

Town of Waldoboro, Maine
Transfer Station Committee Meeting Minutes
Municipal Building - 1600 Atlantic Highway
Wednesday, March 26, 2014 – 6:00 p.m. to 8:00 p.m.

1. Sign in and Call to Order

Determine presence of a Quorum (at least 5 of the 7 Committee members or their duly appointed Alternates must be present).

The Following Transfer Station Committee members were present and constituted a quorum:

Robert Butler, Waldoboro Resident
Randolph Robbins, Cushing Resident
Elizabeth Dinsmore, Friendship Select Board
Bruce Prior, Cushing Hauler
Martha Marchut, Cushing Select Board
Theodore Wooster, Waldoboro Select Board
John Meyn, Friendship Resident

Others present at the meeting were: Monika Magee, Cushing Alternate; John Daigle, Director of Waldoboro Department of Public Works; Michael Naylor, Regional Rubbish Removal; Beebee Naylor, Regional Rubbish Removal; Terry Gifford, Hauler Alternate; John Higgins, Waldoboro Alternate; Alan Magee, Cushing Resident; Alton Grover, Cushing Select Board; Laurie Haynes, Cushing Select Board;

2. Comments from John Higgins, Waldoboro Alternate

John Higgins expressed his view that, as an Alternate on the Transfer Station Committee, he should have the right to join the committee members at the table. He quoted from Section 3.3 of the Municipal Services Agreement...”and the Partners hereby commit to appoint their members to the Committee and to participate fully and at all times in the meetings and affairs and responsibilities of the Committee.”

Committee members present pointed out that this issue had been addressed during previous meetings. The Waldoboro Town Manager had consulted the MMA, which had stated categorically that Alternates sit in the audience unless they are needed to take the place of an absent committee member. They added that Alternates are not “committee members” until such time as they are needed to fill in for an absent committee member. By consensus the committee agreed to move on.

3. Minutes of the March 6, 2014 Meeting. Randy Robbins pointed out that the minutes should show him as a Cushing Resident, not as a Cushing Alternate. The committee approved the minutes unanimously subject to correcting the reference to Mr. Robbins to “Cushing Resident”.

4. Maine Resource Recovery Association Annual Conference at the Samoset on April 28th and April 29th.

John Daigle confirmed that the Transfer Station Budget has funds available to pay for

committee members to attend the MRRA Conference. John Meyn, Randy Robbins, and Martha Marchut confirmed that they will attend. John Daigle said he would pass their names on to Waldoboro's Finance Director to be registered for the conference. Ted Wooster, Liz Dinsmore, and Bob Butler are checking their schedules and will contact the Waldoboro Finance Director to sign up when their schedules become clarified.

5. Reminder of Joint meeting of the Select Boards of Cushing, Friendship and Waldoboro set for April 2, 2014 at 6:00 p.m. The public meeting will be held to discuss the scales and legal issues concerning the ordinance.
 - a. Issue of the Scales. Laurie Haynes, Cushing Select Board, asked why the length of the scale is in dispute given that the DSM study and the Pine Tree Engineering study, both of which were paid for by funds contributed by all three towns, recommended a 70-foot scale. "Why" she asked, isn't the Waldoboro Select Board taking the advice for which it has paid?" She and committee members agreed that the dispute about the length of the scale makes no sense.
 - b. John Meyn said that the \$29,000 in "savings" realized from installing a 40-foot scale symbolize nickleing and diming
 - c. John Daigle said that, assuming 4% cost increases each year for the next 10 years, a decision to delay spending the extra \$29,100 for the 70-foot scale today, would yield a cost of \$43,075 ten years from now, and that would not include the groundwork or cement work or the roadwork needed to accommodate lengthening the scale from 40 feet to 70 feet. John Daigle also pointed out that the additional work Pine Tree engineering did to estimate the cost of a 40-foot scale was done without the input of the Transfer Station Committee or Cushing and Friendship. In his view that additional work should be charged to the Waldoboro Select Board and not to all three of the towns.
 - d. Ted Wooster pointed out that the disagreement concerning the length of the scales has stopped progress. John Daigle has not been able to look into containers and related items because he still does not know what scale length to plan for.
 - e. The Committee's consensus is that all three towns need to look to the future, not to the present or the past.
6. Discussion of Draft of Changes to Attachments A and B of the Waldoboro Solid Waste and Required Recycling Ordinance.
 - a. Randy Robbins insisted that after the on-going review of Bernstein & Shur the towns should have a written opinion as to the enforceability of the ordinance.
 - b. Those proposed changes the Committee reviewed, which invited comments and suggested changes are the following:
 - Section A2.1. The Committee agreed to change the wording to:

"Subject to the review of the Transfer Station Committee and the WTS Manager of each Waste Hauler license application, the authorized Town of Waldoboro office employee(s) shall issue the Waste Hauler license and collect the appropriate fee."

Martha Marchut asked whether the proposed language represents a substantive change.

 - Section A2.5.7 The committee voted for the suggested change, five in favor, two against. John Daigle explained that a hauler with a compactor brings in recyclables, dumps them on the pavement of the transfer station and sorts them, with the assistance of transfer station employees.
 - Section A3. On the motion of John Meyn, with Ted Wooster's second, the committee voted 6 to 1 to approve the suggested change. Randy Robbins was concerned that the language forced Waste Haulers to separate the Solid Waste they take from their customers.

