



**LACONIA CITY COUNCIL  
SPECIAL MEETING  
APRIL 24, 2013  
CITY HALL – CONFERENCE ROOM 200A  
7:00 P.M.**

**CALL TO ORDER:**

Mayor Seymour called the meeting to order at the above date and time.

**SALUTE TO THE FLAG**

Councilor Baer led the Salute to the Flag.

**ROLL CALL**

Deputy Clerk Allen called the roll call with the following Councilors in attendance: Councilor Doyle, Lahey, Lipman, Bear, Hamel and Bolduc. Also in attendance were City Manager Scott Myers and Finance Director Donna Woodaman.

**NEW BUSINESS:**

1. Discussion of Solid Waste Disposal and Recycling Options

Mayor Seymour thanked everyone for attending the meeting. He also thanked the community for all the input that has been received over the past several months and has received good feedback. He stated that this has been the most feedback the City has received on any issue since he has been elected.

Mayor Seymour announced he would be giving some historical information on how we got to this point and will give an outline of the options that have been discussed. A general discussion among the Council will take place and then open it to citizen comments with a request to hear from citizens that have not sent email or called their Councilor first. After those people have voiced their concerns the floor will be open to anyone else that would like to reiterate points they have. The Council will follow up with action.

Mayor Seymour explained that in September 2007 Ann Saltmarsh and others created a recycling committee. The committee was in charge of increasing awareness and maximizing recycling efforts within the limitations of the then existing recycling contract with Waste Management. Areas that were targeted and identified within the community included Industrial commercial locations, retail, hospitality, health care, state and municipal, apartment buildings, condo complexes and residential with the objective of mailing a questionnaire to identify problem areas. There was a 33% response which was a successful response. The feedback from the questionnaires was to make it simple and residents would do it. At the same time this questionnaire came out single stream recycling was introduced and the City saw a 35% increase in tonnage from the previous year.

The next focus was on education and awareness. The Daily Sun worked with the City on a recycling article every week called "Recyclables". The Daily Sun also started adding the banner "Recycle Week in Laconia" on the front page during recycling weeks. Towards the end of 2008, with the current Waste Management contract expiring, Ms. Saltmarsh and a group started working on preparing bids for assuming the collection of solid waste services by the City. This included the hiring of people and purchasing of equipment and associated costs of developing a Waste Division within the Public Works Department. Purchase compared lease scenarios were looked into and combinations of both for equipment. The end result, due to the economic environment, was not conducive to making that expenditure. The City ultimately ended up going with Best Way Disposal and the City was pleased with that selection. At the end of 2008 and beginning of 2009 the committee was deemed to have achieved its purpose and was disbanded.

In 2011, a forum at the Laconia Middle School was held. It had a great turnout and opportunity to discuss recycling options and get feedback from the community on ways to increase recycling numbers. Ongoing education continued, including weekly posting on the "Laconia Links" newsletter, and has been for the past 18 months based on what the recycling numbers are. A great deal of coverage has also been given in the Daily Sun and Citizen when it has been brought up at Council meetings.

A few months ago when the Council was looking for options to try to increase recycling the approach of educating and putting information out to the public was not increasing the recycling numbers to the extent the City was looking for. The Council requested that Ms. Saltmarsh provide recycling and solid waste options to them. Ms. Saltmarsh presented four different options. The first option was to do nothing and maintain where we are around 14-15% recycling. Option #2 was to continue to collect trash weekly but limit pickup to one container per week per single family residence and a total of seven(7) (not to exceed 64 gallon) containers per family dwelling and commercial establishments.

Option #3 is the option known as "Mandatory Recycling". This included continuing to collect trash but make recycling mandatory; if there is no recycling container the trash does not get picked up. This option is also a limiting method and includes one (1) (not to exceed 64 gallon) container would also be used with this option.

Option #4 is the Pay as You Throw (PAYT) option with recycling every other week. It will be implemented curbside.

Mayor Seymour stated that Option #1 the recycling rates would stay the same, Option #2 would limit the amount of containers per week with an estimation of 20% recycling, Option #3 has an estimate of 25% and Option #4 has an estimation of 30% or more recycling. These are all estimates from Casella and Bestway during presentations given at prior Council meetings.

