

Meeting Minutes  
May 5, 2003  
Groton Dunstable Middle School

Board of Health Members Present:

Dr. Susan Horowitz, Chairman; Matthew Waterman

Others Present:

Michael Brady, Tessa David, Bruce Dubey, Atty. David Doneski

Meeting Called to order:

The Chairman called the meeting to order at 6:48pm.

Attorney Doneski asked if it was the Town's desire to simply change the tonnage or amend the contract for implementation of Pay-As-You-Throw.

Dr. Horowitz stated that Matt 's concerns are whether the Town will get penalized if the Town goes outside the new Gross Annual Tonnage (G.A.T.).

The Board discussed the concerns going over the maximum G.A.T., not under. If the Town was under that G.A.T., they understood that they could not get penalized due to the implementation of a recycling program.

Both Dr. Horowitz and Atty. Doneski reiterated that Section 602 of the original contract is the critical portion of the existing contract.

Attorney Doneski stated that Covanta's concern is if we come under, we will still have to pay the minimum G.A.T. He recommended that he get in touch with Terry Phair in person or by phone. He said that if Covanta wanted new numbers, he can put the numbers in a more formal contract with a clause that PAYT won't jeopardize the contract.

Michael Brady stated that he was concerned that Mr. Phair is leaving the company soon and the Town needed to get this done prior to a two week period.

Attorney Doneski stated that the contract is with Refuse Fuels (RFA) and that the Town needed a legal "mechanism" on the transition of RFA to Covanta to cover any future amendment.

Dr. Horowitz presented some documentation on the elimination of RFA to Atty. Doneski. Attorney Doneski stated that he would draft a letter referencing the RFA and Covanta chain of events and send it to Covanta. He said he would include the revised G.A.T. numbers.

Dr. Horowitz stated that we should draft Mr. Doneski's letter and if we have to, we can revert to Covanta's contract before Mr. Phair leaves. Attorney Doneski agreed and stated they would be bound to that agreement for many other reasons. Member Waterman said that he agreed with the recommendation of Town Council.

The meeting adjourned at 7:08pm.

GROTON BOARD OF HEALTH

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Dr. Susan Horowitz, Chairman

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Jodi Deuger, Member

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Matthew Waterman, Member

Respectfully Submitted,  
Matthew Waterman, Member