

**Town of Waldoboro, Maine**  
**Transfer Station Committee Meeting Minutes**  
**Municipal Building - 1600 Atlantic Highway**  
**Thursday, January 9, 2014 – 6:00 p.m. to 7:00 p.m.**

1. Sign in and Call to Order. Bob Butler called the meeting to order at 6:00 p.m. He clarified that in order to make up for time lost as a result of the cancellation of the January 2<sup>nd</sup> meeting due to inclement weather. two meetings would be held, the first from 6 p.m. to 7 p.m. and the second from 7 p.m. to 9:30 p.m.
2. Determine presence of a Quorum (At least 5 of the 7 Committee members or their duly appointed alternates must be present).

Present at the meeting were:

Martha Marchut, Cushing Select Board  
Randolph W Robbins, Cushing Resident  
Bruce A. Prior, Cushing Hauler  
Elizabeth Dinsmore, Friendship Select Board  
John E. Meyn, Friendship Resident  
Theodore Wooster, Waldoboro Select Board  
Bob Butler, Waldoboro Resident

The above Transfer Station Committee members constituted a quorum.

Also present at the meeting were John Higgins (Waldoboro Alternate), Terry Gifford (Hauler Alternate), Wayne Leeman (Joe's Rubbish Removal), Wes Richardson (Waldoboro Town Manager), Dominik Lobkowicz (Lincoln County News), Jared Porter (R&D Trash), Ronald Porter (R&D Trash), John Daigle (Waldoboro Public Works), Alfred McKay (Waldoboro Transfer Station), Gifford Campbell (Resident), Bubba Thompson (Friendship Select Board), David Benner (Friendship Select Board), Dan Remian (Cushing Resident), Monika Magee (Cushing Citizen)

3. Minutes of the December 12, 2013 Meeting. . Ted Wooster moved that the committee approve the minutes of the December 12, 2013 meeting. Randy Robbins seconded the motion. The motion carried with all 7 committee members voting in favor.
4. Terry Gifford's Questions.

This portion of the meeting was to be devoted to John Daigle, Al McKay and Bob Butler answering the written questions Terry Gifford had presented to the committee during the meeting of December 12, 2013. Terry suggested that Al McKay go first. John Daigle pointed out that under union rules, Al McKay can answer questions only through his supervisor, John Daigle.

It was moved and seconded that Al McKay not be required to answer Terry Gifford's questions. The motion passed 7 votes in favor, none opposed.

Bob Butler stepped aside as Chairman during this part of the meeting. Ted Wooster, as vice chairman, took control of the meeting.

John Daigle took the floor to answer the written questions Terry Gifford had posed to him. His responses are set forth in Attachment A to these minutes. **His responses are also contained in the video recording of this Transfer Station Committee meeting. The video is accessible from**

the town's website: [www.waldoboromaine.org](http://www.waldoboromaine.org).

This portion of the meeting concluded shortly after 7:00 p.m. There was insufficient time available for Bob Butler to present his responses to Terry Gifford's written questions. He expressed a willingness to respond during a future meeting.

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5. Bob Butler called this second meeting of the Transfer Station Committee to order shortly after 7:00 p.m.
6. A quorum was present

Martha Marchut, Cushing Select Board  
Randolph W Robbins, Cushing Resident  
Bruce A. Prior, Cushing Hauler  
Elizabeth Dinsmore, Friendship Select Board  
John E. Meyn, Friendship Resident  
Theodore Wooster, Waldoboro Select Board  
Bob Butler, Waldoboro Resident

7. Procedures for Conducting a Hearing about a Complaint. Bob Butler asked the committee to comment on a proposed procedure for conducting the hearing. The proposed procedure is attached to these minutes as Attachment B. He outlined the process briefly, clarifying that the complainant would present his complaint; the committee and respondent would ask questions of the complainant; the respondent would respond to the complaint; the committee would ask questions of the respondent; and the committee would then make a determination based upon the facts presented. The committee agreed, by consensus, to adopt the procedure described.
8. The Hearing

Bob Butler confirmed that he, acting as Chairman of the Committee, had sent a notice of the hearing to the Respondent, the Complainant, and to all Committee members.

Bob Butler asked Al McKay to summarize the nature of his complaint to the committee. John Daigle said that he, as Al McKay's supervisor, would present the complaint, as required by union rules.