Councilor Doyle said there was discussion regarding the 64 gallon container not being the correct size and requested to have the information clarified. Mayor Seymour replied that with Options #3 & 4 there are a number of details that are still not defined. With recycling we would still be doing every other week but it has not been determined if this would be the case over time with the anticipated increase in recycling. The cost of the bags for PAYT is still undetermined and there is an estimation of how much the cost would be. With Option #3 there are still questions as to how to enforce mandatory recycling. A determination of what constitutes recycling will also need to be defined. Mayor Seymour stipulated that right now it is not the details but the options that are being discussed.

Mayor Seymour gave the option to the Council to open it up to the floor or to have a council discussion and the council agreed to open the meeting to public comment.

John McKenzie (Ward 1) spoke against PAYT. Mr. McKenzie believes that annually his family will pay \$300 to \$600 for the extra bags. With the increasing cost of his healthcare it will make it difficult to pay the extra money for the bags. Mr. McKenzie also stated that the large toters are helpful; he feels he is being penalized and encouraged trying mandatory recycling.

Councilor Hamel asked Mr. McKenzie how many bags of trash he places curbside each week. Mr. McKenzie stated that he puts out one full can with approximately four (4) bags. Councilor Hamel informed Mr. McKenzie that the PAYT bags are for 30 gallon containers and he could fit all his kitchen bags in one (1) PAYT bag.

Marie Perkins (Ward 4) is having a problem the fact that it has been well publicized to date that your single families are allowed two (2) bags and apartment houses are allowed five (5) bags and she has neighbors that do not recycling and put out trash in excess of the allowable amount every week and it is being collected. How can you tell us that what you are doing now is not working if the rules are not being followed and everything is being collected? Ms. Perkins expressed that she has photos; last week a resident at the end of the road put out a heap of trash with furniture, insulation, garbage and everything was taken. Ms. Perkins doesn't understand and spoke to the Public Works Department (DPW) on November 2, 2012 about this and was given reasons and was told that information is being left in the containers letting people know the rules. Ms Perkins told her that this has not been happening in my neighborhood because she's been watching it and it's aggravating. A follow up call was made from DPW to gather information on the offending properties; Ms. Perkins gave both addresses and one (1) name. To this date nothing has changed. Ms. Perkins stated she recycles everything and has for years and doesn't think it's fair for others to be penalized when the rules aren't being enforced. Mayor Seymour asked if she could leave the photos that she has taken and Ms. Perkins replied that she would.

Tony Felch (Ward 6) stated that he sent out an email two and a half weeks ago and briefly spoke with Councilor Doyle and Mayor Seymour. The answers to Mr. Felch's questions were not available but he was that they should have them by tonight. Mr. Felch did not receive a response from any other City Councilor, including his own, which would have been helpful in making an informed decision.

Councilor Bolduc responded that Mr. Felch has been to every Council Meeting and listened to everything that there is. Councilor Bolduc added that he didn't think he needed to get back to Mr. Felch because he has been here.

Mr. Felch continued with agreement to Ms. Perkins. We are limited to the number of containers we can put out right now and Mr. Felch has pictures as well; the first one is a big pile which you can see a lot of recyclable items out and this is a non recyclable week. The after picture shows two empty trash barrels. Mr. Felch stated he is not sure which option he would like to see because if we go with mandatory recycling then there is something that needs to be done about taking recycling with trash. If we are going to go with PAYT we definitely have to make sure that its local businesses that are selling these bags and not the big boxed stores. Mr. Felch would also like to see the two different sized bags because some people don't have a lot of trash.

Mayor Seymour asked Mr. Felch if he had the questions that he has asked the Councilors with him and he responded that he did. Mayor Seymour if there was anything specifically that he would like to ask tonight that hadn't been answered. Mr. Felch replied that some of them are questions that have not

been determined yet. Mr. Felch is concerned with the “off week” and people putting out excessive trash, not having a specific definition of what constitutes meeting the recycling requirement, if the “off week” will be limited as well, and the potential additional cost of \$90,000 if recycling needs to go to a once a week collection. Mr. Felch also noted that if PAYT is the option chosen then the savings will be backed out of the taxes and not many people know that commitment and think they will be double taxed.

Kenneth Boylan (90 Winter St) expressed concern with people purposely contaminating recycling with trash by hiding it under the recycling. The collection person is not going to know there is trash in the recycling and is going to take it. Mr. Boylan asked if there are going to be cameras that can look into the containers to make sure it is clean recycling. Councilor Lipman stated that when Casella was at a previous meeting they stated they have a sorting system that will separate out anything that shouldn't belong. Mr. Boylan stated that the contamination gets into the load the load will not be accepted.