John Daigle said that the 30% goal is only five percentage points more than the goal that was set 20 years ago and that all but two haulers were meeting the goal. John Meyn said this discussion had been going on for five years, and it was time to move on.

- Section B5.3.2. Bob Butler said that Waldoboro’s Town Manager felt the section was not necessary because it is covered elsewhere in the ordinance. Bob Butler agreed that it was covered elsewhere but suggested that a recent incident demanded extensive clarifications to ensure everyone understands violence in the workplace. John Daigle suggested that the section could simply reference OSHA regulations. Bob Butler pointed out that the language does reflect OSHA language the union representative had provided to him. The committee agreed by consensus that the lengthy explanation of workplace violence will further a better understanding of what constitutes workplace violence.

John Meyn moved that the committee accept the attachments as amended with the modifications incorporated during the committee’s discussion. Martha Marchut seconded the motion. All committee members present voted in favor. Attachments A and B, approved as amended, are attached to these minutes

7. Adjournment

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

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

Approved:

Bob Butler, Chairman (Waldoboro Resident)

Ted Wooster (Waldoboro Select Board and Vice Chairman)

Liz Dinsmore (Friendship Select Board)

Randolph Robbins (Cushing Resident)

Martha Marchut (Cushing Select Board)

Bruce Prior (Waste Hauler)

John E. Meyn (Friendship Resident)

ATTACHMENT A

Decals and Rules Concerning, and Descriptions and Disposition of, Solid Waste (Amended and Re-Stated as of March 26, 2014)

A1. Issuance of Transfer Station Decals and Temporary Permits (Pursuant to Sections 2.3.2 and 2.3.3 of the Ordinance)

A1.1. Decals and Decal Location. Permitted Users who are permanent Residents of their respective towns must obtain their decals from the WTS Manager at the Transfer Station after showing the WTS Manager their Maine driver's licenses and their automobile registration, both of which MUST show an address in one of the Transfer Station Partners. All decals the WTS Manager issues shall have written on them the license plate number of the vehicle to which they are affixed. Decals shall be affixed to the lower left corner of the vehicle's windshield. The decal shall permit the holder access to the Transfer Station and to the Landfill during its term of validity.

A1.2. Temporary Permit Applications and Placards for Part-time Residents and Others. People who are living part-time in one of the Partners or who are summer residents in one of the Partners or who are intending to become full-time residents of one of the Partners shall obtain temporary Transfer Station Permit Placards from their respective Partner town office. The Temporary Permit Placard shall allow the holder access to the Transfer Station and to the Landfill. The Transfer Station Committee will periodically determine the form of the Temporary Permit Placard. The Temporary Permit Placard shall be displayed on the dashboard of the driver's side of the vehicle. The Temporary Permit Application shall contain the following information:

A1.2.1. Applicant's name;

A1.2.2. Applicant's local address and phone number and permanent address and phone number;

A1.2.3. Year, make and license plate number of the applicant's vehicle;

A1.2.4. Date of issuance and date of expiration of the Temporary Permit;

A1.2.5. Evidence of part-time residency in one of the Partners

A1.2.6. Identity of the town office, which issued the temporary permit.

The Temporary Permit Placard shall state the owner's address, the license number of the vehicle, and the expiration date of the temporary permit.

A1.3. Construction and Demolition Debris Permit Applications and Placards.

The Transfer Station Committee may periodically determine the form of the Construction and Demolition Debris (CDD) Permit Application and Placard. The WTS Manager may issue blank CDD Permit Applications to Resident Businesses and to non-resident businesses performing services of a short-term duration for a Resident. Such businesses must have their Resident clients complete and sign the CDD Permit Application and provide a contact phone number so that the WTS Manager may verify the accuracy of the information the CDD Permit Application contains. The WTS Manager shall keep the completed and duly signed CDD Permit Application on file at the Transfer Station. The CDD Permit Application shall contain the following information:

- A1.3.1. Applicant's name ("Applicant" refers to the entity performing the CDD removal service);
- A1.3.2. Applicant's local address and phone number and permanent address and phone number;
- A1.3.3. Year, make and VIN of the applicant's vehicle;
- A1.3.4. Physical location and/or address of the Permitted User contracting the Applicant's services;
- A1.3.5. The nature and location of the work the applicant will perform for the Permitted User;
- A1.3.6. Date of issuance and date of expiration of the permit;
- A1.3.7. A statement that the permit allows for the disposal of no more than 30 cubic yards or an equivalent number of pounds of CDD per month; and
- A1.3.8. If applicable, the number of the vehicle operator's Maine State CDD Hauler's license, which is issued for vehicles with a Gross Vehicle Weight of more than 10,000 pounds.

Upon verification of the information contained in the CDD Permit Application, the WTS Manager, or his duly appointed alternate, shall issue a CDD Permit Placard, which must be displayed on the driver's side dash board of the vehicle named on the CDD Permit Application. The CDD Permit Placard shall state the Name of the vehicle's owner, the make of the vehicle, the License Number of the Vehicle, the issuance and expiration dates of the CDD permit, and an area where the WTS Manager can record the date and amount of each load of CDD deposited at the Transfer Station during the term of the project.

