

**TOWN OF OLD ORCHARD BEACH  
SPECIAL TOWN COUNCIL MEETING  
TUESDAY, OCTOBER 27, 2009  
TOWN HALL CHAMBERS**

**A Special Town Council Meeting of the Old Orchard Beach Town Council was held on Tuesday, October 27, 2009 following the Town Council Meeting. Chair MacDonald opened the meeting at 7:05 p.m.**

**The following were in attendance:**

**Chair Sharri MacDonald  
Vice Chair Robin Dayton  
Councilor Laura Bolduc  
Councilor Shawn O'Neill  
Councilor Mike Tousignant  
Interim Town Manager Jack Turcotte  
Assistant Town Manager Louise Reid  
Archie St. Hilaire, CEO – BBI, Inc.**

**CHAIR MACDONALD: Per Section 404.1 of the Old Orchard Beach Town Charter I am asking for a motion to add two agenda items.**

**MOTION: Vice Chair Dayton motioned and Councilor Tousignant seconded to add the following two Agenda Items before the Workshop on the Transfer Station.**

**VOTE: Unanimous.**

**NEW BUSINESS:**

**Item 1:**

**TOWN OF OLD ORCHARD BEACH  
ORDINANCE ALLOWING TEMPORARY ANEMOMETER TOWERS  
ON MUNICIPAL OR SCHOOL PROPERTY**

**WHEREAS, the Town has an opportunity to apply for grant funds in order to evaluate the potential for municipal wind generation; and**

**WHEREAS, the grant program allows a very short time to obtain and submit the grant applications; and**

**WHEREAS, the deadline for proposals is October 30, 2009; and**

**WHEREAS, the Town Council determines that it is in the best interest of the Town to explore the potential for municipal wind generation projects; and**

**WHEREAS, the approaching deadline for submitting applications for the grant creates an emergency within the meaning of Sections 410.1 and 1004 of the Charter;**

**NOW, THEREFORE, be it hereby ordained by the Town Council of the Town of Old Orchard Beach, Maine, in Town Council assembled, as follows:**

1. Notwithstanding anything to the contrary in any other ordinance of the Town, a temporary anemometer tower, not to exceed 125 feet in height, may be located on property owned by the Town of Old Orchard Beach or by RSU 23 for the purpose of documenting whether a site has wind resources sufficient for the operation of wind-power generation of electricity.

**MOTION:** Vice Chair Dayton motioned and Councilor Bolduc seconded to approve the Ordinance Allowing Temporary Anemometer Towers on Municipal or School Property.

**VOTE:** Unanimous.

2. Discussion with Action: Approve the Special Event Permit Application for the 50 Acre Wood Sub-Committee to hold baseball at the Ballpark on October 31, 2009, from 10:00 a.m. to 2:00 p.m.; and a Request to Waive the Fee.

**MOTION:** Vice Chair Dayton motioned and Councilor Tousignant seconded to Approve the Special Event Permit as read.

**VOTE:** Unanimous.

**CHAIR MACDONALD:** We will now open up the Workshop on the Transfer Station. This Workshop is a follow up to questions that were raised at the October 20<sup>th</sup> Town Council Meeting relative to the request for assurance from the Council that BBI, Inc. should continue to secure permitting for possible taking over of the Old Orchard Beach Transfer Station by BBI. Below is a listing of the possible benefits if the Town Transfer Station should be taken over for operation by BBI but at the same time the Transfer Station would maintain its permitting so that should this not work out as a positive experience, operations could go back to the Transfer Station.

- Tentative cost ; \$50,000.00
- Future savings; No maintenance cost on transfer station itself
- Not closed during plowing
- Scales are more accurate
- Better record keeping
- Alleviate commercial traffic concerns on Dirigo Drive
- Better Hours of Operation for Citizens

**Current Hours of Operation: (Winter Hours)**

Monday, Wednesday, Friday – 7:15 a.m. to 2:45 p.m.

Tuesday and Thursday – Closed

Saturday – 7:15 a.m. to 12:45 p.m.

**BBI Open:**

Monday through Friday – 7:30 a.m. to 4:00 p.m.

Saturday – 8:00 a.m. to 12:00 noon.