Mayor Seymour stated that he will have Tyler Smith, route collection driver from Bestway Disposal, to speak at the end of the meeting to address questions about the collection.

Jane Wood (Ward 1) commented that it seems like it is a community issue that people should care about and that changes are hard for people. Mrs. Wood feels that there is great benefit for PAYT. Mrs. Wood can see that after listening to the comments from the previous people that all peoples situations are different from one another and it is not as straight forward. Mrs. Wood has gone by apartment buildings that have a tremendous amount of trash outside and she wonders how it gets handled and how that can be happening. Mrs. Wood feels that if we do PAYT that it will help people and cause them to recycle. Mrs. Wood also encouraged that if the mandatory recycling is voted on that the Council will only try it for a certain amount of time and if results are not reached then they can consider going to PAYT.

Marilyn Brown (Ward 1) asked why people who already recycle should be penalized for those who do not. Ms. Brown and several neighbors are tired of carrying the load for other people and feels that mandatory recycling makes the most sense to her; Ms. Brown agrees that change is difficult for people. In the 1980's and early 1990's Ms. Brown lived in Connecticut and they introduced recycling at which time it was hard for her to accept the change and she fought it but quickly found out how easily it could be done. In Connecticut they did a mandatory recycling and they would look in your regular garbage bag if they saw paper in it the City would leave notes stating they would no longer pick up the trash if it had recyclables in it. This was effective. Ms. Brown stated that she puts out one (1) garbage bag a week.

Councilor Lahey replied that Ms. Brown is being penalized now under the current system because she is paying with her property tax dollars for the cost of others that are not recycling and putting out excessive bags. The City pays by the ton to pick trash up and to bring it to the incinerator. Councilor Lahey stated that Ms. Brown is doing the right thing but is subsidizing the people who are not.

Ms. Brown stated that in the summer time her garbage is going to smell and she does not know how long it will take her to fill a 30 or 15 gallon bag but will likely take at least a month to fill it.

Dave Gammon (Ward 5) asked what the savings in property tax would be per thousand or hundred thousand dollars. City Manager Myers replied that a ball park number would be \$.25 to \$.27 per thousand which equates to the cost of curbside pickup, hauling it to the incinerator and paying by the ton to dispose it. City Manager Myers explained that this could be prorated if PAYT started later in the year.

Councilor Lipman stated that the figure given was for today but if you look at the cost of removal increasing over the years the savings will accrue to the City by not having an inflation factor on future tonnage that we would have to get rid of. Councilor Lipman commented that some communities that have adopted pay as you throw have not taken into account. Mr. Gammon asked if the savings would be into a special account. Councilor Lipman stated that it has been discussed to make an enterprise fund approach, similar to the water and sewer, so it is metered on your usage. If you don't want to buy a bag you can always bring your trash to the transfer station and get rid of it based on weight.

Councilor Lipman stated that we have had a million dollars of downshift from the State and County and these are new factors that the City has to absorb and find ways to save. The recycle is not the complete answer but we need a lot of little things to compensate for the downshifting.

Mr. Gammon commented that somebody that owns a million dollar property is going to benefit more than an average homeowner. Councilor Lipman explained that you could look at it this way that only property tax payers are the ones contributing to the disposal cost and landlords cannot put the cost of the disposal into the rent because of the housing market then PAYT would make it so that everyone that uses collection pays for it.

Mr. Gammon stated that not everyone uses the schools and shouldn't have to pay the taxes for it. This is a similar situation. Mr. Gammon is completely against PAYT and doesn't see the savings.

Mr. Gammon questioned how much it is going to cost the City to buy one bag. Councilor Lipman stated that the bags are to cover the cost of driving the trash to the incinerator in Penacook and the fees to burn it. He also stated that if you do not want to buy a bag you can bring the garbage to the transfer station yourself. Mr. Gammon commented that he still has to pay to go to the transfer station. Councilor Lipman stated that if there is no consequence to throwing something away than people will do so. Councilor Lipman also stated that he was first not for PAYT but after looking into it further the whole idea came from nearby communities and what they have been doing. If you look at the options none of them are perfect. One example of an imperfection is that we have people today that take recycling to one of the drop off sites; if you do mandatory recycling those people will not be able to get there garbage picked up because they will not have recycling to dispose of.