- A2. Issuance of Waldoboro Waste Hauler Licenses and License Placards (Pursuant to Section 2.3.6 of the Ordinance.)
- A2.1. Subject to the review of the Transfer Station Committee and the WTS Manager of each Waste Hauler license application, the authorized Town of Waldoboro office employee(s) shall issue the Waste Hauler license and collect the appropriate fee.
- A2.2. Waldoboro Waste Hauler license applicants must accompany their application with a valid Waste Hauler license from the State of Maine, Department of Environmental Protection, Bureau of Remediation & Waste Management if applicable to the Gross Vehicle Weight of the Waste Hauler's vehicle, and/or a certificate of liability insurance appropriate to the Gross Vehicle Weight of the vehicle. The certificate of insurance must name the Town of Waldoboro as an additional insured and contain a 30-day termination notification.
- A2.3. Each Waste Hauler must have its own Waste Hauler license.
- A2.4. Waste Haulers shall apply for new or renewal Waldoboro Waste Hauler licenses by June 1st of each year. If granted, Waldoboro Waste Hauler licenses shall be valid for one year commencing on July 1st.
- A2.5. Each Waste Hauler License Application shall contain the following information:
- A2.5.1. The name and address of the Waste Hauler
- A2.5.2. The Vehicle Identification Number(s) of the Waste Hauler's vehicle(s) and the vehicles' color(s), make(s), model(s), and Gross Vehicle Weight (s);
- A2.5.3. The Waste Hauler's address and phone number and the physical address of the vehicle parking location;
- A2.5.4. The effective and expiration dates of the Waldoboro Waste Hauler's license;
- A2.5.5. The name of the insurance company providing liability insurance for the vehicle(s), its owner, and its driver; and
- A2.5.6. Evidence that the vehicle is carrying a current inspection sticker
- A2.5.7 Evidence, satisfactory to the Committee and the WTS Manager, that all of Waste Hauler's vehicles conform to the requirements of Section 2.3.6.2 of the Ordinance.
- A2.6 The Waste Hauler License Placard shall be issued on the basis of information contained in the approved Waste Hauler License Application and must contain the license plate number of the vehicle and the expiration date of the Waste Hauler License.
- A.2.7 Renewal Licenses shall not be issued to Waste Haulers who have any outstanding invoices for fees and/or penalties the WTS Manager has assessed pursuant to this Ordinance.

- A3. Separation of Bulky Waste, Constructions Demolition Debris, Garbage or Trash, and Recyclables (Pursuant to Sections 1.3.2, 1.3.4, 1.3.12, 1.3.15, 2.3.1, 2.3.5.2 and 2.3.6.2 of the Ordinance)

Permitted Users shall convey their **discarded** Solid Waste and Universal Waste to the Transfer Station. **Subject to Section A4**, Waste Haulers shall **convey to the Transfer Station** all of the Solid Waste and Universal Waste with which their **Partner** customers have entrusted them. Permitted Users, **including Waste Haulers**, shall separate **or shall ensure the separation of**, their Recyclables, **Garbage**, Bulky Waste, Compostable Waste, Universal Waste, Unacceptable Waste and Construction and Demolition Debris. The goal of this Ordinance is to achieve the highest possible level of recycling in order to reduce the amounts the Partners pay to have their Solid Waste transferred out of the Transfer Station. **The WTS Manager has established a minimum goal of 30% Recyclables, as determined in accordance with Section B3 of this Ordinance.** Only Garbage shall remain **for deposit into the Transfer Station compactor** after such separation. **All** Solid Waste conveyed to the Transfer Station shall be deposited in accordance with the WTS Manager's directives, which shall be consistent with the purposes of this Ordinance.

- A4. Exceptions and Refusals (**Section 2.3.5 of the Ordinance**): The following Items are exceptions and refusals, as described below:

- A4.1. Solid Waste from which Recyclables have not been removed and which Waste Haulers have collected from public schools located in Waldoboro and/or in one of the Partners **shall be deposited at the Transfer Station and the Permitted User depositing such Solid Waste shall pay the applicable dumping fee set forth in Section B.**
- A4.2. Construction and Demolition Debris, which is intended for the Landfill and which is acceptable to legally sanctioned dumping areas outside of the boundaries of Waldoboro and the Partners need not be deposited. **The intention of this exception is to extend the useful life of the Landfill.**
- A4.3. Solid Waste, **excluding Recyclables**, which Waste Haulers collect from Residents and/ or Resident Businesses and discard at legally sanctioned dumping areas located outside of the boundaries of Waldoboro and the Partners need not be deposited, **provided however that Recyclables not deposited at the Transfer Station shall be reported in accordance with Section A4.4 below.**

