

Fort Fairfield Town Council Special Meeting
Council Chambers
Wednesday, January 3, 2018
5:00 P.M.

I. Roll Call

Councilors: Mr. Barnes, Mr. Butler, Mr. Kilcollins, Mrs. Libby, Mr. Smith.
Staff: James Risner, Billie Jo Sharpe

II. Election of Chairperson

Mr. Butler nominated Mr. Smith as Chairperson.

Mr. Kilcollins seconded.

Discussion: None

Vote: All Affirmative.

III. Executive Session

Mr. Butler made a motion for Council to move into Executive Session.

Mr. Barnes seconded.

Discussion: None

Vote: All Affirmative.

A. MRSA 405(6)(C) – Tri-Community Recycling and Sanitary Landfill (TCL) Interlocal Solid Waste Agreement

B. MRSA 405(6)(C) – Farm Park

Mr. Butler made a motion for Council to come out of Executive Session.

Mr. Kilcollins seconded.

Action taken: None

Vote: All Affirmative.

Council came out of Executive session at 6:04 p.m.

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I. Roll Call

Councilors: Mr. Smith, Mr. Barnes, Mr. Butler, Mr. Kilcollins, Mrs. Libby.
Staff: James Risner, Billie Jo Sharpe, Darren Hanson, Tony Levesque, Ed Dube.
Citizens: 22 including media.

II. Pledge to the Flag - All in attendance pledged their allegiance to the American Flag.

III. Prayer – Mr. Levesque offered the prayer. Public Comment Period

IV. Public Comment Period.

Mr. Butler welcomed Mr. Kilcollins as a member of the Council.

V. Appointments

A. Tri-Community Recycling and Sanitary Landfill Board of Directors

In accordance with the TCL Interlocal Solid Waste Agreement, the Town of Fort Fairfield has one director and one alternate director on the TCL Board of Directors. The Town Council annually elects the Board member and appoints the Alternate Board member. Historically, the director has been a Town citizen and the alternate director has been the town manager.

Mr. Stev Rogeski is the Town's current member on the Board. Mr. Rogeski has been a TCL Board member for 14 years. He is extremely knowledgeable about the TCL operations and I believe is an excellent Town member on the Board.

Recommendation: That Town Council elects Mr. Stev Rogeski as a director and appoints Mr. James Risner as an alternate director to the Tri-Community Landfill and Recycling Center Board of Directors.

Mr. Barnes made a motion that Town Council elects Mr. Stev Rogeski as a director and appoints Mr. James Risner as an alternate director to the Tri-Community Landfill and Recycling Center Board of Directors.

Mr. Butler seconded.

Discussion: Mr. Kilcollins asked if the appointment of Mr. Risner as an alternate member is written in stone or can there be somebody else appointed as a secondary member. Mr. Risner commented that the under the current Interlocal Agreement, it states that the Town or City Manger is the alternate. The Interlocal Agreement that will come before

Council tonight changes that so the Council can appoint any Citizen in the Town of Fort Fairfield.

That changes with the new Interlocal Agreement, but under the current Agreement the Town Manager has to be the Alternate.

So next year if the Council adopts the Agreement, they will have more options.

Vote – All Affirmative

B. Finance Committee

Current Members: Mitchell Butler and Scott Smith; John Herold was a member.

Current Alternate Members: Jason Barnes and Melissa Libby.

Discussion:

Mr. Butler would like to stay on the Finance Committee.

Mr. Smith also said he would like to stay on as well.

Mrs. Libby stated she would like to be on the Finance Committee.

Mr. Barnes said he would be an alternate as did Mr. Kilcollins.

Discussion: None.

Vote: All Affirmative.

VI. Scheduling of Regular Council Meetings

Current Schedule: Third Wednesday of the Month at 6:00 p.m.

Mr. Butler made a motion to keep the current schedule of having the Regular Town Council Meetings on the Third Wednesday of the Month at 6:00pm.

Mr. Barnes seconded.

Consensus was to keep the current schedule.

VII. Public Hearing - Tri-Community Recycling & Sanitary Landfill Interlocal Solid Waste Agreement.

Mr. Smith opened the Public Hearing at 6:10 p.m.

Gary Sirois: Resident of Fort Fairfield stated that he has a lot of respect for the members of the Town Council and hopes that they have been given the information needed to make an intelligent decision. I am a numbers guy and I like to look at where we are today and what's going to happen in the future

The issue of competition has been brought up in the past. I don't know where the competition is coming from unless it's coming from down state. Casella has a monopoly on trash for most of the state of Maine. I would not like to see Casella take over Presque Isle or TCL as I think we can govern ourselves better than they can.

In talking to people, it's my understanding that after the PI landfill closes, that the profit potential for TCL is very substantial. This is great, if we own it. If this is true, it sheds light on why a big corporation like Casella might be interested in coming up here and taking over, cause that's what they do and they are very profitable. I hope that any profit that may be made, stays in the County.

Mr. Sirois hopes that Council has been informed and respects that they will make an intelligent decision.

Kevin Pelletier – Suggested that we delegate a Board to do more research. There is still a lot that people do not know. I think we can get a better deal than what's being offered. I don't think it's a good deal for Fort Fairfield. We need more time to do more research and go from there.

