



**Town of Camden
Select Board Meeting and Workshop
May 24, 2016**

Minutes

Present: Select Board Chair John French and Select Board Members, Don White, Leonard Lookner, Martin Cates, James Heard, and Town Manager Pat Finnigan. Citizens and members of the press were also present.

1. Call to Order

The meeting was called to order at 6:30 pm.

It was the consensus of the Board to take a few items out of order by starting with “New Business” and then “Citizen Comments on non-agenda items.”

2. New Business

A. Confirmation of Town Manager’s appointment of Dale Dougherty as Inland Harbor Master in accordance with Article III, §2(f) of the Town Charter.

Don White made a motion to accept the Town Manager’s appointment of Dale Dougherty as Inland Harbor Master, in accordance with Article III, §2(f) of the Town Charter. James Heard seconded this motion and it carried 5-0.

B. Public Hearing: Application of 63 High Street, LLC, d/b/a The Norumbega Inn at 63 High Street for a Club Class V Liquor license to serve malt, spirituous, and vinous beverages.

Sue Walser, Owner, spoke on behalf of the Inn. Leonard Lookner asked her to define what “event” meant to her and she said that it applied to reserved special occasions. Lookner asked if that a special event could consist of two people. M. Walser said it could.

Don White made a motion to approve the application of 63 High Street, LLC, d/b/a The Norumbega Inn at 63 High Street for a Club Class V Liquor license to serve malt, spirituous, and vinous beverages and Martin Cates seconded the motion. The motion passed 5-0.

3. Citizen Comments (for items not on the agenda)

Hosmer Pond Road resident, Jim Hughes read a letter he wrote regarding DEP asking residents to help in the cleanup of algae growth in the pond. He asked the Select Board why the Town shouldn’t undertake that project.

4. Communications, Presentations, and Recognitions

The Penobscot Bay Regional Chamber of Commerce requested use of the Public Landing on June 8, 2016, for an Open House/Business after Hours event. The Chamber had recently completed major interior renovations of the visitor’s center and they were inviting the public to see the project outcome.

Don White made a motion to accept the request of the Penobscot Bay Regional Chamber of Commerce to use the Public Landing on June 8, 2016, for an Open House/Business After Hours. Martin Cates seconded the motion. The motion passed 5-0.

5. Old Business - Public Hearing

A. Public Hearing: Continuation of Public Hearing that was opened on May 17 regarding holding a Town Meeting vote to authorize the Board of Directors of the Mid Coast Solid Waste Corporation to enter into a 20 year contract for the disposal of Municipal Solid Waste with ecomaine.

This action was necessary because the solid waste contract with the Penobscot Energy Recovery Corp (PERC) expires in April 2018. PERC has a 30 year contract to process municipal solid waste. The Municipal Review Committee (MRC) which represents the municipalities which bring their waste to PERC, couldn't reach agreement on a new contract with PERC. MRC sought proposals from other companies which could accept the solid waste from the municipalities which belong to MRC. The MRC Board selected Fiberight, LLC as the company where MRC members could bring their solid waste.

All MRC members have to decide where they will bring their solid waste when the contract with PERC expires. The Mid-Coast Solid Waste Corporation, which Camden belongs to, is a member of the MRC. After studying and reviewing its options, the Mid-Coast Solid Waste Board voted to have its solid waste taken to ecomaine.

In order to inform the public about this issue, the Select Board invited a representative from ecomaine and one from Fiberight to provide information.

Ecomaine. Lissa Bittermann, the Business Development Manager of ecomaine, made an informational presentation regarding ecomaine's solid waste, recycling, and community programs to increase recycling rates. Some of the points Ms. Bittermann made included:

- ecomaine is a municipally owned, non-project corporation comprised of 55 municipalities.
- ecomaine is governed by a Board of Municipal Officials.
- The ecomaine plant has been in operation since 1988; the recycling operation since 1990, with single sort added in 2007.
- Because ecomaine is a non-profit organization owned by municipalities, Ms. Bittermann said it is governed by its Mission Statement to "provide comprehensive long-term solid waste solutions in a safe, environmentally responsible, economically sound manner and is a leader in raising public awareness of sustainable waste management strategies."
- Ecomaine is committed to the Solid Waste hierarchy established by both the federal Environmental Protection Agency (EPA) and the State of Maine (DEP). The Solid Waste Hierarchy pertains to the preferred methods of handling solid waste and lists them in an order of preference. Ecomaine's effort are focused first and foremost on solid waste reduction, recycling and composting. For the trash that is not recycled, ecomaine's waste-to-energy plant meets the fourth tier on the hierarchy by producing energy and reducing the amount the fossil fuels needed to be used. The last rung on the hierarchy is landfilling trash. Ecomaine's process does not produce any waste that is landfilled.
- Ecomaine has earned the International Standards Organization (ISO) certification for excellence in environmental management for each of its three facilities (the waste-to-energy plant, the recycling facility, and the ashfill). These are voluntary certifications and speak to ecomaine's environmental stewardship.
- The trash that ecomaine turns into energy amounts to the equivalent of 182,000 barrels of oil that do not need to be burned. The trash is considered a renewable source of energy. Trash as ecomaine produces energy and reduces the use of oil.

