

MUNICIPAL REVIEW COMMITTEE, INC.

BOARD OF DIRECTORS

A special meeting of the Board of Directors of Municipal Review Committee, Inc. was held on Wednesday, August 22, 2018 at 8:00 a.m. at the Town of Orono Municipal Building, 59 Main Street, Orono, Maine. In attendance were the following:

Directors:

Sophie Wilson, Town of Orono
Catherine Conlow, City of Bangor
Chip Reeves, Town of Bar Harbor
Karen Fussell, City of Brewer
Tony Smith, Town of Mount Desert
Kevin Howell, Town of Carmel
Ralph Saucier, Town of Millinocket
Irene Belanger, Town of China
Gary Bowman, Town of Oakland

Staff:

Greg Lounder, MRC Executive Director

Consultants:

Daniel G. McKay, Eaton Peabody
Denis St. Peter, CES, Inc.

Dan McKay kept the minutes of the meeting and President Reeves presided.

President Reeves convened the meeting at 8:04 a.m.

CONSIDERATION OF BILLS PAYABLE

Greg Lounder presented a list of bills payable totaling \$49,986.75, together with a supplemental schedule totaling \$21,114.50 representing amounts payable to MRC members for extra transportation costs associated with transportation of bridge waste. He answered several questions concerning specific items on the payables list. It was noted that the payables list associated with extra waste transportation costs does not include costs that may have been

incurred by MRC members but not yet invoiced. Upon motion duly made and seconded, it was unanimously:

VOTED: That bills payable as presented to the Board at this meeting totaling \$71,101.25, consisting of regular payables totaling \$43,239.35 and supplemental payables totaling \$21,114.50 to reimburse MRC members for extra transportation costs associated with the transportation of bridge waste, hereby are approved for payment.

EXECUTIVE SESSION

A motion was made, and duly seconded, to adjourn the meeting to executive session pursuant to 1 M.R.S.A. §405(6)(E) for the purpose of discussing with legal counsel rights and duties regarding the existing MSW Swap Agreement among the MRC, Coastal Resources of Maine LLC, Pine Tree Waste, Inc., NEWSME Landfill Operations, LLC and Waste Management Disposal Services of Maine, Inc., whereupon, it was unanimously:

VOTED: That the meeting is adjourned to executive session.

At 9:45 a.m., the executive session ended and the regular meeting reconvened.

DISCUSSION OF INTERIM WASTE HANDLING ARRANGEMENTS FOR MRC MEMBERS CURRENTLY DELIVERING MSW TO THE JUNIPER RIDGE LANDFILL

Greg Louder reported that the MRC had received a notice from NEWSME as operator of the Juniper Ridge Landfill (copies previously distributed to the Board) advising that JRL is approaching its licensed limit of 81,800 tons per year of non-bypass MSW and that, accordingly, effective October 7, 2018, JRL will no longer accept MSW currently being delivered to JRL pursuant to the Waste Swap Agreement. Staff noted that the date specified in the letter at which the licensed limit is projected to be reached is premised on the total number of tons of non-bypass MSW delivered to JRL in calendar year 2018. This premise is at odds with the MRC's interpretation of the March 31, 2018 DEP Order, which DEP staff has confirmed in

writing, that the 81,800 ton limit applies to the twelve month period beginning April 1, 2018 rather than to calendar year 2018. Accordingly, the factual premise underlying the JRL notice is misplaced.

The Board instructed staff to communicate to NEWSME its objection to the notice of termination of the waste swap and request that the notice be withdrawn. It was noted, however, that notwithstanding the efficacy of the existing notice, there remains the prospect that the license limit of 81,800 tons will be reached at JRL at some point in the coming months. Therefore, Mr. Louder was directed to investigate options for the disposal of bridge waste by those member communities now delivering to JRL in the event that the waste swap arrangement should be terminated. It is the objective of the Board to resolve quickly existing uncertainty within MRC membership as to delivery options for bridge waste and to communicate the details of alternative delivery arrangements promptly to affected MRC members so that the membership will have as much time as possible to plan for and adjust to any changes in delivery location.

PROJECT CONSTRUCTION UPDATE

Greg Louder and Denis St. Peter provided a general update on the progress of construction at the CRM site in Hampden. The Board expressed general frustration with the apparent inability of CRM to communicate a definitive schedule and with a lack of communication to the Board. The need for better coordination with CRM with regard to public communication of construction schedules was emphasized.

Denis St. Peter next reviewed a communication from the Town of Hampden with regard to steps necessary before the access road to the CRM Facility can be accepted as a public

road. He has been in regular communication with the Town on this topic and anticipates that all preconditions to acceptance should be in place sometime in November.

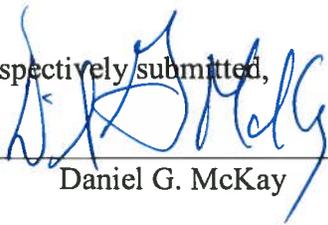
EXECUTIVE SESSION

At 10:10 a.m., a motion was made, and duly seconded, to adjourn the meeting to executive session pursuant to 1 M.R.S.A. §405(6)(A) for the purpose of discussing a personnel matter whereupon, it was unanimously:

VOTED: That the meeting is adjourned to executive session.

At 11:15 a.m., the executive session ended and, there being no further business, the meeting was adjourned.

Respectively submitted,



Daniel G. McKay

Dated: 10/31/18