Bob Butler asked if that meant neither committee members nor the respondent would be able to ask questions directly of Al McKay and Bruce Rolf. John Daigle confirmed that was the case.

Members of the committee expressed their views that a fair hearing could not be held if any of the parties at the hearing were prohibited from directly questioning those responding to or presenting the complaint.

At this point, Wes Richardson suggested that he, as Town Manager, John Daigle, as Supervisor of the transfer station employees, and Terry Gifford and Wayne Leeman of Joe's Rubbish Removal meet to obtain a resolution to all outstanding issues between the parties.

The Committee agreed to this approach by consensus. It was moved and seconded to continue the hearing until January 16<sup>th</sup> or such other date as the Committee Chairman might decide was suitable.

9. Bob Butler's Responses to Terry Gifford's Questions

In view of the sufficiency of the remaining time available, the committee agreed by consensus that Bob Butler might, if he wished, respond to the questions Terry Gifford posed. Bob Butler's responses to Terry Gifford's questions are set forth in Attachment C to these minutes. His responses are also contained in the video recording of this Transfer Station Committee meeting. The video is accessible from the town's website: [www.waldoboromaine.org](http://www.waldoboromaine.org).

10. Adjournment.

A motion was made and seconded to adjourn the meeting. All voted in favor.

Respectfully Submitted: John Meyn, Secretary and Bob Butler, Chairman

Approved:

Bob Butler, Chairman (Waldoboro Resident)

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John Meyn, Secretary (Friendship Resident)

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Martha Marchut (Cushing Select Board)

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Randolph Robbins (Cushing Resident)

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Liz Dinsmore (Friendship Select Board)

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Bruce Prior (Waste Hauler)

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Ted Wooster (Waldoboro Select Board)

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Attachments:

Attachment A: John Daigle's Responses

Attachment B: Proposed Procedures for Conducting a Hearing

Attachment C: Bob Butler's Responses

**ATTACHMENT A**  
**John Daigle's Responses to Terry Gifford's Written Questions**

This is a complaint to John Daigle regarding but not limited to the Transfer Station Ordinance, a bill I received from the Town of Waldoboro and abuse of authority as Superintendent of the Transfer Station. I reserve my right to ask follow up questions as needed.

1. Could you please provide me with your job description?  
*Attached*
2. I would like you to explain to me why I received a bill for the month of October 2013.  
*Your business brought in 255.72 yards of material. Of that, 52.75 yards recycled. That's only 20%*
  - a. Is this a fee or a fine? *This is a fee.*
  - b. How is this amount determined? *By looking at material and rough estimating. 1 cubic yard is 3'x3'x3'.*
  - c. What percentage is cardboard, what percentage is metal, what percentage is plastic etc? *It doesn't matter to me as long as it's recycled.*
  - e. Why doesn't my bill show these different percentages? *The different percentages do not matter as stated in letter 'c'. But where is letter 'd' on this list? It goes from 'c' to 'e'. Was it omitted purposely?*
  - f. How does a bill of this kind reflect not only its amount but also its means of calculation and the specific individuals involved that perform this judgment and calculation? *Not quite sure what this question is asking, but let's see if I can answer it. The bill submitted to you is fairly thorough. It lists, by day, the estimated yardage of both your trash and recycling, as estimated by the Transfer Station Employee on duty. At that time, your driver is permitted to review these numbers, question them if needed ("It looks like 2.25 yards instead of 2 yards"), then the driver can initial the slip saying they agree, or have seen the numbers. (Your driver has opted out of this step, but had he been reviewing these numbers, he might have seen this coming, and been able to increase his recycling. Instead, he has decided to utilize his time disrupting the "smooth and efficient operation of the Transfer Station".) The last step is the numbers are forwarded to the Town Office, and a bill is generated from the Finance Department.*
  - g. Can you provide me with all the specifics? *See letter 'f' above.*
  - h. How does the Station determine if a User has delivered all their recycling to the station so other waste can be deposited free? *Our guide, at this time, is 30% of all waste be recyclable.*

