

The Claremont City Council held a workshop on Wednesday, May 25, 2005, in the Council Chambers of City Hall.

Members of the Council present were:

Michael Prozzo
Deborah Cutts
Heather Giannuzzi
Christopher Irish (Arrived Late)
Mayor Scott Pope
Bruce Temple (Arrived Late)
Roger Formidoni
Andy Austin
James Neilsen, IV

Also present were:

Guy Santagate, City Manager
Jane Taylor, City Solicitor

The meeting was called to order by Mayor Pope at 6:31 p.m.

MAYOR'S NOTES

Mayor Pope commended five police officers, Stan Andrews, Colby Casey, Jim Burnham, Greg Belisle, and Police Chief Alex Scott, for the work they did during a recent disturbance at the Sullivan County Department of Corrections. He read a letter of gratitude from the Board of Commissioners.

NEW BUSINESS

Mayor Pope asked for approval of the Council to move the Granting of the Easements for Development Projects and the Flood Storage for Lowe's forward before the Solid Waste Committee Report.

A motion was made by Ms. Giannuzzi and seconded by Mr. Austin to approve the move.

Motion carried 7-0.

Granting of Easements for Development Projects

Ms. Taylor said that in negotiating the redevelopment of the mill buildings, there is a need for several types of easements for them to be reconstructed, primarily in the area of construction easements in order to lay the proper utilities into the buildings and the potential for rebuilding the pedestrian bridge; the City wants to make sure the proper easements are in place. They are

generally related to pedestrian walkways and the ability to service and lay utilities such as water, sewer and electricity.

A motion was made by Ms. Cutts and seconded by Ms. Giannuzzi to authorize the City Manager or his designee to negotiate, execute and take all such actions as may be required to convey pedestrian, vehicular and utility easements across City-owned property for purposes of construction, redevelopment and maintenance of buildings and facilities in the City's Multiple Use Mill District. Said easements to be detailed in appropriate Easement Agreements to be filed in the Sullivan County Registry of Deeds.

Motion carried 7-0.

Flood Storage – Lowe's

Mr. Santagate said the site is in a 100-year flood plane zone. When you construct in that zone, you have to mitigate that construction site. Meaning you must have a comparably sized area that is allowed to flood in the event of 100-year flood. The Lowe's building cannot be reconfigured due to the two out buildings. So, the Army Corps of Engineers said another site along the Sugar River that can be excavated to allow the river to flood with a conservation easement placed on it would satisfy them. We feel the solution is Monadnock Park. Lowe's will excavate some of the land next to the sports complex. They have agreed to create and seed two soccer fields at an estimated \$250,000 value. He is asking the Council to allow this. The vote for this will say that we will never build on this site. He publicly thanked Lowe's. This project cost them about \$2 million above the expected price; there is \$1.5 million of contamination clean up on the original site which they have agreed to and another \$.5 million expense estimated here.

A motion was made by Mr. Neilsen and seconded by Mr. Austin to authorize the City Manager or his designee to negotiate, execute and take all such actions as may be required to permit Lowe's Home Centers Inc. to make certain improvements to City-owned property adjacent to Monadnock Park by construction of recreational fields for City use for purposes of establishing a compensatory flood water storage area related to construction of Lowe's proposed store in Claremont. The Claremont City Council also hereby authorizes the City Manager or his designee to negotiate, execute and take all such actions as may be required to convey a temporary construction easement across City-owned property as may be necessary for work related to development of said recreational fields and to convey a permanent conservation easement over said property for the benefit of the City of Claremont. Said easements to be detailed in appropriate Easement Agreements to be filed in the Sullivan County Registry of Deeds.

Motion carried 7-0.

Discuss Trash Committee Report

Mayor Pope thanked the Committee for 18 months of hard work. The charge of this committee was to sort through information and develop alternatives, methods and options for Claremont as we near the end of the NH Solid Waste District contract. He wants the Council to look at a tour of the Claremont Transfer Station and Wheelabrator so they can follow the waste stream. He

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would like the Council to tentatively approve a workshop after the report has been heard. He thanked the following members of the Committee: Duncan McCutchan, Chairman; Tom Connair, Vice Chairman; Jacqueline Elliott, also a NH/VT Solid Waste District Representative; Alison Raymond, Citizen Representative; Robert Woodman, also a NH/VT Solid Waste District Representative; Paul Fredette and Guy Santagate.