Mr. Gammon questioned how much the actual cost of the bags is. Councilor Lipman replied that they would go out to competitive bid for the bags.

City Manager Myers stated that most communities buying the bags is running approximately \$.15 to \$.16 for 15 gallon bags and \$.22 to \$.23 for the 30 gallon bag and it would be all included in the price of the bag and disposal. The cost for bags would go into a special account so the cost of buying and all revenues from the bags would go into the account so if there was excess funds it could be applied to the following year for the offset of future increases.

Ms. Perkins stated that the pictures she brought were referenced in this meeting six (6) times and she thinks of things differently than the Council. It is wasteful to sit in a room and discuss meeting after meeting setting new limits and not enforcing them in the streets. Ms. Perkins also stated that if recycling was mandatory and if people are not recycling there would be a consequence, or is it just going to be ignored like the two bag limit. Mayor Seymour replied that if it was mandatory situation the people with no recycling the garbage bags would not be picked up. Ms. Perkins questioned why the bags on her street are still being picked up when they are only supposed to be putting out two because if it wasn't picked up it would make those people recycle.

Councilor Lipman stated that any system that is looked at has imperfections and the testimony Ms. Perkins gave about enforcement issues are agreeably a problem. When you look at the mandatory recycling option, it comes with more enforcement issues; PAYT would come with the concern of dumping because people have to pay for a bag.

Councilor Lipman agreed that we as citizens have a responsibility to participate in the quality of our society by not running red lights and the City departments cannot be everywhere. We have to look at citizenship as the whole and do what is best for the community. Councilor Lipman commented that we know we are wasting money and we are under a tax cap. He knows that we want decent services and he cannot support a position where he knows we are wasting money. We have to absorb the downshifting of money from the State and County and it will continue to happen. The Council is asking the community because they need the community to help. Fundamentally the system continually keeps being wasteful.

Fred Clausen (Ward 6) asked what feedback the Council has already received from the community. Councilor Baer commented that she has received 84 against PAYT and 20 for PAYT and brought record every email and telephone call she received for verification. The results show strongly what the community wants. At the public forum held in September 2011 a survey of those present showed 64% against PAYT and 24% in favor.

Arlene Barrett (86 Grant Street) asked what container can be used for recycling. Mayor Seymour replied that under either option the large recycle bins will not be handed out for free.

Ms. Barrett stated that she fills two (2) bins every week and she is in favor of PAYT. Her sister has been doing it in Concord for three (3) years and it works wonderful. Ms. Barrett also feels the recycling issue the City was never marketed properly so you understand that it is not just the tax base effected but our environment. By not recycling we are harming the environment and it is our job to protect where we live.

Dick Smith (Morningside Dr) spoke in favor of PAYT. Mr. Smith commented that Councilor Lipman knows finances and if you don't maximize the recycling you are going to pay more taxes or have less City services.

Matt Wilson (Cottage Street) asked what other municipalities do to encourage recycling because there was a trend at one point that garbage had to be in a clear bag to see if recycling is put in it. Mayor Seymour replied that neighboring communities don't do anything and others do an internal department with mandatory recycling where they purchase one (1) trash container and one (1) recycle container and check the trash and administer fines. There are others that use PAYT and the estimate is there are 90 communities throughout the State participating.

Ms. Wood commented that she is aware of how busy people are and they don't have the time to write a letter or make phone calls, but that they want it done right. Citizens are entrusting the Council to do what is beneficial for the whole City. Ms. Wood supports PAYT and feels it will make the people with little trash happier rather than upsetting the others. Ms. Wood is thankful that we went to single stream recycling and it is not the end of the world if we tried the mandatory recycling first to see if it works.

Kris Callahan (Ward 5) stated that she is uncertain of which option she prefers. She thinks recycling is important and gets upset when she sees people on her street not participating. Ms. Callahan commented that she is more inclined to support mandatory recycling with a limit of one (1) barrel of

trash each week with the requirement to pay for extra; this would encourage people to recycle and educate them and would be an intermediate step. Ms. Callahan asked if how PAYT is handled in other communities. Councilor Hamel replied that it was discussed about giving each family one (1) bag for the week. It was determined that the trash still needed to be hauled away and needed to be paid for therefore giving bags for free would not resolve the problem. Ms. Callahan commented that we could be doing something different.

