



CAPE COD COMMISSION

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Meeting Notes

Cape Cod Solid Waste Advisory Committee Meeting

Wednesday, May 20, 2009

10:00 am

Conference Room, CCC, Barnstable

In Attendance:

CCC Staff

Patty Daley Elizabeth Hude

Town Representatives:

Catherine Laurent	Mashpee
Glen Santos	Barnstable
Lincoln Hooper	Harwich
Paul Morris	Truro
Paul Sieloff	Wellfleet
Paul Tilton	Sandwich
Phil Goddard	Bourne
Raymond Jack	Falmouth
Ruth Brazier	Falmouth SWAC
Virginia Gregg	Falmouth SWAC
Sims McGrath	Orleans
Pete Watson	Harwich
Mike Smith	Dennis
Steve Boucher	Acushnet
Sharon Lynn	Provincetown

Other Parties:

Claire Sullivan	South Shore Recycling Cooperative
Bruce Haskell	CDM
Tom Cipolla	SEMASS
Tom R?	SEMASS

Meeting Notes:

Patty Daley gave a brief overview of the following documents:

1. SEMASS MOU – REVISION W/ NON-BINDING LANGUAGE
2. CAPE TOWNS MOU
3. SCOPE OF SERVICES – ALTERNATIVES ANALYSIS

Discussion on the SEMASS MOU

At a previous meeting there was discussion that SEMASS would extend the MOU deadline to September 30, however, they have decided to stick to the June 30 date. Tom Cipolla from SEMASS stated that they would agree to other changes for which a new MOU would be issued to include:

1. Consumer Price Index (#2f in MOU)

Floor = 2%, Ceiling = 4% will change to Floor = 0%, Ceiling = 4%; carry-over provision will stay the same

i.e., Increases will never be more than 4%, however, they may set rate at 4% to re-coup overages such as 5% in prior years.

2. Favored Nations Clause

Will waive requirement for 50% Annual Tonnage Deliveries (#4 in MOU)

Discussion on SCOPE-Alternatives Analysis

Some expressed concern regarding the 5-year minimum contract term. This was a recommendation of the sub-committee which takes into consideration the future speed of technological advances in the field. Item #2 of the SCOPE represents the basics of what is expected. Ideally the consultant will recommend further areas to examine as they are expected to be experienced professionals in the field. The group felt 5 years was reasonable under this circumstance.

Discussion took place over the basis for the study. SEMASS representatives felt that collecting non-binding offers were irrelevant. Ms. Daley reiterated the purpose of the study to examine alternatives under multiple scenarios. Glenn Santos commented that the analysis was important in order to have an informed discussion with his Town's administration. The suggestion was made that the analysis would be indicated to explain where **estimated** offers were collected for comparison and where **firm** offers were in place.

Falmouth and Barnstable stated that they would be interested in contributing funding if a preferred proposal comes back that exceeds \$40,000.

Phil Goddard from Bourne asked if the group was interested in the formation of a district around the Bourne site with the intent of a comprehensive materials management approach that would integrate wastewater management – collect and process waste, bio-solids, etc... as opposed to incineration and landfills.

Another commented that wastewater initiatives were years off and that the issues are more complex than what the current conversation is dealing with.

Sims McGrath stated that the discussion should be limited to MSW disposal.

Ms. Daley suggested that the district formation with Bourne was a scenario that could be examined through the analysis; she asked Mr. Goddard if he could submit this as a proposal offer. He stated that he could.

Catherine Laurent asked why the Inter-municipal MOU language was limited to Covanta. Ms. Daley stated that the catalyst for the study was the deadline to respond to the SEMASS MOU. The inter-municipal agreement is intended to be a tool for communicating with Town Administrators and Boards of Selectmen and to formally engage in an Alternatives Analysis. Ms. Daley and several committee members requested clarification from the SEMASS reps on then following (SEMASS response in **bold**):

- 1- Non-binding nature of the MOU: Timing will end up that decisions will be made by towns at next spring town meeting; locked in? **NO**
- 2- Per ton fees; cumulative? **YES**
- 3- Current average contract with other towns? **Non-tier 1: \$90+ range**
- 4- SEMASS will not extend deadline from June 30 to Sept 30 when the study will be done. What happens if the MOU is not signed by 6/30? **Will “take it under advisement,” will reissue MOU next week with language changes; current deal would be off the table, they will still talk; not strong-arming anyone, many off-Cape towns (Fairhaven, Stoughton, Acushnet, Matapoisett, some after May TM) have already signed; Fall River landfill closing June 1 – limited options for MSW.**
- 5- If towns sign up late, will they pay retroactively? **Can adjust MOU for towns if there is a problem. Haven’t really continued that discussion, would want a verbal commitment ahead of time.**

Lincoln Hooper asked for clarification on towns signing MOUs, their rates, if it included ‘change in law’ (CIL) provision, and how they are different from Cape contracts?:

Fairhaven: \$37.51/\$17

Acushnet: \$25-28

All have CIL provision; difference - base rates vary

Question was asked about why the Vineyard was not on the list? **Different county – also Tier 2.**

Ms. Daley will put the scope out to bid. Interview committee will meet to discuss proposals.

Next group meeting will be scheduled after June 30.

Announcements:

Patty Daley has been appointed as the Barnstable County rep on the State SWAC (replacing Andrea Adams).

Phil Goddard announced upcoming asbestos training in Bourne. Contact him for details.