- i. If a user says they always deliver all their recycling to the station is this adequate to allow them free deposit of all MSW. **NO, we will check bags as permitted in the Ordinance.**
  - j. Is there some other proof required and if so what is it and how is it determined? **No.**
  - k. Is a permit simply a right of access to the station but not a right for free deposit of material? **I refer you to Section 2.3.3 of the Ordinance.**
  - l. How should this be communicated so permitted users are fully informed of the financial implications? **This has been enforced since September 13, 2013. Everyone that goes there are aware, or should be.**
  - n. Is the Transfer Station accommodating the haulers by providing them with a proper place to deposit their recyclables? Explain. **As much as possible. But where is letter 'm' on this list? It goes from 'l' to 'n'. Are these letters being omitted purposely, or are there other questions that have been accidentally omitted?**
3. Could you please show me in our ordinance where it states there is a 30% requirement or PPB charge? **I refer you to 2.5.1. of the Ordinance. As you have brought up this same question several times, I urge you to read the section carefully.**
- a. Did you ever have a discussion with the committee or any committee member about a 30% requirement or PPB charge? **I asked for the Committee's blessing on enforcement at the September 12, 2013 meeting with unanimous support. 30% is a guideline used by the personnel, allowed by the Ordinance, to gauge if permitted users are adequately recycling. The a representative of the State Weights & Measures Department has been to the Transfer Station and deemed our way of estimating is more than adequate. Lines have even been painted in the hopper to aid in this determination.**
  - b. If so what was the consensus of the committee concerning this action? **Please see 3.a. above.**
  - c. Why do you believe that you alone have the authority to change the words or meanings in the ordinance? **I don't. Isn't this question a bit presumptuous (definition: Going beyond what is right or proper; excessively forward)? I find it insulting.**
  - d. Do you believe that you alone can change the way the people recycle? **If I did, I wouldn't have pushed for a Committee or asked for a study to be done by DSM.**
  - e. What do you think 2.3.9 (exactly what it says, and that is what we are doing) and B.5.3.3.3 (we are using 30% as a guideline as we have no scales, and there needs to be a guideline, or how else will we be able to enforce the Ordinance which you so passionately argued for at the Public Hearing held by the Board of Selectmen on September 9, 2013 (and I note, you have been arguing against enforcement ever since)) of the ordinance means?

5. If my attorney suggests I honor this bill, do you assume every member of the Committee and Board supports the charge levied on me? **The bill was levied per the Ordinance. The Ordinance was created by the Committee, and enacted by the people, for the people. The Ordinance is a legal document, and even though all the Committee may not agree with the Ordinance, I would suspect they would support the Ordinance, as it their job to.**

- a. How is the money recorded? **Ask the Finance Department as that is her job. Just don't hang up on her again.**
- b. Does an unpaid bill become filed by the town with outside overseers of credit? **Other than taxes (which collection procedures are mandated by the State), most people pay their bills so we have never had to. This is not a bank, but a Municipality. The Town doesn't bill people unwarranted. However, I agree that we should and will look into seeing if that is something we can do.**
- c. Is this not serious? **I consider it serious. Pay your bills, I guess.**
- d. If the 30% is determined enforceable, how does the money find its way to benefit the station and how does the money benefit all three towns paying for the station? I ask this question as a member of the Committee and the seriousness of this issue. **I refer you to Section B.5.4. of the Ordinance. As a Committee member and Commercial Hauler, I would have suspected you would have a better understanding of the Ordinance.**
- e. Was there Committee discussion, or minutes clearly showing not only the purpose but also how this money moves from the Town of Waldoboro for the benefit of the Station and its owners? **Evidently the Committee did, or it would not have been in the Ordinance.**
- f. Is it not reasonable to assume this added cost to our business would also result in a charge being passed on to the citizens being served? Was there any thought about this domino effect before making such an error in judgment? **The Committee put the Ordinance together, it was approved by the Board of Selectmen, and enacted by a majority of voters at a referendum vote. These are all the people that you would need to ask this question. "error in judgment" are your words, not mine.**

5. Did you or anyone from the Town of Waldoboro attempt to call me before this bill was mailed? **No. This is not our job. We ask for the recycling slip to be signed by your driver so they can be informed. Your driver refuses, and obviously doesn't let you know. This is not my problem but rather a breakdown in communication in your business.**