Mayor Seymour asked Tyler Smith (Ward 6), route driver for Best Way Disposal, to explain the issue with over limit bags being collected. Mr. Smith replied that he oversaw the PAYT implementation in the City of Concord and he saw the hardship it caused several people. In the past Mr. Smith has voiced that getting information to people is the hardest part and giving them the resources to know how to recycle. Mr. Smith explained that he tries to speak to every location where there is a problem with excessive trash to educate them and also leaves paperwork provided by Ms. Saltmarsh. Mr. Smith acknowledged that extra trash is taken until there is an opportunity to make contact with the resident.

Councilor Lipman asked how contamination can be identified and handled at the processing plant and the separating system. Mr. Smith replied that the trucks do have cameras and if it goes up and the camera catches it there will be contamination in the load and they are then aware of the household from then on. There is a certain amount of contamination, known as yield, that is accepted in each load and if the contamination is excessive they can reject a load.

Councilor Doyle asked why excessive amount of trash is collected. Mr. Smith replied that there are different circumstances for some properties. An example is the tattoo shop at Busy Corner where they have several apartments and a business at the property which allows them to have nine (9) barrels. When a location is being excessive there are attempts made to contact them and Ms. Saltmarsh is aware of the locations. The property owners are contacted but it takes time; everyone is doing the best they can.

Councilor Lipman stated that after taking the input from people the indication in Ward 3 is close to evenly split for the options. Many questions and issues they were able to address, such as holidays with large packages, but there are still issues with the leaf pickup and yard waste. A different way to look at it would be that if people don't want to buy the bags they can go to the transfer station directly. Councilor Lipman feels that this issue is being mischaracterized as being about the two options when the real issue, ultimately, is that the Council has looked and planned ahead. This one year we have \$1 million of new expenses to address and if we try to deal with the trash we will only get to about 10% of the problem; the Council has spent a lot of time listening to people and looking at options and the time has come to weight other factors to save because people want services, roads and new construction in the City. This is about what we are willing to do to maintain the commitment to the Tax Cap and what we can still provide for services. The Council has brought in budgets every single year at or below the Tax Cap improve infrastructure, improve schools, improve police and fire; we have reports that tell us that our coverage for the Fire Department is less than it ought to be and if we are considering taking a grant to deal with that we should come up with a plan to deal with it after the grant because the Council does not want to add it to the tax rate. Councilor Lipman stated that we need to move on and deal with other areas of inefficiency.

Councilor Lipman stated that when this discussion started he was not in favor of PAYT and like many of the people he has been following the rules of recycling as much as possible but the reality is that someone having to purchase a bag to get rid of their trash is a strong enforcement. Ms. Saltmarsh, Public Works and the contractor will have to bill that into the cost of what we are doing with all the

enforcement. We should have a higher vision of what we can do and in trying to improve the quality of life in the community this is one small thing. Councilor Lipman respects that everyone has a different view and some people will benefit more than others on this but for the community as a whole this is the best thing.

Councilor Baer commented that this is very passionate and very volatile. Everyone has very deep emotional feelings about this subject and at the same time one group is here talking about money and the other group is talking about what the people in the City want. Councilor Baer stated that it is a Councilor's job to represent the people and when it comes to them on money matters, or saving money, there are other ways to accomplish that. A month ago the City voted to give \$1 million toward a \$3 million football field with no outcry; that \$1 million could have paid for a lot of PAYT bags or been used to reduce the tax rate. Councilor Baer stated that mandatory recycling is a preference for her but she is not against going to PAYT if mandatory recycling doesn't work out. An idea to compromise and try mandatory recycling first, because they are both mandatory but one way does not cost the citizen any money. If it doesn't work out for six (6) months or a year, like Ms. Wood suggested, and find out what the results are. If we still need to go with the PAYT we can go with it. Everybody will know we did everything we could have done to do it without costing residents.

Councilor Baer added that we are not a rich community; we are poor and elderly with money being very precious to everyone that lives here. Last week after the City Council meeting there was a meeting of the Finance Committee to discuss increasing the Sanitary Sewer Fund (SSF) rates, but we did not read anything about it in the papers and it should have.