- Ecomaine uses 10% of the electricity generated from the processed trash to run the ecomaine plant. The remainder of the electricity is sold on the open market and is enough to provide electricity to 10,000-15,000 homes.
- The ecomaine facility reduces the volume of trash by 90%. That trash generates 13,000 KWh. The remaining 10% becomes ash which is disposed in ecomaine's ashfill.
- Ecomaine uses trash to generate electricity, but they will not require that we bring a *guaranteed* amount of trash to the plant (like PERC does or Fiberight will). Therefore, Camden can concentrate on reducing the amount of solid waste it disposes of and ecomaine will work with Camden to improve its recycling rates.
- ecomaine has extremely rigorous environmental controls which are audited and inspected.
- ecomaine's price per ton of solid waste disposal (tip fee) is \$70.50 per ton. That is the current fee being charged.
- ecomaine's goal is that their member communities "get so good at reducing waste at the source, recycling, and composting that they wouldn't need to bring any solid waste to the plant."
- ecomaine has a full time Environmental Program Manager who works with each town to develop recycling education programs in the schools and for the community. This service is offered at no additional cost to the Town.
- ecomaine has a recycling program for construction and demolition debris to allow those material to be recycled.
- Ecomaine offers rebates to communities for their recyclable materials when the market prices allow.

Fiberight. Craig Stuart-Paul, CEO of Fiberight LLC, made an informational presentation regarding the solid waste processing plant that he plans to build in Hampden, Maine. Mr. Stuart-Paul said he and the private sector partners (Covanta and one yet to be named) plan to build a new plant. He provided background reminding the Select Board that the MRC had requested proposals form a company which could take the municipal solid waste form the 187 towns that currently take their solid waste to PERC. There were about a dozen proposals submitted and MRC select Fiberight. Mr. Stuart Paul made the following statements:

- Fiberight will use a mechanical biological treatment (MBT) system which is a type of waste processing facility that combines a sorting solid waste and treats some of that solid waste in an anaerobic digestion process.
- Fiberight's goal is to increase recycling due to the process they intend to use at the plant. It is supposed to separate recyclable items that get into the waste stream (such as plastics) and sell the recyclables. It was also designed to remove the organic materials from the trash. Those materials can be treated in an anaerobic digester that can turn them into a sludge that can create blocks or can be used to create biogas.
- He showed a PowerPoint of a small test plant in Virginia to give people an idea about the technology the plant uses. He further discussed the science of a mechanical biological treatment (MBT) plant

- Fiberight will have back-up plans. If the plant wasn't completed by the time the contract with PERC expires, or if the plant wasn't running as it should during any period, there are two "back-up plans." The first back-up was that MRC has an agreement with the Crossroads Landfill (which is owned by Waste Management Inc) in Norridgewock. MRC municipalities would have their solid waste taken to the Norridgewock a landfill. The second back-up was to have solid waste taken to the Covanta plant in Haverhill, MA
- Any solid waste that the Fiberight plant can't put into the anaerobic digester would be taken to a landfill.
- The private partners had identified markets for the recyclables, and had conducted pro formas to show the plant would be economically viable.
- The Fiberight contract with MRC prohibits Fiberight from accepting out of state waste.
- There is no risk to municipalities because the "risk capital is provided by private and strategic sources." Mr. Stuart Paul said "We're putting out money in. We're not asking you to put ay of your money at risk."
- Regarding recyclables, Mr. Stuart Paul said that Camden and the other Mid-Coast Solid Waste communities could continue to sort our recyclables as we currently do or we can send all recyclables to Fiberight as a "zero sort."
- He said that the organic material could be turned into a biogas that could run a truck fleet to haul solid waste.
- He said that if Camden decided to vote for Fiberight, before June 30, 2016, the tip fee would be \$76. If the Town votes to go with Fiberight after June 30, 2016, the fee would be \$87.50
- He said that each town had to commit to bring a guaranteed minimum amount of solid waste to the plant, but that would not necessarily mean they would be fined for not meeting bringing the minimum amount they committed to.

