

Town of Waldoboro, Maine
Transfer Station Committee Meeting Minutes
Municipal Building - 1600 Atlantic Highway
Thursday, December 8, 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
Randy Robbins, Cushing Citizen
Theodore Wooster, Vice Chairman, Waldoboro
John Higgins, Waldoboro Citizen
Liz Dinsmore, Friendship Select Board

Others in attendance: John Spear, Waldoboro Town Manager, John Daigle, Waldoboro Department of Public Works, and John E. Meyn. Friendship Citizen

2. **Citizen Comments** – Bob Butler brought up:
 - a. The Pine Tree Engineering Landfill Study, which John Daigle had requested Liam Ducharme to send to each committee member.
 - b. The Municipal Review Committee meeting scheduled for Tuesday, December 13th in Orono at 3:00 p.m. No one on the Committee was available to attend the meeting
3. **Minutes** – Ted Wooster moved and John Higgins seconded that the Committee approve the minutes of the November 17th meeting. All committee members present voted in favor of the motion.
4. **Expanded Mandate.** Bob Butler reported that the Waldoboro Select Board had expanded the Transfer Station Committee's role to include investigations in scales, traffic patterns, PERC's plan post 2018, pay-as-you-throw, and drafting of the Ordinance and the Municipal Services Agreement. By consensus the Committee prioritized the items as follows:
 - a. Scales (for Ted and Randy to investigate with John Daigle and to come forward with recommendations.

- b. Traffic Pattern and Landfill, which are inter-related and are also pertinent to a discussion about scales. John Higgins and John Daigle will investigate these two items and come to the committee with a recommendation.
- c. Draft Ordinance. The Committee will continue its work
- d. Draft Municipal Services Agreement among Cushing, Friendship and Waldoboro
- e. PERC
- f. Pay-as-you-Throw

Bob Butler pointed to the importance of getting input from members of the business communities of the three towns and suggested that numbers of them be invited to comment on the ordinance draft after it has been completed. Terry Gifford suggested the committee should hold public meetings to receive comments and guidance. The Committee Chairman said he would do this at an appropriate time.

5. Questions of MMA. John Spear, Waldoboro Town Manager discussed with an MMA attorney procedural issues concerning the new ordinance and the Municipal Services Agreement

Ordinance. As regards the new ordinance, MMA's advice is to submit it to Waldoboro's voters. The Transfer Station Committee is making substantial changes to the existing ordinance. And, the present ordinance pretty much restricts the Waldoboro Select Board to adjusting fees and hours. One could argue that the Waldoboro Select Board has the authority to approve the new ordinance without a town vote. However, the advice is to err on the side of certainly and not risk the controversy that could result from the perception that the Select Board is exceeding its authority by acting on the new ordinance.

Municipal Services Agreement (MSA). MMA's attorney was reluctant to comment on this matter because of a potential conflict. Cushing and Friendship are also members of MMA. That being said, the MMA attorney pointed out that the MSA introduces certain complications. One could argue, for example, that the MSA has expired because the original agreement with PERC, upon which the MSA was based, expired. Or, one could argue that the PERC agreements were simply amended and won't really expire until 2018. The three towns have continued their cooperation under the existing MSA irrespective of the status of PERC's agreements and behavior, which would

support the contention that the MSA remains in effect. The best approach appears to be to work towards voluntary approval of an appropriately revised MSA among the three towns. MMA recommends that “transition language” be included Waldoboro’s draft Solid Waste and Required Recycling Ordinance to the effect that it becomes effective 30 days AFTER Waldoboro, Cushing and Friendship approve the revised MSA. Randy questioned whether one town’s refusal to accept a revised MSA would provide sufficient grounds for the two remaining towns to push the refusing town out of the existing arrangement. The answer seems to be “no”, however the two towns could, themselves, withdraw from the MSA, making the entire arrangement moot. As for amending or restating the existing MSA, the most equitable approach would appear to amend and restate the MSA and to leave approval up to the legislative authorities of each of Waldoboro, Cushing and Friendship.

6. Continuing Discussion of the Draft Ordinance: Draft No. 22: Attachments A and B

- a. John Daigle requested the committee to defer until its next meeting a discussion of A-1.c.7, which deals with the amount of CDD permitted for disposal into the landfill.
- b. John Daigle requested the committee to defer until its next meeting a discussion of DEP regulations and the Transfer Station’s right to refused CDD and other waste. (A-4.b)
- c. John Daigle confirmed that “gable-end” containers are now referred to as “fluted” cartons. The Transfer Station may accept them as “mixed paper”.
- d. The Committee determined by consensus that B-1 should be revised to require a town vote concerning changes to disposal methods.
- e. The Committee agreed by consensus that no fees should be charged to the Annual Permitted User Decal Fee, the Temporary Permit Fee for Part-time Residents and Others and for CDD permits. The Committee voted unanimously to charge an annual Waste Hauler License Fee of \$25.00, which is the current amount for the Waste Hauler License Fee.

f. John Higgins pointed to inaccurate wording in B-3.1 and B-3.2. The Committee agreed that Bob Butler should re-word those items for accuracy.

g. John Higgins suggested, for B-3.3, that rechargeable tool batteries be included among those batteries the Transfer Station accepts.

g. The committee agreed by consensus on the need to revise the language in B-3.4. B-3.4 should state that CDD haulers performing services for Residents must have a CDD permit. John Higgins agreed to work out a volume/weight equivalence for 30 cubic yards for inclusion in B3.4.

h. .The Committee agreed to pend its discussion of the cubic yard and per pound charges currently set forth in B-3.6

i. The Committee requested John Higgins to investigate possible policies and charges governing mattresses and box springs (B-3.6)

j. B-3.9 Terry Gifford questioned the charge for scrap metal. John Daigle pointed out that the current charge is intended to offset the costs incurred for disposing of mattresses and bed springs. John Higgins agreed to research this topic and to report to the committee during its next meeting.

The Committee agreed to continue its discussion of Attachment B during its next meeting.

9. Next Meeting and Adjournment

The Chairman reminded Committee members that the next Transfer Station Committee meeting is scheduled for Thursday, December 22, 2011 at 7:00 p.m. Ted Wooster moved, and Terry Gifford seconded that the meeting adjourn. All committee members present voted in favor.

Respectfully Submitted: Bob Butler

Approved:

Transfer Station Committee: _____

Town of Waldoboro, Maine

Bob Butler, Chairman

Ted Wooster, Vice Chairman

Elizabeth Dinsmore, Friendship Select Board

Terry Gifford, Waste Hauler, Waldoboro

John Higgins, Waldoboro Citizen

(Absent) Monika Magee, Cushing Citizen

(Absent) Will Payson, Cushing Select Board

(Absent) Bruce Prior, Cushing Hauler

Randy Robbins, Cushing