Duncan McCutchan, works for UVM and has a background in science education. He summarized the four areas of recommendation:

- 1) Take a progressive approach in addressing solid waste issues in the City;
 - a) Proactively evaluate disposal options
 - b) Proactively evaluate collection options
 - c) Action Item – Hire a professional solid waste planner/manager
- 2) Seek specialized legal expertise on solid waste issues and allocate resources for that purpose
 - a) Action Item – Retain legal expertise and initially allocate \$50,000 for this purpose
- 3) Evaluate the health and safety issues regarding the proposed continued incineration within the City by Wheelabrator
 - a) Assess the health and safety risks to Claremont
 - b) Upon completion of these analyses, seek public input
 - c) Explore viability of alternative uses for the incinerator
 - d) Action Item – Conduct a study to evaluate the health and environmental risks of incineration in Claremont
- 4) Promote solid waste management strategies that are both environmentally sound and economical and provide incentives for reduction, recycling, reuse and detoxification of the waste stream
 - a) Initiate program of education to support a sustainable, successful program of responsible solid waste management
 - b) Support organizations and communities seeking to develop local and regional strategies for managing solid waste
 - c) Seek state, Federal and private funding which may assist in the development and maintenance of Claremont's solid waste management system
 - d) Action Item – Implement a pay-as-you-throw materials recovery system
 - (1) This would charge the creator of the waste a per bag fee.

He said there is need for further research and planning. He talked about the vision that he has. The Committee had looked at other communities, specifically Keene, NH, which could be a model for Claremont. The Chittenden County facility in Williston is impressive. The words that come to his mind are that those facilities are conservative (resources and money). Environmental awareness and friendliness are other important aspects. He would like to see Claremont minimize waste, maximize opportunities to recycle and provide opportunities to reuse materials. He would like to see the waste stream detoxified. He would like to see the public engaged. He would like to see the residual waste minimized to the maximum extent and then landfilled in a carefully prepared facility nearby.

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He says we have an opportunity to make a transition to a more environmentally friendly, economical and locally controlled system. We have an opportunity to improve regional cooperation among communities in Sullivan County. He thinks the brightest light on the horizon as far as promoting and supporting these ideas are the four Community Development Grants that have been written to benefit our area. The Sullivan County Regional grant for about \$100,000 has been received. A CEDS grant for about \$60,000 will hopefully be funded. Patrick Pinkson Burke has written two grants that relate to Vermont communities that might otherwise send trash to the Wheelabrator incinerator.

Jacqueline Elliott gave a Powerpoint presentation. She stated that under the current system, Claremont is a "target" for Vermont's and New Hampshire's waste as well as waste from all over the northeast. She gave us background for how Claremont became the waste "solution" for 29 New Hampshire and Vermont towns. She said Claremont was promised very favorable electric rates for the power generated by the trash incinerator, but Wheelabrator's high-priced electricity has cost Claremont ratepayers an estimated \$20+ million in overcharges from 1987-2003. She said Claremont residents spend about \$1.2 million a year to dispose of trash at Wheelabrator (includes expenses through the NY/VT Solid Waste Project and trash delivered to the incinerator from the Claremont Transfer Station).

7:27 p.m. Chris Irish arrived.

Alison Raymond, said she looked at towns that had populations comparable to Claremont. She looked at what they were doing for recycling and most towns are doing a better job than we are. She said the numbers that were reported for Dover were not accurate, because they include yard waste. She said we need to make recycling more user friendly. She said currently there is 13,000 tons of trash generated here, 700 tons goes to the Transfer Station, 12,300 goes to Wheelabrator, 400 of the 700 goes to the incinerator as well, so 300 tons is getting recycled. That is only 3% being recycled. She feels we can and need to do a better job.