Councilor Baer commented that North Reading, who has a mandatory recycling program, has been mentioned. They achieved 40% recycling in the first year and won an award last November from the State of Massachusetts as the "Best Recycling City in Massachusetts". We should be looking into how this was done and asked the City Manager to have somebody from North Reading come up here and discuss how the program is so successful and have the Council ask the suitable questions to see if it would be feasible to work for us; it wasn't done.

Councilor Baer continued that the City still doesn't have all the answers to the mandatory recycling and someone asks a question and we don't know all the answers. There is no harm in trying to do something for a short amount of time and measuring the results. If it doesn't work we will all be agreeable to PAYT with the knowledge that everyone else didn't do their part. The last consideration to think about is the needs of the public and should be the first and foremost duty as a City Councilor.

Councilor Baer stated that in here tonight everyone at the table knows what the vote is so after the vote she would like to make a short comment.

Mayor Seymour followed up with Councilor Baer that if we went to a mandatory recycling what period of time would she be looking for. Councilor Baer replied that six (6) months to one (1) year would be a good time frame because we are seeing an increase in recycling and seasonal residents are returning.

Councilor Doyle stated she is in agreement with everything Councilor Baer has said. A lot of feedback comes from people that are already recycling. They do not want to give the people the opportunity to pay for things that should be recycled because you can do that with the PAYT option. You can put all the plastic and cans in the plastic bags and they want to see the right thing done and for people to be recycling. Councilor Doyle also feels that we should try it and move on to PAYT as a last resort. It is a regressive fee and will hit the people that can least afford it the hardest. We should be here to help look

after people and we have to take into consideration the monetary cost and humanitarian cost of doing things. Sometimes the right thing is the most expensive thing. If we go with PAYT and it doesn't work we are wasting the money for the bags and wasting people's time. Councilor Doyle feels the next logical step is to do mandatory recycling and she may be wrong but for right now this is the direction she is willing to go.

Councilor Bolduc stated that he listens to the public and does not do what he wants to do. Councilor Bolduc has a stack of papers and the majority wants to see mandatory recycling and we have had this kind of response for a month. Councilor Bolduc listens to everyone that calls him to say they want to do mandatory recycling and most of them are elderly people; the \$1.75 means a lot to those people and not only the elderly but the ones with larger families. We try to tell them what both options are going to do and they still want mandatory recycling and that is what they are here for. Councilor Bolduc cannot understand why we cannot just try the mandatory recycling when the largest majority of the votes are for mandatory recycling. The Council should try it first and the hope is this Council listens to the people.

Councilor Hamel stated that after listening to the comments tonight about education he disagrees that there hasn't been enough. Over the last three (3) years we have been doing this with education seminars, recycling cans and free totes. Ms. Saltmarsh has contacted landlords, businesses, residents and the word is out there. Councilor Hamel received a letter asking why we are not doing more in our schools on recycling; our schools are being taught how to recycle and they are doing it, possibly better than anywhere else in the City. City buildings are recycling as well. If you take all the emotion out of the decision the best way to go is PAYT. The person will only pay for what they get rid of and will not have to pay for their neighbor, apartments or businesses. The cost of removing trash is an expensive business and it is not going to go down in price and there is only one place to bring it around here. Local communities have voted for PAYT recently and he doesn't see why the City cannot do it.

Councilor Hamel stated he can live with whatever option gets passed tonight – if we choose mandatory recycling for a year or two you are going to have to add another \$90,000 to the tax rate in addition to what we are losing now. We will have to have the recycle truck go every week because they have to see that you are recycling so they can pick up the trash bucket so you have to add that extra expense. We have a Council to represent what is best for the people and over the last eight (8) years he feels they have done it tremendously. Regardless of the vote the Councilor's have to pay for as well. This topic has been discussed for three (3) or four (4) years. The people in other communities have done it and it will continue to be no matter what decision is made. With PAYT it will be much easier on everyone. If you take emotion aside and decide this is best for the taxpayer, the City and saves the most money.

Mayor Seymour asked if a \$27,000 in savings is accurate for mandatory recycling. City Manager Myers calculated that it would be \$90,000 out of net savings of \$117,000 to add an additional recycling route. This would leave \$27,000 net savings.

Mayor Seymour asked if the Council would entertain a short window of mandatory recycling to see if they can change public behavior during that time. This is being asked because once a vote is taken it is final and he wants to make sure that if we say six (6) months, even if it puts us 6 months behind, we would be considering a change if needed.