- a. Did anyone consider that if I had known about the shortfall of recyclables I would have preferred to take action to prevent it? **Question sufficiently answered in section 5 and 2.f above. You should talk to your driver.**
- b. Might this not be damaging to my reputation? **I don't know, but if it is, look at your business. The other haulers are doing what needs to be done, including paying fees. They are not trying to get away with circumventing the Ordinance, they are trying to work with it. It is an Ordinance... law. Would you react this**

way when you get a ticket when you've been speeding, or when you have to pay the 5.5% sales tax at the grocery store?

c. If not, was there any thought by the administration of the transfer station to the impact of our business being in violation of the ordinance? **Not really, just doing my job, trying to uphold the Ordinance, the law.**

6. Did you or the Town of Waldoboro notify me that there would be a 30% required recycling, and when it would begin? **You were the person that complained to the Selectmen about the Ordinance not being enforced, then you followed this up at the next TS Committee meeting, where I received unanimous support (and one of them was you) to start enforcing.**

a. Are there signs at the transfer station requiring 30% recycling? **The 30% is a guide for AI and I to determine if people are recycling adequately.**

b. Was there any explanation given to my business as to how the 30% required recycling would be measured? **We had tried to, but your driver went ballistic and you got mad at Eileen and hung up on her.**

c. Is this measurement an absolute or is possible to make errors in estimating? **Nobody's perfect. That's why we ask the haulers to also check the slip and we try to get an agreement. Then usually the hauler signs the slip. Your driver refuses to.**

d. Is there more than one measurement? **I don't know what you mean by this question.**

e. Since money is involved, would it make sense to take more than one measurement? Why or why not? **This is why we attempt to get an agreement with the hauler.**

f. Is this measurement the opinion of just one person? **No, we also confer with the hauler. Again, your driver refuses to cooperate.**

g. As I am being accused of not recycling 30%, would you please provide me with proof? **You received your bill. I clearly states what was recycled and what was not. What other proof do you need?**

h. Why do you demand us to initial a blank piece of paper? **I'm not quite sure why you say that. This is another false statement. The paper your driver should sign has horizontal lines on it. On any specific day, the Transfer Station writes in how much you brought in, how much was trash, and how much was recyclables. Then the driver would initial that specific line. The next day the driver would initial the next line after the Transfer Station has filled in the numbers. And so on, and so on. If you still don't get this, I can show you on one of the forms, and we could do a little demonstration to make it easier. All of the other drivers initial their log. Does this make you right, and the rest of the world wrong, or vice versa?**

8. I have been led to understand that you have suggested to certain citizens that they should seek alternative hauler services! As a committee member, business owner, and citizen of Waldoboro this foolish

action deeply concerns me, as it should the committee and the Board. This is true. I am the one that spoke with Mrs. Brown and she stated that she couldn't afford the increase. I stated that there were 11 haulers that go by there. It is her right to know that she has a choice. If someone has a problem, for any reason, with their hauler, they have the right to move on. If a hauler cannot keep competitive with their pricing, why should Mrs. Brown have to pay for it? I don't think you would want to.

- a. Are we as haulers to assume that you are an authorized guide toward favorite haulers? Neither the Town office nor myself recommend any hauler to the public and it's insulting that would say that. We encourage them to pick up a list from the Town Office and they can do their own research. As I stated: "11 haulers". Maybe you're making decisions using hearsay.
  - b. have you or anyone under your supervision given out any information to anyone, including committee members concerning my non-compliance with the ordinance? I'm not sure what you are referring to, but it is all public information. We don't deny public information to you.
  - c. If so, how many times?
  - d. Have you given out any information concerning my business to anyone, including committee members?
  - j. If so, what information, to whom, why, how, and when was this information released?
  - k. Would it be reasonable for me to think that this information is private?
9. Why does the Town of Waldoboro continue to display on the web site "Recycling means the Town pays a lot less to get rid of its trash at the PERC incinerator in Orrington as Lincoln County takes away the recyclables for free?" Because it's true. Just the facts. Compare with answers below:
- a. Does this mean the study done by the DSM Environmental at the transfer station is incorrect? Did you read the complete study?
  - b. Is it true that this study shows that Lincoln County Recycling costs slightly more per ton than disposal of the material as MSW? Read the study.
  - c. Do you think this study is important? I do, but is that really important?
  - d. Have you taken the recommendation from the DSM study concerning the way cash is handled at the transfer station? As you are aware if you read the Ordinance and the Study, we are doing that. Daypads, scales, etc.
  - e. Do you believe it is to the best interest of the attendants to have the responsibility of handling cash? No I don't because somebody will always be suspicious of them and it puts them in a hard spot. But we are working on that (ie. Scales).
10. Using the DSM Environmental study as a guide in determining the actual cost, would you please show me the actual cost of recycling verses the cost of sending the recyclables to MSW? 400 more tons to truck to, and burn at, Orrington equals a \$36,000 to \$40,000 increase to the tax base.

a. When doing so would you please use dollars, not weight or volume? Please provide this in writing.