Paul Fredette, Public Works Director, said he has a problem with the report that is being presented. He thought the Committee's objective was to give the Council advice as to what to do with the trash in 2007. The Committee gave a recommendation to study it more. The decision is in two parts. Part 1 is how do you reduce the waste stream? Part 2 is what do we do with residual waste (municipal solid waste)? To implement either part creates a courageous and difficult political decision. If we were to achieve a 40 or 50% reduction in the waste stream, we would get a gold star by any standard. To do this, we have to take on or license curb side collection. A proposal in the Pay-As-You-Throw program is where you provide financial incentive for people to recycle. He estimates it costs the City about \$1.85 to dispose of a bag of municipal solid waste. He estimates it costs about \$.80 to dispose of a bag of recyclable materials. If we achieved 40% recyclable materials and placed the burden of that cost on the municipal solid waste, the cost to dispose of a bag of solid waste would be about \$2.40 a bag. Then there would be zero cost to pick up recyclable materials from residents. The cost of disposing of recyclable materials would be paid for by the bag of municipal solid waste. If you had black bags and clear bags, people could throw anything they wanted in the black bags and pay \$2.40 to dispose of it. If recyclables were placed in a clear bag, they would be disposed of for free. That kind of incentive would foster recycling and reduction of the waste stream. It is a complicated issue, but that solution is the one that has met with the most success in New

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Hampshire. All of these costs do not include the cost of transportation of the trash from your front step to the disposal/transfer site. The second, more complicated, issue is what do you do with the municipal solid waste? There are only two options, burn or bury the trash. All of the options look into issues of minimizing the waste. He doesn't think we can influence that. It boils down to do we continue to use the Wheelabrator facility in Claremont? He doesn't think it is reasonable to say we can't use the incinerator in Claremont, but allow us to investigate incineration at other locations. First, it is not cost effective and second, it is hypocritical. The bury options are available, but they include a great deal of transportation costs. His hope is the Council gives the Committee very specific direction to come with a recommendation as to what to do.

Robert Woodman, agrees with Mr. Fredette. He had the Plainfield town report. They have town pickup of municipal rubbish and recyclables. They recycle 22%. The Transfer Station charges people \$240 per ton or \$3 a bag to dispose of their trash. The national average is about 25 pounds of trash per bag. He believes we need to budget \$100,000 to supplement the Transfer Station. He would like to ask the Council to ask the City Staff to investigate where the options are and what the costs of disposal will be.

Tom Connair said this is a complicated issue. The City can no longer afford to delegate piecemeal to different representatives and hope that everything will come out in Claremont's favor. Because of the nature of the beast, it is so time consuming and complicated, there has to be commitment in time, energies and monies. Their mission was to provide information which they have done. The Committee has given specific, but general recommendations as to what they think we really need to do. He said we have to continue to spend more money and more energy to solve these complicated issues. His recommendations are:

- Hiring a professional solid waste planner and manager
- Retain legal expertise and initiate \$50,000 for that purpose (the City Council has already approved that allocation)
- Conduct a study to evaluate health risks of incineration (There's no question that the Incinerator poses a health risk. The question is what is the degree of risk; how do we measure it and is it an acceptable risk or not.)
- Implement a Pay-As-You-Throw materials recovery system

He concluded that this is only a first step.

Mr. Santagate thanked the Committee. This Committee was formed in response to opinions and suggestions from people in the City saying they had never had a say in the City's decision. He was looking for diverse opinions. He had two issues in mind, they are health and economics. The health issue cannot be ignored. He is looking for a decision that makes sense. In his own opinion, he would like to be more specific in some of the recommendations. His opinion is the serious questions of whether Wheelabrator stays on our list or not. Once that is decided, then it's a question of where to burn or where to bury. He would like to see the Committee make a recommendation to the Council. Licensing haulers will be a complicated issue. He is unhappy with the present conditions. He's unhappy the City is in the position it's in. We can't afford to squander this opportunity to make the best deal for Claremont that we can. He looks for civility

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in the process. He's unhappy with the economics, the property tax situation and he's unhappy Claremont never got a host fee, at a minimum. On the economic side we got an "F." He is willing to go back with the Committee to make the hard recommendations. If the Committee decides their work is done, he thanks them for what they have done.

Mr. McCutchan mentioned that Jim Gruber will make a presentation in Newport on the 26th. Mr. Gruber has offered to come before the Council to be a part of a discussion. Mr. McCutchan asked the Council to think about Mr. Gruber as a resource for the future.

