

# ecomaine

Memorandum

**DATE:** December 16, 2021

**TO:** Chairman and Members of the Board

**FROM:** Kevin H. Roche, CEO/General Manager

**SUBJECT:** Executive Committee Meeting Minutes – December 16, 2021

There was an **Executive Committee Meeting** held on the date noted above via the Zoom Platform in accordance with the **ecomaine** Remote & Hybrid Meeting Policy. The meeting was called to order by Mike Shaw, Chairman.

### **Item 1 – Approval of the Minutes:**

Bill Shane motioned to approve the minutes from November 18, 2021. The motion was second by Matthew Frank. All in favor.

**Roll Call:** Anne Bilodeau, Linda Boudreau, John Cloutier, Matthew Frank, Caleb Hemphill, Jarrod Maxfield, Mike Murray, Rod Regier, Bill Shane, Mike Shaw & Erik Street - All in favor

### **Item 2 – Finance & Audit Committee Report – Bill Shane, Chair:**

Bill Shane reported that the committee last met on the 18<sup>th</sup> of November and reported out to the Executive Committee that day. He reminded the committee to communicate to town and city staff of the approved increase in MSW tipping fees effective July 1, 2022 (\$79.50) with no changes in the fee for recycling. He also touched on the discussion at the last Executive Committee meeting on Terrorism Insurance Coverage. The discussion on coverage was tabled to a future Executive Committee meeting. Staff is planning to do a broader discussion about all insurance coverage at the next Executive Committee Meeting.

The next meeting of the Finance & Audit Committee will be January 20, 2022 @ 3pm. All are welcome to attend.

### **Item 3 – Outreach & Recycling Committee Report – Caleb Hemphill, Chair:**

Caleb Hemphill reported out that the committee met on November 4, 2021, reported out to the Executive Committee on November 18, 2021. Additional highlights for the month of November are as follows:

- To date, **ecomaine** has reached 36,541 people through education outreach.
- News stories and earned media continue to be strong, with 71 total mentions in FY 22.
- The Recyclopedia widget was viewed 400,000 times in November.
- Staff produced a “Sustainable Christmas tree disposal” tool on **ecomaine.org** website.
- Staff launched a dedicated webpage with translated materials for residents whose language is not English, staff has also printed 1,000 Do/Don’t cards in each of the top ten languages spoken in Portland/South Portland Schools.

- “Recycling is a Work of Art” winners have finished their containers and Matt Grondin (staff) provided a presentation of the designed containers to the committee.
- eco-Excellence nomination will be open until January 30, 2022 and asked the committee to please consider nominating an individual, business or municipality staff from your community.

The next meeting of the Outreach & Recycling Committee is February 10, 2022 @ 3pm. All are welcome.

#### **Item 4 – Approval of US Cellular Lease:**

- Greg L’Heureux (staff) briefed the committee on the current lease with U.S. Cellular (Parent Company) and the services **ecomaine** provides under this agreement. The lease will expire in March of 2024.
- Greg noted that we have a second lease for the same services with T-Mobile and he provided details on the existing lease with T-Mobile as well. The T-Mobile lease was executed in 2018 with options of two five-year renewals.
- He reviewed the U.S. Cellular proposed lease agreement that has been reviewed by our attorney and is ready for execution.
- Greg reviewed the proposed Resolution for either the Full Board of Directors or the Executive Committee to authorize the General Manager or designated representative to sign the lease with U.S. Cellular (who serves as the parent company) and file a memorandum of lease with the Cumberland County Register of Deeds.

After a brief discussion. Bill Shane motioned to recommend approval of the U.S. Cellular lease agreement as presented by staff. The motion was second by Linda Boudreau.

**Roll Call:** Anne Bilodeau, Linda Boudreau, John Cloutier, Matthew Frank, Caleb Hemphill, Jarrod Maxfield, Mike Murray, Rod Regier, Bill Shane, Mike Shaw & Erik Street - All in favor

#### **Item 5 – Executive Session – Discussion on land lease or sale of 3-acre lot at the landfill.**

Mike Shaw, Chairman requested staff remain present for the Executive Session.

Caleb Hemphill motioned to enter Executive Session. The motion was second by Erik Street. All in favor.

Bill Shane motioned to exit Executive Session. The motion was second by Matthew Frank. All in favor.