## **Attachment B: Proposed Procedures for Conducting Transfer Station Committee Hearings**

Operative Ordinance Sections:

a. Section 2.4.1.4 Hear complaints and act upon them. The Committee may agree with the aggrieved party and recommend Ordinance changes or other actions to the Board. Alternatively the Committee may recommend sanctions or penalties for unacceptable behaviors or actions of Permitted Users. Penalties may include fines, revocation of licenses, requests for police action, sanctions, and any combination of the foregoing;

b. Section 2.4.3 All Transfer Station Committee meetings shall be public and shall occur at least monthly in the Waldoboro Town Office, where they must be recorded for television broadcasts. During the first July meeting of each year, the Transfer Station Committee members shall elect a chairperson, a vice-chairperson, and a Secretary, all of whom may serve until the next succeeding July meeting. *During each annual July meeting, the Chairperson of the Transfer Station Committee shall obtain the consensus of all Committee members regarding meeting schedules, creation of agendas, and rules for conducting business.*

B5.3.2.Unacceptable Behavior. A Transfer Station employee who is subjected to abusive behavior, including foul language, threatening behavior or behavior, which the Transfer Station employee deems to constitute a threat to the smooth and efficient operation of the Transfer Station, may request the departure from the Transfer Station of the person or persons exhibiting such behavior. A failure to respond to the Transfer Station employee's request, shall constitute sufficient grounds to request assistance from the Waldoboro Police and to inform the Transfer Station Committee. The Transfer Station Committee may conduct a hearing and may, in its discretion and based upon the severity of the behavior and any prior offenses, issue a written warning to the offending user or suspend or revoke the user's privilege to use the Transfer Station and/or Landfill.

Suggested Hearing Process

1. The 'due process' requirement mandates that every decision and hearing be based on fair and reasonable written ordinances that correspond to the facts at issue. The ordinance that is the subject of the hearing must be reasonable and written; and the evidence at the hearing must relate to the purpose and criteria of the relevant ordinance.
2. The 'equal protection' requirement mandates that everyone affected by the particular ordinance be treated in a similar fashion. The key here is the 'treatment' which must be the same. It does not mean that the outcome or decision must be the same. The ordinance must be applied equally to different facts. Because the facts are always different, the outcome is almost always different to some degree.
3. Evidence: There needs to be limitations on the type of evidence that is presented and considered.
4. The most important factor regarding evidence is relevancy. The test is a fairly simple one. Generally, any evidence should be allowed to be presented which will be helpful and which has some reliability. Emotional

and speculative presentations should be discouraged. Hearings may be emotional so the chairman should conduct the hearing with both compassion and fairness. This is a task, which is sometimes almost impossible, but the effort is worth it.

5. At the very beginning of the hearing the chairman should explain the procedural rules and read the criteria of the ordinance that applies. He should make it very clear that only evidence that relates to those criteria can be considered. That is the best test of relevancy: does the evidence relate to the ordinance, which is being applied?
6. Anyone who testifies should be subject to cross-examination.
7. The Committee's decision must be based only on information and evidence gathered at the hearing.
8. The final decision must be in writing and must state the reasons for the decision. This is a matter of general fairness. The best form is the listing of the facts that were relied upon for reaching the final decision. A convenient form will be in two parts. The first is a 'Finding of Facts' and the second is a 'Decision.' If the decision has conditions, they must be listed.

## ATTACHMENT C

### Bob Butler's Responses to Terry Gifford's Written Questions

1. Do you know who authorized the Director of the Transfer Station to institute this illegal 30% action against people and "users" of the station and what good or positive result is expected to come from it?