Councilor Bolduc feels that this will be a good way to go because summer is coming and there will be more residents in the area that there are during the winter.

Mayor Seymour stated he is in favor of PAYT and after getting additional information he has developed a conflicted opinion as to which direction would be best at this time. If we were to have a hard set date where the community knew that there is a non-negotiable number to obtain for percentage of material recycled and if it isn't realized the assumption will be that PAYT is the next step, than Mayor Seymour would be willing to entertain this option.

Councilor Bolduc stated that his idea would be six (6) months for mandatory recycling and with summer coming up it will give the City an indication if it would work or not. Councilor Bolduc feels this would make the public realize that this is what they have to do to avoid PAYT.

Councilor Hamel stated that in looking at all the letters he would have to say that 70% were misrepresented by not having the facts about what the PAYT program actually is. An example letter was regarding paper bags; the gentlemen thought it was going to be \$600 a year to purchase composting bags and this is not the case because it is for plastic bags at \$1.75 each. Another comment from the public is double taxation. He knows that this is not going to happen and the money will come out of the budget or no one on the Council would vote for it. The price of the bag is figured for the service and not exactly what the purchase price is from the City. If you read the letters most of them are emotional and that is understandable but the facts that people believe are how the program works are wrong and that is a problem. Councilor Hamel has read the comments closely and people are misguided.

Council Lahey commented regarding an email that was sent to all the Councilors today. He quoted *"I do not support pay as you throw, go with recycling please"*. That person did not know that PAYT is a recycling program or encourages recycling. We are elected by people to put in the time and appreciate that we do this to make the hard decisions. Councilor Lahey commented that he does not favor a six (6) month or one year option for mandatory recycling because he has never viewed that as a legitimate option. It has no standard of compliance; the workers picking up the trash are having a hard enough time as it is with picking up bag limits. They will now have to make the call as to whether a bin that is half full is making the mandatory recycling requirement. Councilor Lahey stated that the Council has been working on this for three (3) years and it is time to make a decision. The cost of the bags will come out of the budget so there is no need to worry about double taxation. Councilor Lahey also commented that Paul Fluet sent an email saying that we should not be sending plastic bottles or cans that have value to someone to the incinerator. Recyclables have value and the company who, for a fixed contract, will pick up the recyclables and will not charge to pick it up or dispose of it because of the value. Trash does not have value and are charged by the ton to pick it up and truck it to the incinerator. The only way to give enforcement is with PAYT.

Councilor Baer commented regarding Councilor Laheys comment about the no regulatory compliance with mandatory recycling. She commented that we don't know this because we know nothing about how it would operate because we would not know how it would operate because we have never been given any information on mandatory recycling.

Councilor Lahey commented that it is too late to argue that we have not been given the information.

Councilor Baer stated that every City that her children live in have PAYT and she has heard that the hauler who is picking up is supplying the totes and receptables for the recyclables and trash. The City has gone out and bought the recycle totes and pays for them to pick the recyclables and then the hauler sells it and makes money. The City is making money for the trash company and we should be negotiating with other trash disposal companies, or the one we have, to see what we can do better. We made a

mistake buying the totes and it is unheard of because they are furnished by the disposal company. She feels a renegotiation with the trash haulers would benefit us.

Mayor Seymour followed up that Casella came and talked about providing the containers and if they were to do so it would be on their dollar but then our rates would offset the cost.

Councilor Lipman replied that the communities Councilor Baer is referring to are much larger than our City. We are getting criticized for trying to promote and encourage recycling by making the totes available. We have given it a serious try and published every week what the recycling rates are and lots of people have stepped up and participated. Councilor Lipman stated that he personally would not like to go with PAYT but knows what is best for the community at large. We have to find efficiencies and this change would only cover 10% of the downshifting for this year. Next year we will have even more downshifting and we have to find the efficiencies and look at this as what type of services we are going to be able to offer.

Councilor Lipman questioned if we are best servicing our community by just focusing on trash or focusing on the big picture. He will be looking at the big picture. This is the hardest thing he has had to work on for the eight (8) years he has been elected. He has put himself in a position to take heat and he does not mind doing it because he feels it is the right thing for the City. Councilor Lipman added that City Manager Myers did speak to representatives from North Reading and the information was relayed from that communication. Councilor Baer replied that she did not receive any information.