- A4.4 Waste Haulers who collect Recyclables from within the boundaries of the Partners but deposit or sell them elsewhere shall submit a monthly report to the WTS Manager **documenting** the categories and weights or volumes of such undeposited and/or sold Recyclables. **The Town of Waldoboro requires the information contained in the reports to fulfill Maine Department of Environmental Protection reporting requirements. Failure to submit the monthly reports shall constitute sufficient reason for the Board, upon recommendation of the Transfer Station Committee, to revoke the Waste Hauler's Waldoboro Waste Hauler License. The submission of monthly reports does not exempt Waste Haulers from paying the dumping fee set forth in Attachment B.**
- A4.5. Refusals. The WTS Manager may refuse to allow the deposit of certain categories of Solid Waste in the event there is not sufficient space to accommodate them at the Transfer Station **or in the event such categories of Solid Waste have not been separated in accordance with Section A3. Examples include items intended for the metal or the woodpiles, which have reached maximum capacity or the failure to separate mixed paper from corrugated cardboard.**
- A5. Recyclables (**Pursuant to Sections 1.2.11 and 2.3.1 of the Ordinance**). **Permitted Users shall separate their Recyclables into the categories set forth in this Section.** The WTS Manager shall install legible signs at clearly designated disposal areas and on bins within the Transfer Station, subject to plans and traffic patterns the Transfer Station Committee recommends and the Board approves, to indicate acceptance of the following Recyclables:
- A5.1. Glass, colored and clear, thoroughly cleaned;
 - A5.2. Porcelain, ceramic sinks, toilets, and tubs, porcelain bathroom fixtures, and ceramic cookware. Remove all covers and lids;
 - A5.3. Cans and metal drums (tin, steel and aluminum) and foil pie plates, all with labels removed, all thoroughly cleaned and, if possible, crushed. The WTS Manager may only accept metal drums and cans if he or she is convinced that the drums and/or cans did not previously contain Unacceptable Waste;
 - A5.4. Newspapers and magazines, including newspaper inserts, telephone books, catalogues, paperback or hardcover books, ~~phone books~~, and brochures. All must be clean and dry;
 - A5.5. Mixed Paper including junk mail, clean cereal and food boxes, clean egg cartons, clean pizza boxes, computer paper, copier paper, paper bags, and colored paper. Mixed Paper DOES NOT include waxed paper or aseptic boxes, food, plastic, rubber bands, or used tissues and paper towels. Mixed Paper DOES include fluted (gable-end) juice, milk and similar food or drink cartons To help ensure personal privacy, this

Ordinance recommends that Permitted Users shred junk and personal mail and other mixed paper, which could contain confidential information.;

- A5.6. Corrugated cardboard, which must be cleaned of food waste and contain no solid Styrofoam or other packing materials. Waxed cardboard is unacceptable. (BAGGED Styrofoam and starch peanuts are put into the compactor);
 - A5.7. Plastic including containers Numbered 1 thru 7 (thoroughly rinsed with caps removed), plastic toys, and other plastic items. No. 2 plastics (HDPE) must be separated from other plastics, and No. 2 plastics must, themselves be separated into non-colored and colored; The Transfer Station does not recycle PVC PIPES, HOSES OR OTHER PVC ITEMS, all of which must be thrown into the Transfer Station Compactor or “hopper”; and
 - A5.8. Clean and empty plastic grocery store shopping bags and shrink-wrap.
- A6. Construction and Demolition Debris (CDD): (Sections 1.3.4 and 1.3.7 of the Ordinance) CDD shall be separated and deposited on the day pads the WTS Manager has designated for them.
- A6.1. Construction and Demolition Debris includes bricks, dirt, yard waste, asphalt shingles, broken wall board, sheetrock, blue board, pressure-treated wood, painted wood, untreated wood, wooden furniture, Structural Insulated Panels (SIPS), and insulation.
 - A6.2. Demolition lumber shall be cut into lengths of 8 feet or less and deposited onto the woodpile.
 - A6.3. All Construction and Demolition Debris shall be separated and deposited into the following separate areas, for each of which the WTS Manager shall set out clearly marked signs:
 - A6.3.1. Pressure-treated wood
 - A6.3.2. Wood furniture, painted wood and untreated or plain lumber;
 - A6.3.3. Plywood and Oriented Strand Board (OSB);
 - A6.3.4. Brick and cement blocks;
 - A6.3.5. Asphalt shingles, tarpaper, and other roofing underlayment; and
 - A6.3.6. Sheetrock, blue board, wallboard, and other similar materials;
 - A6.4. Batt and other insulation must be deposited into the compactor or “hopper”.
- A7. Bulky Waste. (Sections 1.3.2 and 1.3.15 of the Ordinance) Bulky Waste includes upholstered furniture, mattresses, rugs, carpets, carpet padding, drapes, box springs, ropes, cable, fencing, and appliances and the miscellaneous items listed below. All Bulky Waste shall be deposited as the WTS Manager directs. Fees, if applicable, are set forth in Attachment B. Bulky Waste includes:

- A7.1. Plastic Pallets;
 - A7.2. Wooden Pallets, which, in the sole discretion of the WTS Manager, are suitable for recycling;
 - A7.3. Propane Tanks;
 - A7.4. Batteries. Any lead acid battery, including car, truck, motorcycle, and boat batteries, all of which the Transfer Station ships to a lead recycling center, and conventional and re-chargeable batteries of all kinds and sizes. including battery packs;
 - A7.5. Metal, including sheet metal items, which shall be cut or folded and flattened so that no dimension exceeds four (4) feet; iron, steel, aluminum, copper, and brass, all separated by type of material; wire and cable; and metal furniture. The WTS Manager may allow in his sole discretion empty fuel tanks of any kind (with mercury switches removed), catalytic converters, and small auto parts and tire rims;
 - A7.6. Tires with rims removed. Residents may deposit their tires at the Transfer Station. Commercial tire sellers and/or changers may not bring their tires to the Transfer Station;
 - A7.7. Appliances. Refrigerators and freezers must have all doors removed before their arrival at the Transfer Station. Transfer Station personnel shall **arrange to remove** freon gas, if any, from all appliances, including air conditioners. Washers, dryers, cookers, ranges, stoves, and water heaters, whether gas or electric, need not be disassembled prior to their being placed in the designated Transfer Station area;
 - A7.8. Ashes from all stoves, whether hot or cold, shall be placed in drums or barrels located at the Transfer Station;
 - A7.9. Waste Oil and Anti-Freeze. The Transfer Station will charge a fee to accept waste engine oil and anti-freeze in containers not exceeding 5 gallons. One-gallon containers are preferred. No water, **gasoline, or** antifreeze may be in the oil **and no oil, or gasoline** may be in the anti-freeze. The disposal charge for waste oil may be avoided by taking the waste oil to someone who burns waste oil. The Transfer Station has a list of people who burn waste oil and will accept it from Residents;
 - A7.10. Brush, including Christmas Trees. Tree limbs, and branches must be cut into lengths of not more than 8 feet for chipping;
 - A7.11. Vinyl siding, not more than 5 feet in length; and
 - A7.12. Animal feces from domestic pets, which should be bagged and put into the hopper.
- A8. Universal Waste (**Pursuant to Section 1.3.21 of the Ordinance**) shall be deposited in the areas the WTS Manager designates. Universal Waste includes:
- A8.1. Portable Radios;
 - A8.2. Cell Phones and home phones;

- A8.3. Laptop and desktop computers and servers
 - A8.4. Televisions;
 - A8.5. Speakers, amplifiers, tape decks, CD players, and video games;
 - A8.6. Compact fluorescent energy saver light bulbs (CFLs);
 - A8.7. Any and all other electronic equipment, of which the WTS Manager approves;
 - A8.8. Mercury;
 - A8.9. Freon; and
 - A8.10. Freon Replacement.
- A9. Garbage or Trash (Pursuant to Sections 1.3.6, 1.3.15, and 2.3.4 of the Ordinance). Solid Waste that is Garbage or Trash (including properly bagged feces from household pets) must be in plastic bags or other suitable containment for disposal into the Transfer Station compactor. Bagged Garbage or Trash must not contain Recyclables, Universal Waste, Construction Demolition Debris, Unacceptable Waste, Bulky Waste or any other items, which cannot be considered Garbage or Trash.
- A10. Compostable Waste (Pursuant to Section 2.7 of the Ordinance). Compostable Waste includes grass, leaves, ~~old~~ clippings and other natural vegetation. Compostable Waste does NOT include bales of hay and commercial sod. Compostable Waste and Composting are further described in Section 2.6 of the Ordinance. The Transfer Station does not accept Compostable Waste.
- A11. Prescription and Over-the-Counter Medicines (Pursuant to Section 2.3.1 of the Ordinance). Prescription and over-the-counter medicines includes pills, capsules, salves, medicinal ointments, and other similar items. The ultimate destination for discarded medicines is the incinerator at the Penobscot Energy Recovery Company, which incinerates them at extremely high temperatures. All such substances should NOT be flushed down a toilet, buried, or disposed of in ways that could expose them to others. The best disposal method is to remove the item from its container and to mix the discarded item with household pet feces, garbage, or other substances that make it clear it is not intended for human consumption. The mixed items should then be placed in a bag and disposed of as Garbage at the Transfer Station.
- A12. Unacceptable Waste (Pursuant to Section 1.3.20 of the Ordinance). The Transfer Station shall not accept the following types of waste. All Permitted Users must consult with the WTS Manager regarding the proper disposal of Unacceptable Waste.
- A12.1. Any Solid Waste or substance, whatever the amount, which the Federal Environmental Protection Agency classifies as “Hazardous” or “special”;
 - A12.2. Dead animals or other pathological waste;
 - A12.3. Truckload lots of tires;

- A12.4. Commercial Shellfish waste;
- A12.5. Junk vehicles or parts, including electric car batteries, which are to be left with the car dealer. They are not accepted at the Transfer Station.
- A12.6. Septage, septage treatment waste, septic tank waste, farm animal feces (manure), and sludge from wastewater treatment plants;
- A12.7. Asbestos shingles, siding and flooring;
- A12.8 Bituminous Pavement (Asphalt Paving) and Concrete; or
- A12.9. Waste, which does not meet the requirements of Section 2.3 of the Ordinance.