**John Daigle has responded to this question.**

When several members of our committee emailed you asking for the "disputed" 30% requirement to stop, as a Chairman why did you not bring this up at our meeting?

**I do recall receiving an e-mail from Will Payson in November, after the Committee's November meeting, requesting that the committee take up the matter at its next meeting. I recall sending you an e-mail in November, after the November meeting, asking you to submit any complaints you might have to the Transfer Station Committee so that I might include them as an agenda item. I also recall putting on the agenda of every single meeting this committee has ever held a last agenda item requesting suggestions for the next succeeding meeting. No one ever asked the 30% issue to be put on the agenda during the two October meetings and during the November meeting. As far as I was aware, the measures John Daigle had taken to enforce the ordinance were working.**

- b. Why did you not take our concerns seriously? **I take all concerns seriously.**
- c. As a Member of the Committee, why wasn't this financial procedure placed before the Committee for a vote? **John Daigle answered this question.**
- d. How is the money recorded? **John Daigle answered this question.**
- e. Does an unpaid bill become filed by the town with outside overseers of credit? **I don't know**
- f. Is this not serious? **Matters of one's credit standing are always serious.**

2. Why do you believe the study prepared by the DSM Environmental is not important enough to put on an agenda for discussion?

**The Ad hoc Transfer Station Committee had access to and discussed the DSM study at length. You (Terry Gifford) participated in those meetings.**

- a. Would it be reasonable to request John Daigle to use the guide in this study to calculate the true cost of Recycling MSW at our transfer station?

**The DSM Study clearly pointed out on page 3 that its 2010 surveys at the transfer station yielded a recycling rate of only 9%. The Transfer Station is a recycling enterprise. Assuming more or less fixed labor costs, the less material that is recycled, the higher the per pound cost of recycling. The more material that is recycled, the less the per pound cost.**

**The DSM study strongly encourages the purchase and installation of scales at the transfer station.**

3. I understand the Station Director has suggested certain citizens should seek alternative hauler services. Are we as haulers to assume the station Director is an authorized guide toward favorite haulers?

**John Daigle has responded to this question.**

4. I understand there are clear Ordinance provisions allowing discretion on certain managerial issues but before such discretion becomes serious with financial implications shouldn't it be reviewed by greater authority? How do the committee and Board view this?

**This question is vague. I cannot speak for the committee or for the Board.**

5. When several members of our committee emailed you asking for the "disputed" 30% requirement to stop, as a Chairman why did you not bring this up at our meeting?

**See my response to #1, above.**

- a. Why did you not take our concerns seriously?
- b. As you state that recycling is free, will you please present to the committee and me the figures you believe this to be true?

**I have NEVER stated that recycling is free. I have stated many times that Cushing, Waldoboro and Friendship to do NOT pay Lincoln County to come and collect recycled materials from the Transfer Station.**

6. Where in the ordinance does it require 30% recycling?
- a. Are there places in the ordinance that excludes my business from any % requirement?
  - b. If so, would you please state where?
  - d. Did you ever have a conversation with anyone concerning my non-compliance of the ordinance?
  - e. If so, who, when, and why?

**John Daigle has responded to this question.**

7. Am I imagining it, or are you ignoring my comments and questions I present to the committee?

**To the best of my ability, I do not ignore questions and comments. I try to give everyone who attends the meetings an opportunity to speak. I do try to keep the meeting focused on agenda items. And, I solicit agenda items at the end of every Transfer Station Committee meeting for the next meeting.**

- a. Why when I bring questions and comments to the committee you say that is not on the agenda? Do you realize you say this to others also?

**See my response above.**

- b. Do think it disrespectful for a committee member to have a laptop open, typing constantly?

**No. I use my computer to help me remember what is said during the meetings. Also, my hand-writing is particularly bad; typing ensures I'll be able to read the information I've taken down at the meetings. In this day and age laptop usage has become quite common.**

- c. Would this lead me believe that you are listening and typing words rather than comprehending those words? Since we have our meetings recorded, this is not necessary and I believe this action shows lack of concern for others.

**Please refer to my answer above.**

8. It is clear to me that you show disrespect to the Commercial Haulers, do you feel superior to the haulers?

**The nature of your questions indicates you regard haulers as a group. I regard every person as an individual. I take umbrage at your question.**

a. What was your reason for setting ground rules at their meeting?