The Town is considering closing its Transfer Station and moving all of the services, except composting, to BBI Waste Industries. The proposal has been discussed in two previous workshops. Under the proposal the Town would pay BBI Waste Industries to take over the

duties of the Transfer Station. BBI would provide staffing equipment, record keeping, hauling, a scale facility and a recycling drop-off center. An option to have BBI run services at the current transfer station was considered, but Archie St. Hilaire, CEO of BBI indicated that he thought the moving of the transfer services to the nearby solid waste facility was a better option. He said, "We have two facilities doing the same thing within a mile of each other." If BBI were to take over the Transfer Station, the hours would expand to later in the afternoon. Currently the Transfer station is open from 7:15 a.m. to 2:00 p.m., Monday through Saturday. The cost to run the current transfer station is about \$62,000 a year plus the cost of a staff person. The cost for BBI to take over the transfer station would be \$50,000 annually. Under the current proposal the transfer station employee would be moved to the Public Works Department where he already serves in other duties such as plowing, summer beach activities, etc. In the last Council Workshop, Councilor Tousignant indicated that this would give extra help to the already over-taxed Public Works Department. Under the proposal, current resident permits would be honored at BBI, a program to be established, but trash would be measured by weight and not by yardage. Currently there are 612 permits out there with the amount of \$15,300 received. How much yardage is left on those permits is not known so there would need to be a way to cover those unused credits.

The Interim Town Manager, Assistant Town Manager, Randy McMullin, Environmental Specialist for the Maine Department of Environmental Protection, Archie St. Hilaire, and members of his staff met a couple of weeks ago to discuss an amendment to their license to allow the general public to use the facility. Most notably we will discuss (traffic flow into, out of, and within the facility, the BBI facility does not generally accept MSW from the public at this time as the OOB transfer station currently does. Therefore a change is needed for BBI to accept MSW from the public.

The cost savings seemed to be the most important issue in consideration. Archie St. Hilaire gave an update on the savings that would be possible if the change should take place. Discussion about the difference between weight of trash on a scale and that of the blue bag included suggested means of addressing the future use of the blue bags. It did not appear that Mr. St. Hilaire had any issue with either means of weighing, weight or bag.

Bruce Brodeur – in business for over twenty years raised a number of issues as did others attending the workshop and interested in recycling and trash costs and removal. He indicated he would like to see the blue bag system continue indicating that going across the scale would involved payment by check or cash. He also indicated he felt this should have been publicized long before summer businesses had left to which the Chair indicated that there has been much discussion about this and also two previous workshops held. Mr. Brodeur indicated he didn't think it is fair to the people that utilize the transfer station in the summer – they aren't going to have a say. He also raised the question of what about the cardboard which will be a problem if you don't have someone watching when it is disposed. He indicated he felt there would be a lot of contamination.

An issue that was raised by Vice Chair Dayton many times over the evening and also discussed by others attending was what about the leaves and the brush. It was suggested that perhaps they could have such a collection point across the street from the Public Works Department but again the issue was raised of the need for it to be watched so it was not contaminated with trash. The cost of the leaves and brush is astronomical and perhaps a consideration for keeping the Transfer Station open.

Mr. St. Hilaire indicated that the blue bag system could be used as it is now. It is the decision of the municipality. He also said that recycling contamination happens all the time even if you are standing watching it. If it is 95% recyclable they will take it. The worse place to have the recycling was at the police station years ago.

Councilor O'Neill asked about the hauling fees and the scale fees; how much of that cost will be incurred by the Town. Mr. St. Hilaire indicated that they would purchase a compactor so we will still truck to MERC. He indicated the new ones as 12 tons and is very sophisticated. He said that if you want the blue bag we can go with that as well. The blue bag pays for the disposal. We bill once a month for those businesses that we serve and you make the decision of weight or blue bag.

Mr. Brodeur indicated that the Council originally said that the businesses had to pay for their own trash removal and we were told we would only have to pay the tipping fees. It is between \$62 and \$65. Businesses were told we would just pay the tipping fee. Mr. Hilaire indicated they would need to have a number before they could make an agreement. John Weaver asked about the scale authenticity and Mr. St. Hilaire indicated that the State comes down on a regular basis to verify. Vice Chair Dayton asked about how many fees there were and it was responded that there were many including blue bag fees, the tipping fee, servicing fee and a hauling fees. Mr. St. Hilaire indicated that payment composes all the fees. Residents are allowed two barrels or they can buy the blue bag for \$1.50 which will cover the cost of its disposal. It was noted that individuals can have a dumpsters but most residents don't need ones and again businesses make that decision themselves. Mr. John Bird indicated that you cannot dictate to business or citizens where they take their trash. Vice Chair Dayton asked why anyone would want to pay for someone else's trash. We are trying to get to a place where we were taking trash for disposal burden off the tax payers. Again it was pointed out how important recycling is and when people are diligent the trash costs go down. Mr. St. Hilaire indicated that it is a user based system. They are going to either pay by the blue bag or the scale. Mr. Brodeur indicated that the Town has an obligation of providing disposal privileges for the citizens. Whether you have it at the Transfer Station or at BBI; that is why people pay taxes.