After hearing from both ecomaine and Fiberight, Select Board Chair John French invited MRC Board Member/Orono Town Manager Sophie Smith to speak. She said that she had been one of the MRC members who had tried to renegotiate a contract with PERC. She said that MRC hadn't set out to look for a totally new plant, but when they couldn't work with PERC, the MRC worked to keep the MRC together so "we could have a critical mass of solid waste and chart our own destiny, as opposed to being a vendor with a company where we are a small portion of their waste" supply.

Chair John French invited members of the public to speak.

State Rep. Joan Welsh asked if the contract with ecomaine allowed the Mid-Coast Towns to have a 20 year contract with ecomaine, but also allowed the Towns to end the contract on an earlier date such as after 5,10 and 15 years? ecomaine's Lissa Bittermann responded that the proposed contract did allow the Towns to "opt out" every 5 years if the Mid-Coast Solid Waste Towns chose. She said that the 20 year contract, even with the opt outs, would make Camden and the other Mid-Coast Towns "Associate Members" of ecomaine.

Alison McKellar asked if ecomaine is at capacity and if so, why would ecomaine want the Mid-Coast's solid waste. Lissa Bittermann responded that ecomaine, like all waste-to-energy plants, has to plan ahead to ensure it has sufficient waste to so the plant produces electricity efficiently. The ecomaine plant has capacity for approximately 40,000 tons of additional solid waste annually. This

waste comes from the “spot market” – waste haulers that shop around for available space and the best/cheapest rates. Ms. Bittermann said that ecomaine would prefer to have a reliable supply of municipal solid waste, rather than rely on the spot market. She noted that ecomaine had not gone out seeking to have the Mid-Coast Solid Waste Corporation bring its solid waste to ecomaine, but when the Mid-Coast Solid Waste Board issued a request for proposals from solid waste facilities which could accept the municipal solid waste from this region. Based on that process, the Mid-Coast Solid Waste Board voted to partner with ecomaine.

Beedy Parker asked whether each company did “single stream” recycling. Lissa Bittermann said ecomaine does “*single sort*” recycling: all recyclables can be placed in one bin and then taken to the facility where they are sorted, separated into bundles with the same materials (i.e., all paper, all cardboard, metals, etc) and then sold. She said Mid-Coast Solid Waste can continue to separate the recyclables and sell them as it currently does or they can send the recyclables to ecomaine. Craig Stuart Paul said Fiberight plans to take “*single stream*” waste (waste that also includes recyclable items). He said the machinery they plan to install in the plant is supposed to separate out the recyclables from the trash. The recyclables could then be sold.

Beedy Parker asked if the Towns could continue to have their own recycling programs and only send their trash to ecomaine. Select Board Chair John French said they could.

Alison McKellar asked Lissa Bittermann what would happen to the waste that would be turned away from ecomaine if ecomaine took the Mid-Coast Solid Waste trash. She asked if those haulers had other good options. Lissa Bittermann explained that the solid waste that would be would be the “spot waste.” She said every day waste hauling companies look to deliver their waste to the place that is available and costs the least amount. None of that waste is guaranteed to go to ecomaine and Ms. Bittermann explained that ecomaine does not control where companies decide to bring their solid waste.

Alison McKellar said that removing organics from solid waste and being able to recycle the organics is very important. She asked Fiberight if Camden and other towns had an organics recycling program, could Fiberight take those organics and get us a lower tip fee. Craig Stuart Paul said the “short answer is the plant could accept the organics,” but the longer answer is that Fiberight is still “discerning what the community needs”.

Beedy Parker asked if we would still be using the yellow bags so people would have an incentive to recycle. Chairman French answered yes.

State Rep Joan Welsh said that she serves on the Legislature’s Environment and Natural Resources committee, which is the committee that has jurisdiction over solid waste issues. She said that they have been discussing solid waste issues for eight years, and she has been chair for the past four years. She said it is a complex issue and there are no perfect answers. She said she thought it was a shame that MRC and PERC hadn’t been able to work together to find a solution. She said Fiberight sounds wonderful, but it hasn’t been built. She said ecomaine is municipally run, and it has shown that it meets high environmental standards.

State Rep Joan Welsh stated that she thought it made sense to enter into a contract with ecomaine. She said the towns could do that now, see what happens with Fiberight, and then after the plant is operating well, if the towns thought Fiberight was the best way to handle their solid waste in the future, they could do that since the ecomaine contract allows for a 5-year opt out.

Marc Ratner asked Fiberight about the market for recyclables and whether there were any guarantees that the plant will be built? Craig Stuart Paul responded that if the private sector

partners “don’t see that it is sustainable, it won’t get built. The fact that the plant gets built should be proof enough that it’s viable.” Regarding the recyclables, he said “the short answer is that if the recyclables are at zero, we can sustain the business.”

