed new language to describe the quarry in sections (described as the north section and south section) in order to still consider and describe the quarry as one distinct quarry. Discussion followed. ***Tracy Lee Murphy moved to accept the policy as rewritten it. Art Durity seconded. Discussion followed and Rick Bates offered to retype the policy for final review. Art Durity withdrew his second and Tracey Lee Murphy withdrew her motion.***

A revision of the proposed policy was made as follows during the meeting and retyped and presented by Rick Bates for final review.

Position Policy Proposal for the management of the northern section of the Jacobs Quarry ~~North~~

It is the position of the Mid Coast Solid Waste Board of Directors to pursue a physical barrier to minimize the flow of water from the  ~~north~~ *northern section of the quarry to the southern section of the quarry* ~~to the south quarry~~ using a technique to be proposed by its engineering firm and its contractors. *Any water entering the northern section of the quarry should then fill* ~~The northern quarry should then fill~~ and exit as storm water ultimately into the Camden storm *water* system. If the water quality is unacceptable as storm water, ~~(unlikely),~~ MCSW will seek to implement an appropriate onsite treatment system. This approach, if successful, shall remove the ~~Northern Quarry~~ *northern section of the quarry* for consideration as a waste disposal site for the foreseeable future.

Approved \_\_\_\_\_\_\_\_\_\_\_

Bill Chapman disagreed with the wording following MCSWC will seek to implement in the policy (see above) because he felt the wording will obligate us to place onsite treatment and legal interpretation in the future. Discussion on the wording followed Bill’s comment. ***Art Durity moved to accept the policy as written with two changes one changing should to shall and the second change that we adopt Tracy’s suggestion to change to the phrase “onsite treatment system” to the wording appropriate solution. Rick Bates read the new line to be “If the water quality is unacceptable as storm water, MCSW shall seek to implement an appropriate solution”. Tracy Lee Murphy seconded. Jim Kierstead, Chairman, called for a vote*** ***as presented. No Discussion. Motion passed 5-0-1 (Bill Chapman voted against).***

**6. GROUT WALL II:**

Sevee & Mahar is working with New England Boring Contractors formerly (New Hampshire Test Boring) the grout application (a traditional material) and drilling process is different from the last attempt and is expected to be successful. A pilot study is proposed, at a cost of $40,000, for a plan to focus for five days specifically on the deepest part of the gut. A meeting in the first week of September may be scheduled if the pilot study is successful to present the written contract for the next phase of construction for approval. ***Tracy Lee Murphy moved to accept the proposal for a five (5) day test for no more than $40,000 to be spent by Sevee & Mahar Engineering as presented in the board packet in the letter dated June 19, 2015. Jim Annis seconded. Jim Kierstead, Chairman, called for a vote*** as ***presented. No Discussion. Motion passed 6-0-0.***

**8. PERSONNEL COMMITTEE:**

**Requirements:**  Time was spent reviewing Jim’s position and a positive recommendation was determined of Jim’s performance in the past fiscal year. The Personnel Committee requests that goals for FY 2016 be set prior to the annual meeting at a dinner workshop. There needs to be some definitiveness in this goal setting in order to move forward. A performance evaluation is available, used with past directors and the language and direction of that may be a starting place. Art questioned if the goals would translate into an objectively measurable translation that will determine if goals are being met and it seems that it should fall to the Executive Committee to lend that experience. Jim would like tasks to be developed by the Executive Committee as well. Discussion followed. It was agreed that Wednesday, July 22, 2015 the workshop will begin at 5:30 p.m. and include dinner prior to the Annual Meeting at 7 p.m.

**Manager Employment Contract**: Over the last six months and at both the May 4and June 10, 2015 meetings a formal contract for the facility manager was discussed. This is an appropriate action to consider and it was left that if the Board provides consensus that this direction is approved we will get to work. Jim reminded that what precipitated this was that he left his second position at Tri-County he is only employed at MCSWC. It is possible that a draft could be provided at the July meeting if consensus to move forward is granted. Discussion followed. The Board members present agreed that the Personnel Committee could proceed with the preparing a contract for consideration.