**It's my job as chairman both to ensure meetings are orderly and to ensure everyone gets a chance to speak to issues that are on the agenda.**

b. Do you think that meeting was beneficial to anyone?

**I would hope all meetings are beneficial.**

c. Why did you state on camera that a specific hauler is contributing to Lincoln County Recycling shortfall?

**Because it's true. Regional Rubbish Removal is not delivering the recyclables it collects to the Transfer Station so that Lincoln County Recycling can pick them up and sell them to defer the costs it incurs on behalf of its participating communities to collect, sort and bale recyclables.**

d. If you have proof of this accusation, would you please show me the evidence?

**Regional Rubbish has confirmed it does not take its recycling to the Waldoboro Transfer Station during Transfer Station Committee meetings and in a letter it sent to its customers. One of the customers turned the letter into the town office and, as such, it became public information. The Town Manager of Waldoboro sent copies of that letter to every member of Transfer Station Committee.**

e. Was it your intent to imply to the people who watch our meeting that a specific rubbish hauler was contributing to this shortfall and higher taxes for our towns?

**It was not my intent to imply anything. The facts speak for themselves.**

f. It seems to me that you are trying to financially harm specific businesses, are you?

**That's not my intent.**

g. Would this lead me to think that you would say the same thing about my business?

**I have nothing to say about your business. I know nothing about your business.**

9. Why on 11/20/2013 did you come up to me, put your face 3 or 4 inches from mine and ask if I was selling recyclables?

a. Why did you feel it necessary to repeat the question again?

b. What did I do to you that made you speak to me with such a mean tone in your voice?

- c. When you told me you had more questions for me to answer, what did you mean?
- d. What did you mean when you said to me “Terry, I know where you stand on this?”
- e. Do you realize you scared me and I felt like I had been threatened? I was shaking.
- f. Why did you try to intimate me by speaking to me in this tone?
- g. What gave you the idea that I was in violation of the ordinance?
- h. Are you accusing me of this action?
- i. If so, are you prepared to put this in writing?
- j. Do you have proof of this accusation?
- k. Have you had any conversation with anyone concerning my business, or me?
- l. If so, please tell me how, who, why?
- m. Do you have a personal vendetta against me?

**I don't recall the incident you relate in the same way. Regional Rubbish Removal invited Transfer Station Committee members to visit their facility. Committee members visited the Nobleboro Transfer Station and Lincoln County Recycling, as well, as was announced during the November meeting. While visiting the Regional Rubbish Removal facility I asked you if you had deposited any of the material (cardboard, paper and cans were things I noticed) that was lying on the floor. You did not answer the question. You said I was being rude.**

**I do not discuss your business with anyone, and I do not engage in personal vendettas.**

- 10. Why do you find it always necessary to point to name a specific business when making a point, such as the commentary you placed in the Lincoln County News on 11/14/2013? Is this an attempt to destroy a business?

**There was nothing in the commentary the Lincoln County News published that was not already public knowledge.**

- 11. I understand that you have had meetings at the transfer station and town office. As you seem to be representing our committee, why do you not think it appropriate to submit a summary of those meetings? As a member of the committee, I think we should have been informed before you went to the transfer station.

**I can recall one meeting I had with the Town Manager and others to take a phone call from Regional Rubbish Removal's attorney. I did not believe it appropriate to discuss that meeting in public with anyone.**

**I can also recall a time John Daigle requested me and other committee members to join him at the Transfer Station near the end of September, when Regional Rubbish Removal was arriving with a load of recyclables to “prove” the Transfer Station could not accommodate their volume. I recall that John Meyn was there along with the Town Manager, John Spear. John Daigle had arranged for Lincoln County Recycling to provide a container for the load of recyclables Regional Rubbish was bringing to the Transfer Station. I recall that John Daigle turned the Regional Rubbish Removal truck away. The cardboard and mixed paper it carried had not been sorted in accordance with Waldoboro's ordinance. This incident was discussed during one of the October meetings of the Transfer Station Committee. I expressed my view that Regional Rubbish was grand standing and trying to prove that the Transfer Station could not handle the recyclables it collects. By ordinance, the Transfer Station cannot accept recyclables that have not been properly separated.**

**It has never been my intent to destroy anyone's business. Why should it be?**