Mr. Neilsen asked how we control Wheelabrator. His discouragement is to see us put a lot of effort and energy into doing something with minimal impact, whether it be recycling or redirection of our waste flow, if Wheelabrator continues to operate as normal and we are still the host community, with all of the problems. We know that whatever we do to reduce the waste stream, Wheelabrator can make up the volume by bringing on other communities. He asked if the plan is to serve all of Sullivan County.

Mr. McCutchan said the \$100,000 USDA grant is a regional grant. He believes the logic behind that proposal is that there may be some economies of scale. He pointed out there are other communities within the Waste Project that have some serious problems with the effects or potential effects of the incinerator. They are not happy with the arrangement.

Tom Connair said we have no control over Wheelabrator's ash and toxic emissions. That's why we think it's important to look at what they should give to us as a host community in terms of dollars and a check on the safety mechanisms in terms of property taxes.

Ms. Cutts was concerned that when other people read the Executive Summary, they may walk away and not support the initiative. She wants the report made public and put on the City's web page.

Ms. Giannuzzi believes the Committee gave the best they can at this point. She thinks the Committee has done what the Council asked them to do.

Mr. Irish agrees that the Committee has gone as far as they can. He stated we will never be without trash. The concept of licensed haulers is the key for us. We need to study the impact Wheelabrator has had on Claremont. He wants someone to tell him what the toxic impact is for Claremont. He believes we have a baseline from a few years ago.

Mr. McCutchan said there is no question that there is an increased health risk because of the incinerator.

Mayor Pope asked Mr. Fredette if a solid waste planning and management plan is currently in place. Mr. Fredette said the plan that is in place is the result of the Wheelabrator facility.

Mayor Pope asked the Committee if they had talked to any private haulers about what their opinion might be on licensing. Mr. Woodman stated when the Project was under delivery, the option of licensing private haulers came up. He believes there are interstate commerce

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regulations that may be a problem for licensing haulers. Mayor Pope asked if that was for Claremont. Mr. Woodman said it was for individual haulers in individual towns.

Mayor Pope asked if during deliberations, was landfill and Claremont brought up in discussions. Mr. McCutchan said they were probably talking about the one in Hartland. Mayor Pope would not want another landfill. Ms. Elliott clarified that earlier there were investigations and reports of landfill capacity for several places within the Sullivan County region.

Bruce Temple arrived at 8:00 p.m.

Mr. Temple asked the Committee if Wheelabrator is the only option for the next 2-5 years. He believes the incinerator is the short-term solution. He's excited about trying to move forward with waste reduction and the recycling process. He asked how you cite something to bury it. Instead, why not clean up the stack and burn it. Mr. Connair said they are not recommending a landfill be cited in Sullivan County. Ms. Elliott said a landfill would hopefully be publicly owned and controlled. The goal would be to maximize the disposal capacity.

Mr. McCutchan said the Chittenden County web site, www.cswd.net, is a model for how he would love to see this look for us.

Ms. Cutts said it is illogical that a Pay-As-You-Throw and an aggressive recycling program would cost more than we are paying now. Cost is in the wrong priority. She recommends educating the surrounding communities about this situation.

Ms. Giannuzzi is worried about timing and money. We want to have a health study done; we have results from a grant study that hasn't been started yet; we have the legal fees and time to try to close Wheelabrator; legal fees and time to license haulers and we have two years to do it. She doesn't see this occurring. She questioned on July 2, 2007, where are we taking our trash. She believes we can cut our trash 50% with recycling. In two years, we need to think of a viable solution for Claremont. She believes it is illogical to think that we won't use Wheelabrator in 2007.

Mayor Pope suggested another meeting of the Council and asked to have the Trash Committee at that meeting. He's looking at June 11 or 25 for tours of the Transfer Station and Wheelabrator and an early July meeting.

Ms. Cutts concurred with a tour on June 11. She believes the Workshop should be moved to June.

Mr. Formidoni hoped the resources of the Trash Committee would still be available.

Mr. Prozzo concurred with the Workshop. He believes the City should give alternatives. We need facts and viable alternatives for 2, 5 and/or 10 years so we can make decisions.

