

BOARD OF SELECTMEN

Minutes of the Meeting of 13 January 2009. The meeting took place in the Conference Room, Town and County Building, 16 Broad Street, Nantucket, MA 02554. Members of the Board present were Rick Atherton, Allen Reinhard, and Patricia Roggeveen. Chairman Michael Kopko and Brian Chadwick were absent. Vice-chairman Roggeveen called the meeting to order at 10:05 AM.

Town Manager C. Elizabeth Gibson reviewed a letter to the Federal Minerals Management Service that had been sent to the Board last week by the Save Our Sound (SOS) group regarding the circulation of the final environmental impact statement for Cape Wind's Nantucket Sound wind farm project. SOS has contacted Ms. Gibson requesting that the Board's letter be executed and sent today as the Report was due to be released tomorrow. Mr. Reinhard moved to sign and send the letter to the Minerals Management Service; Mr. Atherton seconded. All in favor, so voted.

Vice-chairman Roggeveen said she met last Friday with the Town's solid waste consultant George Aronson and Whitney Hall from Waste Options Nantucket (WON) at the WON office in Easton, MA. She said that the WON discussions need to start becoming public and at the Board's 14 January meeting she will give a brief update on where they are with WON and associated landfill issues. Mr. Aronson reviewed a rough, conceptual diagram of the landfill and summarized mandated landfill closure issues. He said the immediate requirement, per the Department of Environmental Protection (DEP), is the closure of an area titled "1-C" which has to be closed by 1 June 2009 in accordance with an administrative consent order with DEP. Mr. Aronson discussed contractual issues relating to the landfill closure, including cost responsibilities. Some discussed also followed regarding the outcome of arbitration between the Town and WON in 2007 as related to landfill closure issues. Mr. Aronson reviewed the types of residuals that can and cannot be disposed of in the landfill. Mr. Aronson said each type of residuals have different regulatory requirements. He said it is important that the Board know what kind of residuals are being talked about as the process goes forward. Mr. Willett said as a point of reference that cell 2A had an estimated lifetime of 5-7 years, but when construction on the island increased, space in the constructed cell was filled within only two and a half years. Mr. Aronson reviewed the different cells, scenarios, and life spans for the base case as well as a proposed plan for accelerated landfill mining. Vice-chairman Roggeveen said there are two policy objectives: 1) the reclamation of the cells for land use and 2) the single-source aquifer and the fact that there are two cells that are unlined and uncapped and said she advocates for getting the environmental piece cleaned up. Mr. Aronson said the concept is to mine now, create new space, and defer mandated closure. Mr. Leon said mining is a voluntary Town decision to essentially avoid the cost of closure by creating new lined landfill cells in lieu of a traditional closure. He said the Town has two long term options: 1) close the unlined landfill and end up with "dead space", or 2) create new lined space. Some discussion occurred regarding the need for contractual revisions with WON in order to proceed with the accelerated mining proposal.

Mr. Willett noted that there is real value – "gold" – in the soil that could be mined from the landfill and used to construct new lined cells, over time. Mr. Aronson said he would like to get a conceptual plan for an extended reclamation schedule to the DEP by the end of January in order to push back the June closure date. Vice-chairman Roggeveen said the Board needs to get the message out there that protecting the aquifer is a public benefit to the cost of mining. Some discussed followed as to the solid waste enterprise fund budget, potential accelerated mining costs and potential revenue sources. Discussion then ensued about whether or not to license commercial haulers and how to go about doing so. Pay-as-you-throw and landfill vehicle stickers

were also discussed. Mr. Rice said it is important for the public to understand that if people vote for an override vs. a sticker fee, an override will be needed again and again as the structural problem is not being addressed.

The meeting was unanimously adjourned at 12:29 PM.

Approved the 22nd day of April, 2009.