Robert Novak – Stated that minimum notification has been given to the public about this merger. Fort Fairfield citizens do not want trails of trash along with an increase in traffic on their roads. Fort Fairfield citizens do not want a huge garbage pile in their Town. Fort Fairfield citizens do not trust this whole process and feel that the Presque Isle landfill is trying to off-load their future concerns onto TCL. Too many unforeseen possible liabilities are tied to this merger as presented.

Mr. Smith closed the Public Hearing at 6:19 p.m.

VIII. Old Business

A. Tri Community Recycling & Sanitary Landfill Interlocal Solid Waste Agreement

The TCL and the City of Presque Isle began negotiations in December, 2015 to merge the Presque Isle landfill operations with TCL. Since that time, legal counsel has reviewed; and provided legal opinion; on the proposed Interlocal Solid Waste Agreement. An independent accounting firm has completed a financial review of TCL and the City of Presque Isle's landfill operations.

A public hearing was held on December 20. Town Council tabled action on the proposed merger and scheduled a Special Council Meeting on January 3 to continue discussion and take possible action on the proposed merger.

Discussion: The proposed merger is projected to bring stability to Fort Fairfield's ownership cost by making the Presque Isle Landfill part of TCL instead of a competitor to TCL. Annual tonnage is a key factor in determining owner cost (the Town of Fort Fairfield is an owner), and the merger of the two entities will increase the annual tonnage to TCL, thereby greatly reducing the probability of a near-term increase to owner cost, and minimizing; or possibly eliminating; any increase in the future. Maintaining or decreasing owner cost is very important, as any increase in owner cost will likely cause an increase in the mil rate.

The Town Council can approve the changes by approving and signing Resolution 18-01.

Recommendation: That Town Council approves and signs Resolution 18-01, a Resolution of the Fort Fairfield Town Council Approving Amendments to the Tri-Community Recycling and Sanitary Landfill Interlocal Solid Waste Agreement.

Mr. Barnes made a motion that Council approve and signs Resolution 18-01, a Resolution of the Fort Fairfield Town Council Approving Amendments to the Tri-Community Recycling and Sanitary Landfill Interlocal Solid Waste Agreement.

Mr. Kilcollins seconded.

Discussion:

Mr. Barnes added that we have reviewed a significant amount of financial information and the plan of operations going forward; there will be changes to how TCL has operated to incorporate this situation. We have the confidence, they have done their homework, they had the answers for the Council. We have the faith in their management and the current Board in the structure to protect our Town. This led to my decision.

Mr. Kilcollins – Asked that the people trust him and trust Council moving forward with the Merger. I would not make a decision based on anything that's not going to improve our community. The benefits of this merger to our Community are great and they are only going to get better. There are still many questions about liability. The liability is going to be shared. Presque Isle is also going to share our liabilities as well. I care about our Community and what's going to strive us. It's going to make a difference on us as taxpayers. It's going to bring us money that we don't have, and if we don't have that money, its going to cost us. In the end you will see that this is going to work. I am not going to make a decision tonight that is going to hurt our Community and as I seen it tonight, we are going to gain in many ways.

Mr. Butler - Capping and taking care of the Landfill have been two concerns of mine. Mr. Draper gave me the latest copy of the DEP report that showed no discrepancies at either landfill. It's a win for us as we lose a lot of financial responsibility with the Merger. There is a lot at stake if we lose just one contract. I have complete faith in the Director. We cannot not worry about the "what if's." We have to go with the figures. Council was given a good financial presentation.

Things were done wrong and there should have been more information put out to the public. I want the people to know what's going on. That's why we are here tonight. There were concerns that Presque Isle was going to take over TCL if our trash goes down and Presque Isle is putting more trash and they are going to want more representation on the Board. That cannot be changed unless every Community agrees to it. Fort Fairfield will never vote to give Presque Isle more power as long as I am on Town Council. It's never going to happen.

Mrs. Libby – Still look at it as a good opportunity for us. There are a lot of beneficial things for the Town; however, I am still nervous about the liability. I understand that nothing may ever happen, but I still think about the "what if". I am not saying I am not willing to make changes because of "what if", I just feel I need more information, more time. I think it's been very rushed for all the Communities. Yes, it's been presented to us a couple times, but

for some reason we all need to sign off on this. I don't feel with a clear conscience that I can do that.

Mr. Smith – The public has had an opportunity to express their concerns. Council has listened to those concerns. I have had many phone calls and discussion about this possible merger. Your concerns have been addressed and hopefully they will be met.

I still have concerns with the liability, but we have an understanding now that Presque Isle will have a liability. They are going to assume ours, it kind of offsets everything. There are contributions coming in. Presque Isle will be paying 2 million dollars to the other owners, of that we will receive \$461,000. We are both sharing liability and hopefully all the concerns have been met.

Vote: Mr. Kilcollins: AYE
Mitchell Butler: AYE
Melissa Libby: NAY
Jason Barnes: AYE
Scott Smith: NAY

Motion is passed.

IX. Minutes of the December 20, 2017 Regular Council Meeting

Mr. Barnes made a motion to approve the Minutes of the December 20, 2017 regular Council Meeting.

Mr. Kilcollins seconded.

Discussion: None.

Vote: All Affirmative.

X. Warrant #14: \$78,425.23

Mr. Kilcollins made a motion to approve Warrant #14 in the amount of \$78,425.23.

Mr. Butler seconded.

Discussion: None.

Vote: All Affirmative.

XI. Adjournment

Mr. Butler made a motion to adjourn.

Meeting adjourned at 6:36 p.m.