

MINUTES

MUNICIPAL REVIEW COMMITTEE, INC.

BOARD OF DIRECTORS

A special meeting of the Board of Directors of Municipal Review Committee, Inc. was held on Tuesday, September 26, 2023 at 2:00 p.m. in an online format via Zoom. In attendance were the following:

Directors:

Sophie Wilson, Town of Orono
Karen Fussell, City of Brewer
Steve Lewis, Town of Boothbay
Aaron Huotari, City of Bangor

Tony Smith, Town of Mount Desert
Robert Butler, Town of Waldoboro
Melissa Doane, Town of Bradley
Kevin Howell, Town of Carmel

Staff:

Michael Carroll, MRC Executive Director

Consultants:

George Aronson, CRMC
Jon Pottle, Eaton Peabody

Joelle Ingalls kept the minutes of the meeting and President Fussell presided.

President Fussell convened the meeting at 2:01 p.m.

APPROVAL OF AGENDA

The agenda was approved as presented.

NEW POTENTIAL ASSOCIATE MRC MEMBERSHIP

Michael Carroll presented for the Board a preliminary framework for new associate membership to the MRC. Mr. Carroll reported associate members would not hold ownership, not be entitled to profit sharing or rebates, and they would have no voting rights. Associate members

would have the benefits including, but not limited to reduced tipping fee; MRC representation in legislative and regulatory activities; a disposal contract without commitment to an annual minimum delivery guarantee or risk of shortfall penalties; access to regional and cooperative services that the MRC will be developing over time; annual tracking and reporting of all MSW and recycling data; and community outreach and educational materials. Mr. Carroll noted the tipping fee would be \$94.00 for associate members, and membership would require a long-term contract with Municipal Waste Solutions, LLC (“MWS”) for a term beginning in 2024 and membership due of \$2 per ton payable to MRC. Mr. Carroll further reported that any customer that wants to sign with a lesser term or is not interested in being part of the MRC can do so under the following terms: (1) \$100 per ton for less than 5-year agreements; or (2) \$98 per ton for 5 years and over agreements.

The Board engaged in discussion regarding the terms and requirements, contract language, and the process for voting in associate members between quarterly meetings. Attorney Jon Pottle advised that the Bylaws will need to be revised to allow for a new class of members and the Articles of Incorporation will require amendment with the Secretary of State. Mr. Carroll proposed the documents be revised for approval at the next quarterly meeting on October 11, 2023, and further requested the Board’s approval to launch the idea, including the terms and requirements, at the Maine Municipal Association (“MMA”) conference next week, which the Board supported.

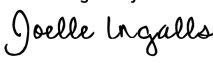
EPR Rule, Monitoring and Board Member's Oversight

President Karen Fussell presented to the Board details on the Extended Producer Responsibility Program for Packaging and a brief overview. The law does not require municipalities to participate in the program; however, a municipality that does participate will

receive reimbursement payments based on the average per-ton cost of managing packaging material by similar municipalities. To participate a municipality must accept for recycling all materials that are designated as readily recyclable and must comply with certain data reporting requirements such as annual reporting of recycling and cost data. The Department of Environmental Protection (“DEP”) has circulated EPR Conceptual Draft Rules – Part 1 for review and comment by stakeholders. President Fussell reports the Waste Flow Committee has been attending the meetings, represented by Tony Smith, and asked the Board to consider whether what has been written applies to MRC and the facility in Hampden and whether MRC can help members benefit from the legislation. Discussion ensued regarding the need for more defined terms, specifically around recycling, a more thorough review of whether MRC’s methods meet the EPR guidelines, and whether all MWS customers would benefit from this legislation. Tony Smith suggested a one-on-one meeting with the DEP prior to submitting comments and then a thorough review of the next draft.

There being no further business, at 3:00 p.m. a motion, duly seconded, was approved to adjourn the meeting.

Respectively submitted,

DocuSigned by:

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Joelle A. Ingalls

Dated: October 11, 2023