

Town of Waldoboro Maine

Transfer Station Committee Meeting Minutes

Municipal Building – 1600 Atlantic Hwy.

Thursday, November 5, 2015 – 7:00 to 9:00 PM

1. Sign in and call to order: Bob Butler called the meeting to order at 7:05 PM on Thursday, November 5, 2015.
2. Determine the presence of a quorum (at least 5 of the 7 committee members or their duly appointed alternates must be present):

The following Waldoboro Transfer Station Committee members were present and constituted a quorum:

Robert Butler, Waldoboro resident

Ron Miller, Waldoboro Select Board

John Meyn, Friendship resident

Randy Robbins, Cushing resident

Ted Wooster, Waldoboro resident

Martha Marchut, Cushing Select Board

Also present:

Abden Simmons

John Higgins

John Daigle

Monika Magee

Alan Magee

3. Information Sharing: Committee members, Haulers, and Director of Public Works: There were no questions from the haulers. Randy Robbins reported that he had been to the Transfer Station and that Al is doing a great job. Bob Butler reported that he had been at the Transfer Station on the previous Saturday and that it was running “smooth as silk”. Ron Miller noted that according to John Daigle, new cut off times were instituted on November 1 and are working well; there have been no complaints. John Daigle reported that 272 vehicles were processed on Saturday, October 31. John Higgins reported on an

article on a new recycling plant in Brunswick, which is burying all residual trash in one landfill. According to John, Brunswick residents do not have to separate recycling if they put it curbside. If they take it to the facility, they have to separate recyclables and they are charged. This is because the facility wants commercial vehicles only, according to John. Abden Simmons asked whether it would be possible to have recycling bins at the Town Hall. John Daigle indicated that he has thought about having satellite locations in Friendship and Cushing. Monika Magee questioned whether the Transfer Station would ever initiate a shredding day and come to the town offices. According to John Daigle and Bob Butler, the Town of Waldoboro calls a shredding company as needed. Ted Wooster asked about the ratio of people recycling on their own versus people who use haulers. According to John Daigle, no hard numbers on the comparison are available although the amount recycled by haulers is documented. Ron Miller reported that Woolwich recently repealed pay as you throw in spite of the fact that the town reportedly was saving \$3000 a month.

4. Minutes of the October 8, 2015 Transfer Station Committee meeting: A motion was made by Ron Miller and seconded by Ted Wooster to approve the minutes from the October 8, 2015 meeting. There was a brief discussion about how to download minutes and about some of the wording. The motion was approved with a vote of 6 – 0.

5. Report of the Chairman – Waldoboro Select Board hearing and approval of Transfer Station Committee recommendations concerning changes to Attachments A and B and Select Board announcement concerning sale of compost at Transfer Station: Bob Butler reported that the changes to Attachments A and B of the Transfer Station ordinance recommended by the Transfer Station Committee were approved by the Waldoboro Select Board. The new cut-off times for the Transfer Station were approved and were posted in two newspapers. Bob also reported that the question about having the three towns' Select Boards request that PERC send information directly to MRC has not yet been addressed. He also indicated that it would be important for the Transfer Station Committee members to see the letter from the Town of Orrington. Thus far, the committee members have only seen MRC's response to that letter.

6. Director of Public Works - Data on Scalable Loads through October 31, 2015: John Daigle passed out computer-generated information on materials taken in at the Transfer Station. This included the amount and type of material and provided information broken down by haulers. The average weight of trash per yard equals 266 pounds. Trash compacts 1 yard to ½ yard. The average weight of recyclables equals 93 pounds per yard. Recyclables equal 15 to 20% of trash by weight. John reported that Miller Trash is doing extremely well regarding the percentage of recyclables collected. Miller Trash reportedly has told the customers that they'll be charged if they don't recycle. The Transfer Station continues to charge based on volume at this time. Ron Miller asked how we account for seasonal variations. It was noted that we need this information before we decide how much recycling to require. According to John Daigle, the Transfer Station will charge enough to cover costs once we know the numbers. John Daigle also reported that a couple of haulers have complained about the time involved in using the new system and noted that there is no evidence of excess time being needed. Monika Magee reported that Ben Lash, owner of Nova Trash, said it takes him longer than it did previously but did not specify how much longer. John Daigle requested more information on this and indicated that there is no plan to change the

traffic pattern. Ron Miller reported that Nova Trash takes 29 minutes and other haulers take 19 minutes. Abden Simmons noted that it's important to cater to the haulers. According to John Daigle, we already do; commercial haulers are allowed to come in earlier than the general public.

7. Discussion of MRC draft joinder agreement: Bob Butler asked whether the Waldoboro Select Board want to do their own review of the proposed agreement with MRC. Ron Miller indicated that the Transfer Station Committee should give recommendations to the Board. John Daigle indicated that in the past, Chairs of the three town Select Boards reviewed and approved the agreements with PERC. He also mentioned that there might be a problem with time constraints. John Meyn noted that in his mind, the document is a legal document and therefore we should focus primarily on the summary rather than reviewing the document in detail. It was noted that Section 3.3 requires that each member provide an estimated delivery amount. Most of the Committee members felt that there should be an opportunity to reopen this issue down the road, ideally annually. Bob Butler made the case for pay as you throw. Ron Miller emphasized the importance of an annual review. Bob Butler noted that we must be sure that MSAD 40 will continue to send their tonnage. We also need to think about the division of tonnage among the towns. Also, we need to look at the list of diversion programs. We also need to think about tires. It was noted that Section 6.1 allows MRC to negotiate transport. The Committee needs to think about whether we want to give them that right. Randy Robbins asked how we are going to control where the haulers take their trash. Ron Miller noted that we might need to change the ordinance to require the haulers to bring their trash to us. Regarding unacceptable waste, it was noted that although we already are dealing with this, we couldn't catch it all. It was noted that we receive 700 tons of clean wood and brush annually, which gives us a cushion since Fiberight will accept it. There was a discussion of how funds are distributed. It was noted that although there is a discount if we sign early, the amount is not specified. Also, rebates were mentioned earlier but not in this document. It was noted that the landfill fee is for the first year only; we do not know what it will be in the future and this is information that we need. We also need to know how long the landfill is viable. It was also noted that if the Fiberight startup is delayed because of events, which they control, they assume the cost of the additional use of the landfill. If the startup is delayed due to events, which are beyond Fiberight's control, the members pay for the additional use of the landfill.

