

Town of Waldoboro, Maine
Transfer Station Committee Meeting Minutes
Municipal Building - 1600 Atlantic Highway
Thursday, October 27, 2011 – 7:00 p.m.

1. **Call to Order** – Bob Butler, Waldoboro citizen, called the meeting to order at 7:00 p.m. with a quorum present. Other committee members present were:

Terry Gifford, Waldoboro Waste Hauler
Will Payson, Cushing Select Board
Randy Robbins, Cushing Citizen
Monika Magee, Cushing Citizen
Ted Wooster, Vice Chairman, Waldoboro
John Higgins, Waldoboro Citizen
Bruce Prior, Cushing Waste Hauler

Others in attendance: John Daigle, Waldoboro Department of Public Works; and John Meyn, Citizen of Friendship

2. **Citizen Comments - None**

3. **Minutes** – Randy Robbins moved and Terry Gifford seconded that the Committee approve the minutes of the October 13th meeting. All committee members present voted in favor of the motion.

4. **Discussion of Draft #19**

a. **Recycling Mandatory?** John Higgins questioned that recycling is mandatory in the State of Maine. He passed out a summary of recycling programs in various states, including Maine. The summary referred to Table Ai-1 State Goals and Mandates, which revealed that Maine has no mandatory recycling guidelines and has imposed no penalties against those who do not recycle. The Table indicated Maine's goal of reducing landfill materials by 25% in 1989; in 1989 Maine set a recycling goal of 50% to be achieved by 1998.

John Daigle read through an amendment to the existing Waldoboro ordinance, which the Select Board adopted on July 9, 1991. The amendment refers to Title 38, MRSA, Section 2132, which "establishes a goal to recycle 25% of the municipal solid waste generated each year by January 1, 1994". John Daigle's inference seemed to be that the amendment clearly supports a recycling requirement and sets rules for the Transfer Station's operation, which require the separation of recyclables from the waste stream.

John Higgins pointed out that may be the case, however, it does not specifically state, "recycling is mandatory".

The consensus of everyone sitting at the table, including John Higgins, was that Waldoboro's recycling ordinance must support recycling to reduce the amount of waste the Transfer Station hauls to PERC. John Higgins' concern however is the idea of "mandating" people to do something. He believes it is better to *encourage* them to do it and to *convince* them of the inherent reasonableness of recycling. People, as a rule, don't like to be told what to do. They resent mandates. They'd rather have the freedom and responsibility to figure out for themselves whether something should or should not be done.

After much discussion, the consensus of the committee was that John Higgins' point of view is important and must be taken into account. An ordinance, which calls attention to itself as a "**mandatory**" recycling ordinance, is likely to alienate voters. The committee agreed (i) to change the title of the ordinance to "Amended and Restated Waldoboro Solid Waste Disposal and Required Recycling Ordinance" and (ii) to revise Article II, Section 2.3.1 to state, "Recycling Required. This Ordinance requires recycling."

b. **Article II, Section 2.3.5:** Bob Butler presented alternative language for this difficult article, which was originally worded to require ALL Solid Waste generated in Waldoboro and the Partners to be deposited at the Transfer Station, including recyclables. (Some Permitted Users are not currently conveying the recyclables they collect to the Transfer Station. They sell the recyclables to third parties and deposit garbage, only.) The newly proposed language exempts Compostable Waste (which the Transfer Station cannot presently accept), Solid Waste from public schools located in Waldoboro and the Partners, and Demolition Debris intended for the Landfill, which could be legally dumped in areas located outside of Waldoboro and the Partners.

A far-ranging discussion ensued, much of which centered on whether the Transfer Station could refuse to accept Solid Waste. John Daigle explained that the Transfer Station could refuse waste was if there were insufficient space available to accommodate it. He indicated this sometimes happens during the course of the year. Monika pointed out that haulers or people with large amounts of Construction Demolition Debris, for example, could phone prior to making the trip to ensure that space is available. John Daigle agreed to look up DEP regulations concerning the refusal to permit Demolition Debris to be dumped in the Landfill.

Will Payson felt it is not fair to all users if some users are exempted from depositing Recyclables they collect from Residents of the Partners at the Transfer Station.