ATTACHMENT B

Fee Schedule
Fines, Penalties and Sanctions
(Amended and Re-Stated as of March 26, 2014)

B1. Annual Permit, License and Decal Fees (Pursuant to Sections 2.3.3 and 2.3.6.1 of the Ordinance and A1)

- B1.1. Annual Permitted User Decal Fee (Attachment A1): No Fee
- B1.2. Temporary Permit Fee for Part-time Residents and Others: No Fee (Attachment A1)
- B1.3. CDD Permit (Attachment A1): No Fee
- B1.4. Annual Waste Hauler License Fee: \$25 per license (Attachment A2)

B2. Fees for Bulky Waste and Construction and Demolition Debris (Pursuant to Section 2.3.9 of the Ordinance):

- | | | |
|-------|--|--------------------|
| B2.1. | Antifreeze (per gallon) | \$1.00 |
| B2.2. | Appliances/White Goods | |
| | Appliances not requiring Refrigerant for normal Operation | \$3.00 per unit |
| | Appliances With Refrigerant Or which had Refrigerant | \$10.00 per unit |
| | Hot Water Tanks | \$5.00 per unit |
| | Pressure Tanks (only if <u>not</u> pressurized) | No charge |
| B2.3. | Batteries | |
| | Car and Marine Batteries | \$2.00 per battery |
| | AA, AAA and other Batteries | No Charge |
| | Rechargeable batteries for tools and appliances, including lithium | |
| | Gel motorcycle batteries, inverters | No Charge |
| B2.4. | Electric car batteries are to be left with the car dealer. They are not accepted at the Transfer Station. | |
| B2.5. | Construction and Demolition Debris: Permitted Users, including Waste Haulers, must obtain a CDD Permit to dump CDD at the Transfer Station. (Please see Section A1.3.) During a given month, the permit allows the dumping of no more than 30 cubic yards of CDD or the equivalent tonnages of CDD for the categories indicated below. For purposes of this | |

Ordinance, The Transfer Station considers one load from a pick-up with a 6-foot bed to be one (1) cubic yard.

Less than 1 cubic yard	\$10.00
1 to 4 cubic yards	\$15.00 per cubic yard
4+ to 8 cubic yards	\$30.00 per cubic yard
8+ cubic yards	\$40.00 per cubic yard
If by weight	There will be a per pound charge after the installation of scales

Note: The Transfer Station does not accept asphalt paving or concrete.

[See Section A12.8](#)

B2.6. Fluorescent Light Ballasts/Transformers	\$1.25 each
B2.7. Mattress or box spring - single	\$5.00 each/\$10 set
Queen or Larger	\$10.00 each/\$20 set
B2.8. Motor Oil	\$0.50 per gallon
B2.9. Paint and paint thinner/turpentine	\$0.50 per gallon
B3.9.1. There is no disposal fee for Latex paint, mixed with sawdust or cat litter. The mixture shall be dumped into the Transfer Station compactor.	
B3.9.2. Oil-Based Paint, No more than 5 gallons at one time	\$8.00 per gallon
B2.10. Scrap Metal	\$5.00 per cubic yd or \$0.02 per lb
B2.11. Universal Waste: Televisions/CRTs/Servers, Laptops and desktop Computers, CFL's Portable Electronic Equip.	No charge, subject to changes in State of Maine mandates
TV's and Computer Monitors	\$5.00 each
B2.12. Tires (Permitted Users are encouraged to leave used tires at the service garage or auto dealer)	
Auto, w/out rims	\$2.00 per tire
Auto, with rims	Not accepted
Truck Tires w/out rims 20" or smaller	\$ 5.00 per tire
Tires greater than 20" without rims must be cut into three pieces	\$9.00 per tire
Tires greater than 20" With rims	Not accepted
B2.13. Clean Wood and Brush	\$5.00 / cubic yd/\$0.03/lb
Demolition Wood	\$15.00 / cubic yd/\$0.09/lb
Pressure Treated and Painted Wood, OSB, Plywood, and Other Wood*	\$10.00 / cubic yd/\$0.06/lb

*("Other wood" includes painted wood, stained wood, pressure treated wood, plywood, OSB, and particle board, all of which are to be put into the wood pile to be ground up and disposed of either into the Landfill or by other means)

B2.14 Payment of Bulky Waste and CDD Fees. Permitted Users shall pay the Bulky Waste and CDD fees charged pursuant to this section in accordance with the WTS Manager's instructions. All Bulky Waste and CDD fees shall be deposited into the Transfer Station Special Revenue Fund and used to offset Transfer Station expenditures.

B3. Dumping Fees and Payment (Pursuant to Sections 2.3.5, 2.3.4, and 2.3.6)

B3.1 Discretionary Authority. This Ordinance requires Permitted Users to deposit all of their **discarded** and **appropriately separated** Recyclables at the Transfer Station. This requirement extends to Waste Haulers, who must deposit all of their collected and **appropriately separated** Recyclables at the Transfer Station or report them to the WTS Manager in accordance with Section A4.4. Until such time as the Transfer Station has scales, this Ordinance gives the Transfer Station employees discretionary authority reasonably to estimate whether the volume of Recyclables that Permitted Users deposit into the Transfer Station Compactor are meeting recycling goals. -Transfer Station employees must exercise their discretionary authority fairly to all Permitted Users.

B3.2 Measuring Volumes of Garbage (G), Recyclables (R) and Percentage of Recyclables (%R).

B3.2.1 Remove all Bulky Waste, CDD, Universal Waste and other Solid Waste that is not Recyclables and Garbage and assess the appropriate fee against the Solid Waste that is not Recyclables and/or Garbage

B3.2.2 Measure to estimate (or weigh) the aggregate volume of the remaining Garbage and Recyclables

B3.2.3 Remove the Recyclables (R)

B3.2.4 Measure to estimate (or weigh) the volume of the Garbage that remains (G)

B3.2.5 Calculate R as: $(R+G) - G$ (Recyclables equal Recyclables plus Garbage minus Garbage).