SIDE DISCUSSIONS:

**Public Participation**: Alison McKellar asked if the goals portion of the workshop next month would be open to the public. It was agreed it was open to the public. The town website calendars will be updated. Alison stated that not enough people in the communities are knowledgeable on the workings of the facility. Tom Ford asked where she got notice of the meetings. Jim Guerra sends her an email.

**Meeting Agenda Notices**: Jim stated that we surveyed the towns and they do not publish the other types of committee and board meeting agendas as a rule. When Beth sends the agenda it could then go to the papers and it would then be considered “published” and we do not need to pay them to publish it. Meetings need to be announced. Rick Bates suggested continuing to posting them in the town offices and transfer station as well as the. Jon Duke mentioned Twitter, Facebook and Town and MCSWC website are also means of current types of communication. Bill Chapman said that just sending them to the newspapers meets the requirement of the MCSWC By-Laws. Art asked if the agenda can be put in the Facebook MCSWC does have a page and it can be posted. Tom said Article 6 Section 5 of the By-Laws states agendas should be distributed to the local newspapers.

**5. FINANCIALS & CARRY FORWARDS**

**Expenses:** 110-05 **Retirement** Line is over because older employees who had not ever participated decided to join mid-year and that put us over. It is not against the policy to join at any time and the budget is set ahead and it reflects here. The next budget it is included so it shouldn’t reoccur.

120-07 **Site Communication** line is over due to walkie talkie maintenance repairs and the employees are required to wear them so they are important. Tom asked if cell phones would be better and Jim said he didn’t think so because calls address all on site at the same time.

101-12 **General Legal** is over due to the accident in the fall and the union negotiations. An additional $13,000 will show by year’s end to further increase that overage.

125-10 **Bags** were more expensive this year.

135-08 **Dozer:** Breakdowns from dozer happened and new cleats were put on the machine. Jim will take some funds from the repair and replacement reserve as a housekeeping measure to clean up the line.

Jon Duke asked if the budget would go over. Jim felt that we would come in just under and he will be requesting a carry forward of $43,000.

**Revenues**: Ahead of expenses by 4%.

Account Receivable Summary: Blemaster is paid in full as of today. Bryant Construction is overdue and unresponsive and will be permanently closed and the auditor will be made aware. Glenn Russwick is also past due and has made $600.00 on account.

**CARRY FORWARDS**

1. 134-04 Landfill Development: The FY16 budget approved for a carry forward for landfill development of $43,000 and there is $45,000 left in the line now and Jim is requesting the entire amount for use in FY16.
2. 120-05 Station Maintenance: The second carry forward is for a repair of the leg of the dry fire alarm sprinkler system in the canopy section of the recycling building that loses pressure and causes an alarm to sound and Jim is required to go to the site and respond to the alarm and reset it. The quote for $5,000 to do the repair is in hand. The area is used for work on the grinder and the freightliner is stored there and it was determined that it could be a liability not to repair it. Jim is requesting the remaining amount of $6,000 to pay for the repair.

Art Durity moved to carry over $6000 from the station maintenance account into next year’s budget. Tracy Lee Murphy seconded. No discussion. Motion passed 6-0-0.

Bill Chapman moved to authorize a carry forward of $45,810.50 in the 135-04 landfill development line. Tracy Lee Murphy seconded. No discussion. Motion passed 6-0-0.

Chairman, Jim Kierstead entertained for a motion to adjourn. ***Art Durity moved to adjourn the meeting. Jim Annis seconded. Motion passed 6-0-0.*** The meeting was adjourned

Minutes transcribed from notes taken by Susan Dates and recording media.

**SCHEDULED MEETINGS:**

**The Board scheduled the following meetings:**

**Board of Directors Annual Meeting**

July 22, 2015 @ 7 p.m. at the Rockport Town Office

**Corporate Goal Setting Workshop**

July 22, 2015 @ 5:30 p.m. at the Rockport Town Office

**Committee Meetings**

**TBA**