

ACADIA DISPOSAL DISTRICT
Minutes of the Meeting of the Board of Directors
May 20, 2004 at Mount Desert Town Office Meeting Room
21 Sea Street, Northeast Harbor

PRESENT: Elliott Spiker (Tremont), Tony Smith (Mount Desert), Beverly Sanborn (Cranberry Isles) and Leon Yeaton (Pleasant Bay Management).

VISITORS: Damaris Smith and Lee Worcester (EMR), Lyle Dever (Southwest Harbor), Beth Gott (Tremont solid waste committee) and Barry Pollard.

CALL TO ORDER: 1:45

APPROVAL OF MINUTES: It was moved, seconded and voted to approve the minutes of the April 15th meeting.

REGULAR BUSINESS:

3.a - GAT: Mr. Yeaton stated that August 2, 2004 is the trading deadline. He further stated that the EMR group of towns exceeded their required tonnage by approximately 1,200 tons last year. This tonnage can be traded if another town or group of towns set up like we are needs volume to meet their GAT. Mr. Yeaton and Mr. Worcester noted that the tonnage figure for the EMR group of towns includes Cranberry Isles and the National Park Service.

The question arose as to who now has the responsibility for trading within the GAT process, the ADD or the individual towns. It was decided that each director of ADD is to ask their respective Boards of Selectmen (BOS) for the authority to trade on their behalf e.g. assume more solid waste related duties on their behalf. It is hoped that each director could obtain this authority from their BOS by the June 3, 2004 ADD meeting. Each director is to report on the status of the request at the June 3rd meeting.

3.b. – Billings: It was decided that the member towns will be billed for their share of the 2004 ADD operating costs once Southwest Harbor becomes an official member. This will reduce paperwork and we are not in need of any great sums of money at this time. Southwest Harbor will be billed for their share of the ADD start-up costs at the same time. Mr. Dever hoped to have the necessary information at our next meeting showing that Southwest Harbor voted to join the ADD and that he was appointed to be their representative on the Board.

3.c. – Insurance: Director Smith is to have information at the June 3rd meeting.

3.d. – Confidentiality Agreement with EMR: Director Smith is to have information at the June 3rd meeting.

3.e. – Door-to-door pickup: Mr. Yeaton felt that we had enough information available from two years ago when solicited bids for similar services. Director Smith felt otherwise and stated that the information needed to be broken down as much as possible e.g. paved or gravel roads, seasonal or year-around, etc. He stated that the inadequacies of the information provided the

first time the service were bid out probably lead to higher prices than if better information had been provided to prospective bidders.

3.f. – Cardboard Ordinance: It was proposed that we solicit a second opinion from the law firm of Eaton Peabody regarding the authority and legal standing of the ADD i.e. does the ADD have the authority to issue ordinances or must they be issued through the member towns. This was prompted by inclusive information we have received from our current attorney, Gilbert and Greif.

MOTION: A motion was made, seconded and passed 3-0 to solicit a second opinion from the law firm of Eaton Peabody regarding the authority and legal standing of the ADD.

Mr. Worcester suggested that representatives of the ADD and EMR meet to develop an enforcement procedure as opposed to having an ordinance enacted banning cardboard from the waste stream. This process would be faster than waiting for respective member town annual meetings to have such an ordinance put into effect. He stated that he thought there was no need for “muscle flexing” if it isn’t needed. Member town Boards of Selectmen could issue a statement or policy banning cardboard from the waste stream similar to what the Town of Bar Harbor did. It is working there.

Mr. Dever suggested that member towns delegate the authority in their contracts with EMR to the ADD for the purposes of negotiating a means to address cardboard.

General comments: 1.) It was suggested that the ADD should get in the position of advising and informing the elected officials of members towns, not asking their permission to perform certain functions and tasks. 2.) Mr. Worcester suggested initially we contact the MMA legal department about ADD authority rather than going straight to a for-pay attorney.

ASSIGNMENTS PER DIRECTOR: 1.) Director Smith is to address the: ADD legal question and letters to respective Boards of Selectmen relative to granting authority to ADD to negotiate cardboard and GAT issues on their behalf. 2.) Director Spiker is to issue bills to the member towns. 3.) All directors are to collect thorough information related to the solicitation of door-to-door pickup bids.

NEXT MEETINGS: The next meeting will be June 3 and 17, 2004 at 1:30 pm at the Somesville Fire House. Greg Louder of the Municipal review Committee, Inc. will attend the June 17th meeting to discuss solid waste issues.

ADJOURNMENT: It was moved, seconded and voted to adjourn the meeting at 2:30.

Respectfully submitted,
Tony Smith, Chairman