B3.3 Calculation of Recyclables Percentage (%R)

B3.3.1 %R for Truckloads of deposited Solid Waste: The Recyclables Percentage of each truckload of Solid Waste delivered to the Transfer Station shall be calculated as follows:

$\%R = R/(G+R)$ (Percentage of Recyclables equals Recyclables divided by the sum of Garbage and Recyclables)

Example: $G + R = 150$ cubic Yards

$R = 50$ Cubic Yards

$G = 100$ Cubic Yards

$\%R = 50/(100 + 50) = 33.3\%$

B3.3.2 %R for Solid Waste deposited by the Bag: For every three 30-gallon bags or every three contractor bags Transfer Station employees shall estimate %R on the basis that two of the three deposited bags shall contain Garbage and one of the three deposited bags shall contain appropriately sorted Recyclables.

B3.4 Minimum %R. The WTS Manager has determined in his sole discretion that Permitted Users must deposit a %R of not less than 30% (Minimum %R) for purposes of determining dumping fees and in order to ensure the purposes of this Ordinance as set forth in Article 1.2 are achieved.

B3.5 Dumping Fees for Permitted Users Who do NOT Recycle.

B3.5.1 Permitted Users who do not separate Recyclables for deposit at the Transfer Station as required by this Ordinance or who do not recycle in accordance with the requirements of this Ordinance shall pay the following dumping fees for all materials deposited into the Transfer Station compactor. Transfer Station staff shall determine, in their sole discretion, which of the following fees shall apply to the material deposited into the Transfer Station compactor:

\$0.06 per pound or

\$13.50 per uncompacted cubic yard or

\$35.00 per compacted cubic yard or

\$0.60 per 30-gallon bag or

\$1.20 per contractor bag

B3.5.2 For purposes of this Section, Permitted Users who do not deposit Recyclables at the Transfer Station on the same day that they deposit Garbage shall be deemed not to be recycling for that day. All such deposited materials shall be deemed to be unseparated materials. Transfer Station employees shall record the volume or weight of the unseparated materials placed into the Transfer Station hopper and shall report the amount to the Town Office for billing. Permitted Users who do not have billing accounts at the Transfer

Station shall pay by cash or check prior to dumping at the applicable dumping fee, as determined in the sole discretion of the Transfer Station staff.

B3.5.3 Mixture of Compacted and Uncompacted Trash. The Transfer Station employees shall be the sole determiners of whether materials deposited into the Transfer Station Compactor are compacted or uncompacted or a pro-ratable mixture of the two. Dumping fees for the relative portions uncompacted and compacted materials shall be assessed in accordance with Section B3.5.1.

B3.6 Dumping Fees for Waste Haulers Who do NOT deposit the Minimum %R.

B3.6.1 For Waste Haulers, monthly %R shall be calculated in accordance with Section B.3.2 for each day of the calendar month that R is deposited at the Transfer Station.

B3.6.2 The monthly shortfall of R, if any, shall be calculated as follows:

(a) Calculate %R

Example: Sum of G = 255 cubic yards
Sum of R = 43 cubic yards
G + R = 298 cubic yards
 $\%R = 43/298 = 14.43\%$, which is less than 30%

(b) Calculate Shortfall based upon the example

$30\% (G + R) = .3(298) = 89.4$ Cubic Yards
Shortfall = 89.4 cubic yards minus 43 cubic yards = 46.4 cubic yards

In this example, assuming the Shortfall is uncompacted, it is billable at the rate of \$13.50 per uncompacted cubic yard. The billable amount would be \$626.40.

B3.7 Solid Waste from Public Schools

With reference to A4.1, Solid Waste, which has been collected from public schools located in Waldoboro or one of the Partners and from which Recyclables, Garbage, CDD, Universal Waste, and Bulky Waste have not been properly separated and/or sorted may, if permitted in the sole discretion of the Transfer Station Employees, be deposited at the Transfer Station. Such deposits of Solid Waste shall incur the dumping fees for each appropriate category of Solid Waste set forth in this Attachment B.

B.4 Complaints (Section 2.4.1.4). All complaints resulting from non-compliance with, or lack of understanding concerning, this Ordinance shall be directed, first, to the WTS Manager and, if necessary thereafter, to the Transfer Station Committee. All complaints to the Transfer Station Committee must be in writing on the Complaint Forms available at the Waldoboro Town Office.

B5. Violations of this Ordinance (Pursuant to Sections 2.3.5.2, 2.3.5.4, 2.3.6.2, 2.3.6.4, and 2.3.6.8)

B5.1. Enforcement for Littering (Sections 2.3.5.4 and 2.5.3 of the Ordinance). Anybody caught littering will be prosecuted.

B5.2. Solid Waste and Health (Section 2.1 of the Ordinance). The Waldoboro Code Enforcement Officer shall investigate any waste-related problem brought to his or her attention and shall call for police assistance if the Code Enforcement Officer believes such assistance is warranted.