Councilor Tousignant raised the issues of the cottages – tenants are responsible to get it out there and with 1,200 cottages owners are anxious to get the garbage taken care of on the weekend before the next group of summer renters come in. He stated that this is not a small issue. The question of how much you put in a bag was raised and it was suggested that it is at least forty to fifty pounds. He felt that if you are looking for a buck to buck scenario = the scale is the way to go. There is no guessing but he was arguing the savings. There seemed to be a discomfort with everyone about how the brush and leaves are taken care of. Councilor Tousignant indicated that out of this \$61,000 – you have to handle the brush. We just paid \$30,000 for the chipper to go into there so there is another \$30,000. We have to have a plan for brush. How are we going to get the material to the pit? The Town Manager was requested by Vice Chair Dayton to get more information on handling of the brush and leaves; the cost of disposal; what does the Town get out of it; the costs involved to the Town; and is there a more expedient and economical way to handle this issue.

Mr. St. Hilaire described the composting process which is the purposeful bi-degradation of organic matter such as yard and food waste. It converts to organic debris – a mixture of decaying vegetation and manure used as a fertilizer. Dewatered bio-solids are often mixed with sawdust or wood chips that act as bulking agent by absorbing water and increasing the porosity of the mixture. He suggested that perhaps the Transfer Station could be open

Wednesday and Saturday to take in tree limbs, bulk, etc., and that the individual on site would really only need a cell phone and the use of a front loader.

Councilor Bolduc indicated that no matter how we solve these issues she was in favor of moving forward with the suggestion that BBI take over the Transfer Station. She recalled some of the issues that were discussed at the previous two workshops and feels that it is only fair to have BBI proceed with the permitting process which is complicated. Bruce Brodeur asked about the disposal of all demolition material. Mr. St. Hilaire indicated that demolition material would be taken in and weighed on the scales and paid accordingly.

Other questions that were raised and for which the Town Manager was to respond included: What is the cost of the Chipper; how much brush tonnage do we haul; can we get a copy of the contract for chipping; how much is the tonnage for recycling; do we have enough compost material and how can we make it work for us financially. It was also suggested that the Conservation Commission could help on the composting issue.

Other suggestions that were made by citizens attending was the need for more accurate tracking of recycling and trash materials; how does trash relate to the mill rate for each citizen; the need for recycling bins on the beach; better policing; containment and contamination concerns; and the suggestion to try this change over for a year and see how it works. The need to better track the recycling and also waste delivery to MERC was discussed and it was felt that the proposal by BBI would enhance the ability of the Recycling Committee to get more accurate records of the cost of waste removal and the rewards from recycling. Also discussed was the improper disposal of leftover household products that contain corrosive, toxic, ignitable or reactive ingredients which can pollute the environment and pose a threat to human health. Industrial non-hazardous waste that can be recycled and reused are key to a successful resource conservation program. It was suggested as well that there needs to be a more user-friendly use of the Transfer Station; the hours the Transfer Station will be open needs to be decided based on the number of individuals and businesses using the Transfer Station during the week, both during the summer, and the revised winter usage. This plan might assist in making Dirigo Drive more safe and attractive to people using it. The Dumpster Ordinance needs to be looked at for revisions. Recognition of the costs of collection that are generated by the number of visitors to the community. Recognition of the value of those visitors to the community. Analyze the issues regarding Restaurants and the amount of food of which they dispose and options to make them more conscious of recycling and disposal of materials. How will enforcement done in the case of inappropriate disposition of materials either business-wise or by residents? Primary goal is to do everything with simplicity and convenience for both business and resident.

The Town Council Workshop ended at 8:30 p.m.

Respectfully Submitted,

V. Louise Reid  
Town Council Secretary

I, V. Louise Reid, Secretary to the Town Council of Old Orchard Beach, Maine, do hereby certify that the foregoing document consisting of five (5) pages is a true copy of the original Minutes of the Town Council Meeting of October 27, 2009.

V. Louise Reid