Mayor Seymour asked for any further comments from the public.

Wilton Perkins (Ward 4) stated he came in with an open mind tonight and had no preconceived notions about this. He said that each Councilor has given thought, answers and opinions and he has respect for all of them because he is really impressed on the arguments at both sides of the issue. When it comes down to it those in favor of PAYT are just rejecting any change of going to the mandatory recycling option at all. Mr. Perkins does not understand why no one would budge on their position and, as a couple councilors have pointed out the, vast majority of the people who have reached out and been contacting have been against PAYT. Mr. Perkins feels it is the Councils responsibility to go the mandatory recycling route first and give it a shot and if in six (6) months it doesn't work they can take the next step.

Mayor Seymour requested anyone else wishing to speak to do so at this time. No members of the public requested to speak.

Mayor Seymour thanked everyone for taking the time to come to the meeting and gave input. Everyone that called him was called back and he personally tried to reach everyone. Every Councilor did the same thing and listened to both sides. Mayor Seymour also stated that they gave it an extra month to hear from everyone and during that time more people came out than previously so it was wise to have waited that long and it was very valuable.

*Councilor Baer made a motion to adopt Option #3, mandatory recycling for a six (6) month trial period. Seconded by Councilor Doyle.*

Councilor Hamel commented that six (6) months would take us into the new budget year and asked if it would cause any issues. City Manager Myers replied that the budget that was brought to the Council requires the City to get to 25% curbside recycling from our current level of 16% so it is not reliant on

PAYT. The curbside dollars are currently in the budget so if the Council goes with PAYT it will be taken out of the budget calculation. Ms. Saltmarsh and Director Moynihan were consulted and to be conservative the last 12 months of data for the prior calendar year was used in the calculation.

Councilor Lipman asked what implications there would be if mandatory recycling is not successful. City Manager Myers stated that if we do not meet the 25% he will need to come back to the Council later in the year and approximately \$100,000 in the budget is related to the tonnage. Councilor Lipman stated that he cannot vote for a budget that is reliant on this.

Councilor Hamel asked if we doing the six (6) month to a year mandatory recycling option if we have to add the \$90,000 or \$45,000 for six (6) months to do the recycling pickup every week. City Manager Myers stated that he would need direction from the Council and would work with the hauler. Our contract expires October 1, 2013 and the City would need to notify them by May if we want to explore more approaches. Also if the six (6) month mandatory recycling option was passed we would need to know how to enforce mandatory recycling and what it entails. City Manager Myers expressed that he will need May and June to figure out how it would work and start July 1, 2013 and run through December 31, 2013. Staff would need eight (8) weeks to roll out the idea.

Councilor Doyle asked when the PAYT option would start if it were chosen because she was with the understanding it would be October 1. City Manager Myers explained that we need the education and a ramp up period to get vendors in line to order bags and get the program working. Councilor Doyle expressed that this would be a quarter of a year without the effect of the program.

Mayor Seymour also clarified with Councilor Baer that the motion she made was six (6) months for Option 3 with some details to be worked out.

**Mayor Seymour called the question with Councilors Bolduc, Baer and Doyle in favor and Councilors Lipman, Lahey, Hamel in opposition.**

Mayor Seymour stated that Councilor Lipman is correct that if we are looking at only trash issues it is a very narrow scope. If you are looking at it in longer terms to the City and what the City provides for services, it is profound. Mayor Seymour added that at first he did not want PAYT but after looking into it decided that is the way he wants to go and is our best option.

**Mayor Seymour broke the tie vote and voted in favor of the mandatory recycling for a six (6) month period.**

Mayor Seymour explained that he is voting this way because it is a six (6) month window only and he wants to see if the community can step up and reach the recycling goal so we are not forced to go with the PAYT program. Mayor Seymour stated that the decision was very difficult and he still feels PAYT is the best long term option but wants the community to step up and show him differently.

Councilor Bolduc thanked Mayor Seymour for voting this way and thinks the community will step up. Mayor Seymour stated the community doesn't have a lot of time and we will be able to see if the numbers are increasing right away.

Councilor Lipman stated he accepts the process and will support the decision.

**ADJOURNMENT**

*Councilor Bolduc moved to adjourn at 9:02 p.m. Seconded by Councilor Hamel. **Motion passed unanimously.***

Respectfully Submitted:

Lindsey Allen  
Deputy City Clerk