

From: [Benjamin T. McCall](#)
To: [Anthony Ward](#)
Subject: RE: Transfer Station Agreement
Date: Monday, December 2, 2024 11:31:46 AM
Attachments: [image001.png](#)

Hi Tony –

In response to your question, Section 4.1 of the Joint Solid Waste Management Agreement provides that the “Transfer Station Council shall have the authority to make such rules for the safe and efficient operation of the Facility as are reasonably necessary, including, but not limited to, the setting of appropriate tipping fees, as provided under Section 5.2 of this Agreement, **use regulations**, and personnel matters except as otherwise expressly provided for herein.” (emphasis added).

Those use regulations, specifically Section III(A) provide that all “residents and taxpayers” of Casco, Naples, and contract municipalities including Otisfield, may deposit solid and bulky waste at the facility. I read that provision to allow both an individual who is a resident (but not property owner) as well as a property owner (but not full-time resident) to be eligible to receive a sticker for the facility. The Interlocal Agreement does not provide any contrary instructions that would override that.

However, to the extent that the Selectboard wishes to clarify that interpretation, that can only happen through the Transfer Station Council amending its own use regulations – by way of a majority vote of the entire Council. Absent that, I do not interpret the Interlocal Agreement or the Use Regulations as providing the Selectboard (or its Naples equivalent) with independent authority to do so.

Please let me know if you have any questions or would like to discuss further.

Thanks,
Ben

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From: Anthony Ward <award@cascomaine.org>

Sent: Monday, December 2, 2024 9:36 AM
To: Benjamin T. McCall <bmccall@jensenbaird.com>
Subject: Transfer Station Agreement

Ben,

Attached is the Casco Naples Transfer Station agreement.

Thank you for reviewing.

Tony

Anthony Ward, CMM, ICMA-CM
Town Manager
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