Select Board Member Leonard Lookner ask Fiberight if it was required to have performance bonds. Craig Stuart-Paul answered yes. Leonard Lookner asked why Fiberight picked this area with limited waste in rural Maine to build a plant. Craig Stuart-Paul responded, “The reason we’re in Maine is because Maine has the highest tip fees in the nation, outside of California and New York City.” He said in order to finance the plant, pay for the bonds and get other financing in place, they need contracted tip fees at a certain price and a certain amount of solid waste. That way Fiberight would know that even without the recyclables, the plant would be profitable. Mr. Stuart Paul said they selected the Bangor-Brewer area because that is the “epicenter of solid waste” in that area of Maine.

Select Board Member Leonard Lookner asked what happens to the water in the processing of the solid waste. Craig Stuart-Paul said it would be discharged to the Bangor Wastewater facility.

Select Board Member Don White asked Fiberight what its timetable was to build the plant. Craig Stuart Paul said the plan was to start construction in March 2017 and be ready to accept waste by December 2017. He said that did not include the “back part” of the plant. He noted there could be delays due to appeals from various entities, and there was potential litigation from PERC that could hold up construction.

Mr. Stuart Paul said the mandate from MRC was that Fiberight had to be ready to accept solid waste by the end of 2017. He said they may have to add on the “back parts” after that.

Don White asked ecomaine to explain the “opt-out” options in the ecomaine proposal and if there would be penalty if the Mid-Coast Solid Waste communities decided to end the contract early. Lissa Bittermann said there were no penalties if Camden or the other Mid-Coast Towns decided to opt out of the contract early, such as after 5 years.

Select Board Chair John French asked why Fiberight had lowered the amount of tonnage it had originally said they needed to operate. Craig Stuart-Paul said they had aimed high to have sufficient waste, but the plant could be designed to operate on less tonnage.

Alison McKellar said that she supports Fiberight because we are not improving our recycling rate and we need to do something different to improve it. She said there is no financial risk to the towns. She said that “there might be a little bit of landfilling while Fiberight fixes things and gets up to speed.” She said from her perspective, the “actual financial risk doesn’t exist.”

There were no additional comments or questions from the public or the Select Board. Town Manager Pat Finnigan gave an overview of the process the Mid Coast Solid Waste Board of Directors used before deciding to recommend that the four towns partner with ecomaine. She said that the MSCW Board agrees that we can and should do a much better job managing our solid waste and increasing our recycling rates. In order to ensure Camden and the other communities have an environmentally sound option for disposing of our solid waste and increase our recycling rates, the Mid Coast Solid Waste Board did a thorough review of existing and potential future facilities. With the help of an experienced engineering firm which specializes in solid waste management (Sevee and Maher Engineers), the Board reviewed the options, issued a request for proposals, and

conducted public interviews with each of the companies including Fiberight, PERC, and ecomaine. She said the 8 member MCSW Board voted 6 to 2 to partner with ecomaine. She said the MCSW Board did not vote against Fiberight's proposed plant and its technology; the Board voted for ecomaine because ecomaine has a proven track record of being a well-run, municipally-owned, solid waste and recycling facility that has long-term experience of successfully operating in a fiscally responsible and environmentally sound manner.

Meg Barclay asked what would happen if all four of the Mid Coast Solid Waste towns didn't agree where to take the solid waste. Chair French explained that the four Towns would have to reach agreement, or that would potentially break up the Mid Coast Solid Waste Corporation, and that would have long-term financial problems.

John French thanked the presenters and all who came to be part of the Public Hearing. He and Don White reminded people that this issue would be voted on at Town Meeting on Wednesday, June 15, 2016, at 7:00pm the Camden Opera House.

B. Formation of a Snow Bowl Advisory Committee.

The Select Board continued its discussion of the purpose and composition of a Snow Bowl Advisory Committee. This topic was discussed at the May 17 meeting and was tabled to the May 24 meeting.

After much discussion by the Select Board and members of the public, the Board decided to continue its discussion at the Select Board meeting on June 7, 2016.

6. Approval of 2016 Annual Town Meeting Warrant

Don White made a motion to approve the 2016 Annual Town Meeting Warrant, which was amended to include capital projects up to \$500,000. Martin Cates seconded the motion. The motion passed 5-0.

7. Town Manager Report

Town Manager Pat Finnigan reported that she, the Select Board and residents want to ensure that Hosmer Pond is protected and retains its high water quality. She said the Town has retained an experienced water quality biologist who would be helping the Town implement additional measures to improve the health of the pond, and would be working with the DEP, the Hosmer Pond Association to assist with efforts to prevent algae growth or remove it if necessary.

Adjourn

At 9:15 pm, Don White made a motion to adjourn. Martin Cates seconded the motion which passed 5-0.

Respectfully submitted,

Nora E. McGrath, Recording Secretary