B5.2.1. Removal of Solid Waste for Health Reasons. The Waldoboro Code Enforcement Officer shall serve a notice of violation to any Resident or property owner found to be accumulating Solid Waste or Unacceptable Materials, which the Waldoboro Code Enforcement Officer deems to be injurious to ~~the~~ public health ~~and~~ or safety. The Solid Waste or Unacceptable Materials must be removed and properly disposed of promptly upon service of the notice. If the offending Solid Waste or Unacceptable Waste has not been removed, the Waldoboro Code Enforcement Officer shall, upon the consent of the property owner or Resident, arrange for the removal of the waste and shall bill the offending party for all removal costs. If consent is not given to remove the waste, or if removal costs are not timely paid, the Board may pursue court or other legal action to provide for the removal of the Solid Waste and/or Unacceptable Waste and/or to collect removal costs.

B5.2.2. Multi-Family Properties or Rented or Leased Properties. Owners of multi-family, ~~or~~ rented, or leased properties must provide a location for the storage of Solid Waste until a Waste Hauler or other person removes it and lawfully ~~disposes of~~ ~~discards~~ it. Proper storage does not include hallways or the interiors of tenants' living quarters or common public areas, whether located inside or outside. Proper storage does include garages, outside storage sheds, covered dumpsters, and covered waste receptacles. Owners of multi-family dwellings, ~~or~~ rented, or

leased properties may allow tenants to dispose of their Solid Waste at the Transfer Station, however the property owner must provide a location for the storage of such Solid Waste until such time as it is removed for disposal. Failure to provide ~~and/or~~ ~~and~~ use proper storage shall constitute just cause for the Waldoboro Code Enforcement Officer to follow the procedures set forth in this Section B6. The owner of the multi-family dwelling, ~~or of the~~ rented, or leased—property shall be subject to the same procedures if the tenant does not dispose of his or her Solid Waste **in a timely manner**.

B5.3. Other Fines and Sanctions.

B5.3.1. Inappropriate Use of Transfer Station and/or Landfill (Pursuant to **Section 2.3.1, 2.3.2, 2.3.4 and 2.3.5.3 of the Ordinance). Any Resident, Resident Business, Permitted User or any other person or entity throwing unacceptable materials into the Transfer Station compactor or Landfill or otherwise inappropriately disposing of Solid Waste at the Transfer Station or the Landfill **or failing to recycle and/or separate Recyclables as required by this Ordinance** shall be penalized as follows:**

First Offense: Verbal Warning.

Second Offense: Written Warning from the WTS Manager.

Third Offense: A Fine of \$250.00. Failure to pay the fine shall constitute a civil violation. The Transfer Station may recommend to the Board, and the Board may instruct the Waldoboro Town Manager to pursue court action to recover fines not paid within 30 days.

Fourth Offense: Suspension or revocation of rights to use the Transfer Station and Landfill. The Transfer Station Committee shall hold a public hearing to determine the facts. If the facts warrant, the Transfer Station Committee may, in its sole discretion, issue a warning or suspend or revoke the offending user's rights to use the Transfer Station and/or Landfill.

B5.3.2. Workplace Violence/Unacceptable Behavior (Pursuant to Sections 2.5.2 and 2.5.3). The Town of Waldoboro is responsible to provide a safe work environment for its employees. Workplace violence shall be deemed to constitute a threat to the personal safety, security and well being of all Transfer Station employees and to the smooth and efficient operation of the Transfer Station. Workplace violence includes, but not be limited to, foul language, threats, threatening behavior, taunting, bullying, verbal abuse, an

intimidating presence, harassment of any nature such as being sworn at or shouted at, and any physical assault. For purposes of this Ordinance, workplace violence shall also be defined as the failure of any Permitted User to follow the directives or instructions of any Transfer Station employee. Any Transfer Station employee whose directives or instructions are not followed or who is subjected to workplace violence as herein defined shall immediately take steps to protect himself and the other Transfer Station employees and to report such behavior to the WTS Manager and to the police. The WTS Manager shall immediately submit a written complaint to the Town Manager, to the Chairman of the Transfer Station Committee and to the union representing the employee, if applicable. The complaint shall describe the act of workplace violence, identifying the time, place, and nature of the incident, any witnesses and the identity of the person responsible. The responsibility for resolving issues of workplace violence shall lie with the Waldoboro Town Manager, the WTS Manager, the affected employee, and the person accused. The WTS Manager shall notify the Transfer Station Committee in writing of the terms of the resolution. The Transfer Station Committee's only role after receiving such written notification shall be to conduct a public hearing to determine, by majority vote, whether or not the person's right to use the Transfer Station should be continued, suspended or revoked. The Transfer Station Committee's decision shall be final and must be provided within 15 days of the Transfer Station Committee's receipt of the WTS Manager's notification.

B5.3.3. Penalties and Fines. (Pursuant to Section 2.5.3) Permitted Users who fail to abide by any term of the Ordinance, including failure to pay any fees when due, shall be subject to the following penalty and, where applicable, shall pay the following fine:

B5.3.3.1. Penalty. Loss of right to use the Transfer Station. Revocation shall occur only after a hearing before the Transfer Station Committee to determine the facts and the reasonableness of the penalty in light of the facts.

B5.3.3.2. Failure to Cover Loads: \$250.00 for each offense.

B5.4. Deposit of Fines. All fines shall be payable to the "Town of Waldoboro". The Waldoboro Tax Collector or Finance Director shall deposit all fine proceeds into the Transfer Station fund.