#### **Item 6 – Landfill Easement Agreement**

Kevin Roche (Staff) provided an overview of the discussion on the Landfill Easement Agreement with BD Larson Solar discussed at the last Executive Committee meeting.

The committee gave staff direction on moving forward with the agreement. There were two items that staff brought back to the committee for discussion and information, they are as follows:

- Term of the Agreement, there was a discrepancy on the term of the agreement. BD Larson Solar is looking for a 50-year agreement vs. 25 years.
- The committee requested staff contact the three municipalities, Westbrook, Scarborough & South Portland to see if we needed to do anything formerly for the easement. The response from the communities was no formal action/requirement from **ecomaine**. BD Larson Solar will be required to provide each town with a formal E911 on accessing the site.

There was a lengthy discussion, question, and answer period that followed.

Mike Shaw motioned as discussed relative to the Easement Document (Attachment C), that staff change the Term to a 25-year lease, obtain bonding and that the agreement reflect BD Larson Solar responsibility for all legal fees associated with the use of the land during the lease agreement period. Bill Shane moved the motion, and the motion was second by Caleb Hemphill.

**Roll Call:** Anne Bilodeau, Linda Boudreau, John Cloutier, Matthew Frank, Jim Hager, Caleb Hemphill, Jarrod Maxfield, Mike Murray, Rod Regier, Bill Shane, Erik Street & Mike Shaw. All in favor.

#### **Item 7 – Discussion – Insurance Premiums/Deductibles and Terrorism Coverage**

Greg L'Heureux (Staff) provided a follow-up on insurances as discussed at the last Executive Committee meeting. He presented a summary/overview of our current insurance policies, coverage, cost, and deductibles. In review of the current policies, he alerted the committee that staff has elected opting for Non-declared Terrorism Coverage and explained the potential exposure for ecomaine if there was a declared terrorism act.

Staff is planning to evaluate insurance premiums and deductible costs by requesting formal quotes from \$100 - \$250 thousand so that staff can see the ramification for modifying deductibles and way the risks.

Staff is requesting guidance. There was a lengthy discussion that followed.

The committee requested that staff provide the Executive Committee at the February 10, 2022, meeting with the different tiers on insurance coverage and deductibles for further discussion. Mike Shaw requested staff investigate coverage on Computer Crime and Cyber Insurance Protection as part of current policies.

#### **Item 8 – Update – Transfer Station Regionalization**

Kevin Roche (Staff) provided a recap of the Executive Committee discussion on Transfer Station Regionalization. The committee requested staff reach out to Cumberland County, specifically

Jim Gailey to see if there were any synergies with GPCOG or the County with Solid Waste Regionalization.

Staff met with Jim Gailey and currently the County has not considered Solid Waste Regionalization. Jim suggested that we establish a pilot program with 3 or 4 towns interested in the value of regionalization services (curbside or transfer station services). A survey to Town Managers would be a 1<sup>st</sup> step to see if there is any interest. A lengthy discussion followed.

The committee supports staff surveying town and city managers from our owner communities to investigate their interest in regionalization of curbside or transfer station services and staff will report the findings to the Executive Committee.

### **Item 9 – Management Report:**

Kevin Roche (Staff) provided the following updates:

- **Update – Pollution Control (NOx)** – Staff has proceeded with securing services from Steinmüller Engineering for Phases I & II of the Pollution Control planning, inspection and engineering approved by the committee. Phase III will be included in the FY 23 budget. Staff will notify the DEP of our plans and are still looking for other funding for Phase III.
- **Update – Facilities Assessments** – We are in the fact-finding process with the consultants, staff is working on providing information on both facilities needed for the assessment.
- **Update – Recycling Market** – The recycling market is weakening due to issues with transportation.
- **Update – Electric Trucks** – Lion continues with delays on the electric trucks (2023), they have had changes in their business structure. Lion indicated that there are supply chain issues, components, and parts as well as labor issues.
- **Financial Summary (Year-to-Date)** - Staff reviewed the Financial Summary.

**Adjourn:** John Cloutier made a motion to adjourn. The motion was second by Jarrod Maxfield. All in favor.

**Staff Present:** Matt Grondin, Wei Huang, Greg L’Heureux, Denise Mungen, Kevin Roche & Kevin Trytek