Mr. Irish agrees with the concept of a public meeting, but didn't agree that Public Works should stop the projects they are doing to divert the City resources to accomplish this.

Mayor Pope suggested July 27th for a Workshop which will give him time to talk to Mr. Santagate.

Ms. Raymond thinks the public needs to hear that waste disposal is not free nor is it cheap.

PUBLIC FORUM

Katie Lajoie lives in Charlestown. She has been involved with the incinerator issue for almost 20 years. She has been involved in writing reports on the pollution issue. She believes it is an unacceptable risk. The grant that Mr. Gruber has received has a timeline for the next 2 years. She hopes that we understand that this is not just a Claremont issue. North Charlestown gets the brunt of the pollution. She thinks there should be a professional facilitator with all the stakeholders at the table. She suggested reframing how we look at the issue. She suggested minimizing waste. Almost 50% is compostable. Only 3% has no market. The rest can be recycled or composted.

Ms. Giannuzzi would like to see other town officials at a public meeting and to see their support.

Mr. Temple said that Sullivan County towns do not have money to put up. There is the issue of how do we educate people about recycling and how do we move forward and where do we go long term with our materials that are not recyclable. His perspective is that in the next 2-5 years, Wheelabrator is where our trash will go whether we like it or not. He thinks we need to separate the two issues. He asked if Wheelabrator is such a pollutant, where is the EPA.

Judith Moriarty is not taking sides. She said the incinerator is costing us \$1.3 million. She said reducing the mercury could have been done 20 years ago, but it wasn't because it would have cost them money. She said we have a bad thing made by man. She said we shouldn't be the dump town and we should get angry enough to do something.

Jim Contois just moved from New York. He compared this with the fight they had with General Electric on the clean up of PCBs. They waited "forever" for the EPA and the Department of Environmental Conservation. He told Mr. Temple not to wait. There won't be unequivocal evidence of mercury. The mercury is going somewhere; it's going into the kids.

Rebecca McKenzie, new citizen of Claremont; she grew up here. She moved here last August and bought a home less than one mile from the incinerator. She is concerned about planting a garden due to the soil pollutants. She went the Cooperative Extension and found out she can get a minimal soil analysis that can pick out lead. She is looking for other tests that will measure dioxins or other contaminants. She encourages citizens to stay involved. She loves seeing the energy being put in to restore Claremont. She is excited about the revitalization. She is hoping citizens in Claremont and outlying communities come together.

Susan Doody, Ward 2, noted Wheelabrator is not on the City website and also not on the Chamber of Commerce website. It's not good for real estate. She said the toxins are detrimental to human health. She thinks we should move away from incineration in order for Claremont to be a healthful community.

Mayor Pope noted that Wheelabrator is a member of the Chamber of Commerce.

Mayor Pope closed the public forum.

Mr. Irish said he hears people say how unhealthy the incinerator is, but they are still living close by. He asked why they aren't leaving.

Ms. Elliott said many people are uninformed. If she and her husband could afford it, they would relocate.

Rich Thorburn moved to Claremont 2 ½ years ago because it was affordable. When they moved here, his wife was healthy and then she came down with extreme chemical sensitivities. He doesn't blame it all on Wheelabrator, because there are other issues in town that could contribute to that. He didn't know Wheelabrator was in town until about six months ago. He is a contractor in a business that creates waste, but he has started to find other ways to get rid of waste. He encourages the Council to let Wheelabrator know how long they can stay in the community.

NON-PUBLIC – Disposition of City-Owned Property Under RSA 91-A:3 II(d)

A motion was made by Mr. Prozzo and seconded by Ms. Giannuzzi to move into a Non-Public session to discuss disposition of City-Owned Property under RSA 91-A:3 II(d).

Roll Call Vote: Motion carried 9-0.

A motion was made by Mr. Prozzo and seconded by Mr. Irish to exit the non-public session.

Roll Call Vote: Motion carried 9-0.

ADJOURNMENT

A motion was made by Mr. Prozzo and seconded by Ms. Giannuzzi to adjourn at 10:15 p.m.

Motion carried 9-0.

Respectfully Submitted,

Dorée Russell
Clerk to the Council