Bruce Prior pointed out that one hauler, in particular, who collects Solid Waste from MSAD 40 schools, is part of a single-stream recycling program, which does not require the sorting of Recyclables.

Bob Butler suggested that “exemptions”, if any, be addressed in one of the Attachments because they could change from time-to-time and ought not to be a part of ordinance boilerplate. The committee, by consensus, agreed and expressed its wish that the next draft incorporate that change. Bob pointed out that under Section 2.3.5, any exemptees, who do not deposit Recyclables at the Transfer Station, will still have to pay a fee to dump other Solid Waste.

Ted reported that the SAD Finance Director would like to discuss a better waste hauling arrangement for the school district

c. **State of Maine Waste Hauler Licenses, Section 2.3.6:** Terry Gifford had sent to members of the committee a list of the Class B waste haulers in Maine who hold licenses from the state to haul garbage. She pointed out that the list is modest and that there were not a lot of towns in Maine, which require state licenses. She questioned that Waldoboro needs to include the requirement for a state licensed in its ordinance. Terry pointed out that her company does not currently hold a state license to haul Solid Waste. Other committee members felt that inclusion of the requirement in the ordinance, as a precondition to Waldoboro issuing its waste hauler license is necessary. Bruce Prior, who is a Waste Hauler from Cushing, holds a Class B waste haulers license. The consensus of the committee was to leave the requirement for waste haulers to obtain a Maine State Haulers License in the draft ordinance.

d. **Scavenging and Salvaging.** The consensus of the committee was to keep the language of the current ordinance.

e. **The committee agreed to delete the following from the draft Ordinance:**

2.3.6b. Waste Haulers shall require each of their customers to separate Recyclables and Universal Waste from other Solid Waste and to sort all Recyclables and Universal Waste in accordance with Attachment A.

The Waste Haulers present said they need to do this section as a matter of course to ensure they deposit separated Solid Waste at the Transfer Station. They do not believe they need backing from the Ordinance to accomplish this.

f. **The committee agreed to delete the following from the draft Ordinance:**

2.3.6e. To permit efficient, safe and accurate disposal at the Transfer Station, all Waste Hauler vehicles shall adequately accommodate the separation of Recyclables from other Solid Waste.

The Waste Haulers present believe the deleted section is stating the obvious and is not necessary.

g. Randy Robbins pointed out that stricter Maine State littering laws are soon to be announced.

h. The Committee agreed that the wording of Section 2.3.7 (Scavenging) should be changed to track the wording of the existing ordinance. Section 2.3.7 will therefore read as follows:

2.3.7 Scavenging and Salvaging. Scavenging and salvaging of materials from the demolition debris waste are shall be prohibited to avoid cuts and other risks and hazards associated with this type of activity.

i. The Committee agreed to add the words “without an excused absence from the Committee Chairperson” after the word “meetings” in the fourth line of Article II, Section 2.4.2d

j. The Committee agreed to change the word “shall” to “may” in line 15 of Article II, Section 2.5.1

k. The Committee agreed to change the word “shall” to “may” in the last line of Article II, Section 2.5.2.

l. The Committee agreed to change the word “recommendations” to “findings” in the last sentence of Article II, Section 2.5.3.

6. Next Meeting and Adjournment

The next Transfer Station Committee meeting is scheduled for Thursday, November 10, 2011 at 7:00 p.m. Because the next succeeding regularly scheduled meeting would fall on Thanksgiving, Day, the Committee Chairman will investigate the availability of the conference room for Thursday, November 17th and report back to the committee. Ted Wooster moved, and John Higgins seconded that the meeting adjourn. All committee members present voted in favor.

Respectfully Submitted: Monika Magee and Bob Butler

Approved:

Transfer Station Committee:

Town of Waldoboro, Maine

Bob Butler, Chairman

Ted Wooster, Vice Chairman

(ABSENT) Liz Dinsmore, Friendship Select Board and Secretary

Terry Gifford, Waste Hauler, Waldoboro

John Higgins, Waldoboro Citizen

Monika Magee, Cushing Citizen

Will Payson, Cushing Select Board

Bruce Prior, Cushing Hauler

Randy Robbins, Cushing Citizen