



**Town of Mendon
Board of Health
20 Main St. Mendon
Minutes for
November 19, 2014**

Chairman Andy Fiske called the meeting to order at 7:05 p.m.

Present: Tom Fichtner - Vice Chairman

Not Present: Alan Greenberg - BOH member

Location – Planning Board Meeting Room– 20 Main Street, Mendon, MA 01756

7 Asylum Street – The Board reviewed a request for a local upgrade. They also reviewed a memo from Tom Ryder (BOH Engineer) with his approval:

“The applicant is requesting a Local Upgrade Approval for the proposed septic system repair for the above referenced property.

Title 5 requires that the Soil Absorption System is at least 4 feet above the estimated high groundwater table in soils with a greater than 2 minutes per inch perc rate; a 3 foot offset is allowed for repairs under a Local Upgrade Approval from the Board of Health. The applicant is requesting a 3 foot offset from the estimated high groundwater table.

As this is a repair, and the site limitations exist making it difficult to upgrade to Title 5 new construction standards; I am recommending approval of the Local Upgrade Request as provided.”

Tom F. made a motion to grant the local upgrade as recommend by Tom Ryder. Andy steps down as Chairman and seconds the motion. Both members agreed.

The Board reviewed the proposed change in the Wheelabrator contract and the email that was received with the changes:

Carey, Chris (Wheelabrator)

To: Chapell, Robin
Cc: jgosine@WM.com; Nydam, Sue; DiCecco, Peter (pdicecco@wm.com); O'Rourke, Jesse; O'Friel, Michael (mofriel@wm.com)
Subject: Wheelabrator Millbury negotiated terms

Robin


I want to thank you and the Committee for your time and cooperation as we work together towards a long term partnership between Wheelabrator and the communities.

Based on our discussions and subsequent email correspondence, I believe that the Committee and Wheelabrator have agreed in principle to a contract amendment having the following terms:

1. The tipping fee will be adjusted to \$64 a ton commencing on January 1, 2015, and will remain at \$64 until June 30, 2016.
2. On July 1, 2016, the tipping fee will increase to \$66 a ton.
3. The first CPI adjustment will occur on July 1, 2017, and will be based on the March 2017 CPI.
4. The CPI adjustment commencing on July 1, 2017, will remain as provided for in the current agreement (75% of the CPI index) through the remaining term of the agreement.
5. The Guaranteed Annual Tonnage provisions in the existing contract will remain in place until January 1, 2018. Thereafter, they will be replaced with a provision that will require any municipality that decides to eliminate solid waste collection, handling, and disposal services as a municipal service to provide Wheelabrator one year's written notice in advance. In the event that a municipality elects to eliminate solid waste services, Wheelabrator will have the option to terminate the contract with said community.
6. The revised contract will replace Waste Management with Wheelabrator Technologies as the guarantor for the Waste Disposal Agreement. With the pending sale of Wheelabrator Technologies, Waste Management will no longer be an owner and will need to be replaced as the guarantor. Wheelabrator will have a net worth of approximately \$500 million at closing.

This agreement in principle is subject to Wheelabrator's receiving approval from its Board of Directors which is anticipated to occur by November 18, 2014, and is further subject to the approval of the executive body of at least two-thirds of the municipalities (by tonnage) which are participating members in the Committee no later than December 31, 2014.

Sincerely


Christopher M. Carey

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Tom F.

asked if the negotiating team had reached out to any other companies. Missy told the Board there would be a meeting to discuss the contract and the negotiations at the Milford Town Hall tomorrow November 20, 2014.

The Board needed more information on number 2, 16 and 18 of the checklist for policy decisions for the tobacco regulations. They received the information from DJ Wilson. Tom made a motion to approve the following:

2. Include cessation sign requirement – Yes
16. Fining structure mirrors state law (§P) – go by the State for fines
18. “Shall” vs. “May” language for suspensions – May

Andy steps down as Chairman and seconds the motion. Both members agreed.

The Board will be meeting again on December 3rd and December 17th.

Tom made a motion to approve the minutes from September 24, 2014. Andy steps down as Chairman and seconds the motion. Both members agreed.

Tom made a motion to adjourn the meeting. Andy steps down as Chairman and seconds the motion. Both members agreed. Motion carried. Meeting adjourned at 8:20 p.m.

Approved December 17, 2014