Based on the above discussion, the following issues to be formally addressed with the MRC were identified within the Municipal Joinder Agreement:

- A. There is an incorrect reference in the definition of "estimated delivery amount". The definition refers to section 3.03(b). The reference should be to section 3.3(b).
- B. Section 2.2 of the Joinder Agreement is silent concerning the right of joining members to their equitable share of funds held in the delivery assessment reserve and other accounts in the event the MRC terminates.
- C. Regarding section 3.3(b) the Waldoboro Transfer Station Committee requests an accommodation that permits the joining members to review the joining members estimated delivery amount 60 days prior to the commencement of each new contract

year with the MRC. As section 3.3 indicates, there are a lot of variables that go into determining the estimated delivery amount. Section 3.4 of the Joinder Agreement indicates a degree of flexibility, but the Joinder Agreement still requires a 15-year forecast and could impose penalties in the event of waste diversion (Section 3.2). In addition, exhibit C to the Joinder Agreement requires the identification of waste from “separate authorities”, over which the committee’s members hold no authority. In addition, future diversion of the waste they provide could be impossible to prevent, especially if the reason for diversion is to realize cost savings.

D. The Joinder Agreement should accommodate an annual review of the estimated delivery amount with the MRC. This annual review discussion could uncover additional sources of MSW that Fiberight might find useful and that could also increase the estimated delivery amount.

E. Section 3.5 imposes stringent conditions and possible financial burdens on a joining member in the event it delivers unacceptable waste. Is there a minimum percentage of unacceptable waste, which Fiberight could tolerate?

F. The weekly invoicing referenced in section 4.2 will cause the towns increased administrative work. Monthly invoicing would be less demanding.

G. The development agreement actually specified a rebate amount. Section 4.3 is silent on this issue and there’s no information on the method MRC would use to calculate rebates. This also applies to the early action rebate described in Section 4.4.

H. Is it correct that pursuant to section 5.1 (f) the MRC can change arrangements the joining members may have made for the transport of their MSW to the Fiberight plant?

I. In Section 8.7 the reference should be to “Article 8”, not to “Article VIII”.

J. The committee feels that *exhibit B: Disposition of Equity Reserve Funds and Partnership Interest* describes a very fair and reasonable set of procedures for allocating the reserves the MRC currently holds on behalf of the MRC Charter Members.

8. Discussion of MRC/fiber right draft master waste supply agreement:

Committee members questioned why MRC plans to invoice weekly and noted that there was no discussion of additional administrative costs. Monika Magee asked how recycling would be handled. John Daigle noted that if we send recycling to Fiberight we would need to spend \$25,000 for a compactor. It was noted that Fiberight will not take grass clippings but will take leaves and that the Transfer Station would need to address this before an agreement is signed.

Based on the above discussion, the following issues to be formally addressed with MRC were identified in the Master Waste Supply Agreement.

A. Why might Fiberight wish to assign its interest in the Hampton plant?

B. There were no attachments to any of the three documents that list the products the Fiberight facility would produce. Those products and their production methods should be described to define the scope of the activities the MRC will allow on the site pursuant to the site lease. Also there are no mentions of sugars and cellulose, two marketable products that had been discussed in earlier discussions with Fiberight and MRC.

C. Section 3.1 (iv) requires Fiberight's prior consent to any joining Member's new programs, etc. We believe such consent should come from the MRC, not from Fiberight.

D. Regarding Section 5.1, tipping fee, the Committee notes that tipping fees charged subsequent to the first contract year would reflect CPI increases or decreases.

E. Regarding Section 5.2, single stream materials, such materials have a tipping fee equal to 50% of the tipping fee for MSW. The Committee would like a response to its questions regarding tipping fees on presorted recycled materials such as those that the Waldoboro Transfer Station sends to Lincoln County Recycling.

F. Regarding Section 5.3, rebates, the Committee would like to receive exhibit F in order to understand how rebates are to be calculated.

G. The Committee wonders whether it would be fairer if rounding up or down was done to the nearest 1/10 of one ton.

H. The Committee would prefer monthly rather than weekly invoices from Fiberight.

9. Discussion of MRC draft Site Lease Agreement:

The Committee recommends that an independent third-party should establish the startup protocol, define the performance standards and certify that the Fiberight facility meets all permitting requirements and production standards. It was suggested that the University of Maine might be a good resource. The Committee also recommends that there be complete descriptions of all of the marketable products Fiberight intends to produce and a general description of the required processes.

10. Discuss agenda for December meeting: Ron Miller will report on scales. Bob Butler reminded the Transfer Station Committee members that MRC's annual meeting takes place on December 16.

11. A motion to adjourn was made by John Meyn and seconded by Ted Wooster. The motion was approved with a vote of 6 – 0 and the meeting adjourned at 9:02 PM.

Respectfully Submitted

Martha Marchut, Secretary

Robert Butler, Waldoboro resident

Ron Miller, Waldoboro Select Board

Ted Wooster, Waldoboro resident

John Meyn, Friendship resident

Randy Robbins, Cushing resident

Martha Marchut, Cushing Select Board
