

**Board of Health Meeting
Public Hearing
April 13, 2021 4:30pm**

Addendum to Meeting Notice regarding Remote Participation

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L.c.30A, §18, and the Governor's March 23, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the West Newbury Board of Health will be conducted via remote participation to the greatest extent possible.

Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the Town of West Newbury website, at www.wnewbury.org. For this meeting, members of the public who wish to listen to the meeting may do so in the following manner:

BOH Public Hearing Tue, Apr 13, 2021 4:30 PM - 8:00 PM (EDT) Please join my meeting from your computer, tablet or smartphone.

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**WEST NEWBURY BOARD OF HEALTH
381 Main Street, Town Office Building, West Newbury, MA**

**PUBLIC HEARING MINUTES
April 13, 2021 at 4:30pm**

BOARD: Robert Janes-Chairman, Blake Seale-Member, Thomas Fahey-Member

HEALTH AGENT: Paul Seigny

ADMIN ASS'T: Jane Krafton

- Reviewed and discussed proposed 65 Gallon Automated Curbside Trash and Recycling Cart Regulation and Fee Schedule. Chairman Janes read the proposed regulation aloud:

FY21-41321: 65 Gallons Automated Curbside Trash and Recycling Cart Regulation

On April 20, 2021 the Board of Health voted unanimously to adopt the following trash regulation and fee schedule and will be dedicated to reinforcing:

All legal dwellings with an address on a Town accepted public roadway will receive one (1) sixty-five (65) gallon cart for household solid waste as well as one (1) sixty-five (65) gallon cart for recyclables that must be used for West Newbury automated curbside collections. Town issued carts (with Town Seal) are the property of the Town of West Newbury and are assigned to West Newbury households. Any trash or recycling in excess of the one (1) sixty-five gallon designated cart issued by the Town will be the responsibility of the property owner to dispose of properly.

Public Hearing April 13 and continued April 20, 2021

Mattresses and box springs are banned from disposal or incineration.

Purpose: In order to ensure that waste materials, are disposed of in an environmentally responsible manner, these regulations are intended to provide for the systematic collection of trash and recyclables. Additionally, these regulations promote recycling, compliance with state-mandated waste bans, and assist in cost reduction of residential trash disposal by diverting those items from the waste stream that can be managed more effectively.

Note: Regulation FY21-41321 will supersede Regulation FY02-121002.

Chairman Janes read aloud the “Addendum Notice” as well as the proposed regulation regarding automated curbside trash and recycling. Chair then opened the hearing up to public discussion. Many residents various concerns regarding things such as: long and or steep driveways; challenges with managing the size of the 65 gallon barrel; potential of trash items being left on the side of the road because of the new program; and stolen barrels. Jason Mello also expressed concern over residents moving and taking the town issued barrels with them instead of leaving barrels behind for new homeowners. Town issued barrels (one trash and one recycling barrel) are the property of the Town and will be assigned to the property.

Discussed resident requests for the 32 gallon barrel. Mr. Mello stated that the smaller barrel is not as durable or stable as the larger barrel and tend to tip. R. Baker-resident, believes this a burden on the elderly and disabled and expressed his concern that the barrels do not fit the character of the Town. Nathan Kelly-resident and member of the Finance Committee stated that making the decision on the proposed trash program regulation is the wrong decision. It is a decrease in services when you look at the 2002 Trash Regulation as well as the 2010 Waste Reduction Program, and now that recycling will no longer be an unlimited amount curbside, as well as adding a bulk item disposal fee. Paulina Swartz-resident stated that we as a group need to be mindful of how much trash we generate, and she is in favor of those who produce more trash, pay more for removal. Elisa Grammer-resident agrees with P. Swartz and also stated that she has some experience with the type of waste removal program and is in favor of the system. Jean Lambert wondered why a matter of this concern was not brought to town meeting.

KC Swallow-resident and Town Moderator, clarified that the town meeting is the legislative branch of the government in which money is appropriated. It does not direct the Boards on how to conduct business. Boards make their own decisions, and one way for objection to the program would be to reject the proposed budget at town meeting. Which would cause a problem if the people do not appropriate the money. Angus Jennings-Town Manager wanted to clarify that if the proposed budget was rejected would cause a significant increase by about \$20,000 in FY22.

B. Seale mentioned that the Pipestave Recycling Center gate will be open the usual hours of operation; however the center is always accessible by walk-in.

After a two hour spirited discussion, R. Janes Chairman closed the public discussion portion of the hearing and opened discussion amongst the members of the Board to discuss. R. Janes began by stating that he is a bit concerned with the amount of cardboard left curbside and feels that everyone will need to be aware that all cardboard curbside will need to be broken down and placed inside the recycling barrels. T. Fahey voiced a couple of concerns. He would like to suggest that BOH reconsider extra recycling barrel cost as well as a smaller barrel option for residents. Fahey feels confident about the 65 gallons for trash being a fair size for residents. R. Janes agrees with the recycling concerns, and possibly the 65 gallon barrel may be difficult for some residents to manage. T. Fahey would like to review the cost of both offerings. B. Seale thinks that it would be reasonable to offer an additional recycling barrel but recognizes the additional cost of the barrel, which would need to be negotiated with G. Mello. Jason Mello also informs the Board and residents to keep an open mind about the 65 gallon barrel that the smaller barrel is less stable the larger barrel is much easier to manage.

T. Fahey made a motion that the regulation as written be tabled for reconsideration, seconded by R. Janes Chairman. Roll call: Robert Janes, Chairman-Aye, Blake Seale, Member- No, Tom Fahey Member-Aye. Motion to table **APPROVED 2-1-0**

Additional motion made by T. Fahey to be tabled fee schedule for reconsider fees attached to the current proposed regulation. Roll call: Robert Janes, Chairman-Aye, Blake Seale, Member-No, Tom Fahey, Member-Aye. Motion to table **APPROVED 2-1-0**

Meeting 6:57pm to be continued to April 20, 2021

**CONTINUATION OF APRIL 13, 2021 PUBLIC HEARING
Board of Health Meeting
Public Hearing Agenda
April 20, 2021 4:30pm**

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BOH Public Hearing Continuation
Tue, Apr 20, 2021 4:30 PM - 7:30 PM (EDT)

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**WEST NEWBURY BOARD OF HEALTH
381 Main Street, Town Office Building
West Newbury, MA
PUBLIC HEARING AGENDA
April 20, 2021 at 4:30pm**

Public Hearing April 13 and continued April 20, 2021

BOARD: Robert Janes-Chairman, Blake Seale-Member, Thomas Fahey-Member
HEALTH AGENT: Paul Sevigny
ADMIN ASS'T: Jane Krafton

- Reviewed and discussed proposed 65 Gallon Automated Curbside Trash and Recycling Cart Regulation and Fee Schedule. Chairman Janes read the proposed regulation aloud:

4:30 pm. R. Janes opened meeting by stating that the public comment portion of last week's hearing has been closed.

R. Janes read the above addendum to the meeting.

R. Janes read:

FY21-41321: 65 Gallons Automated Curbside Trash and Recycling Cart Regulation

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****Janes suggested that there be a clause regarding special need residents which the Board hadn't previously discussed but the Chairman would like to discuss tonight. B. Seale thinks that the suggested clause may open other issues up if included. T. Fahey would like to discuss the 65 gallon toter and then discuss the smaller carts. Fahey believes that the 65 gallon barrel is fair and equitable size for all residents, but recognizes that there may be a need for a smaller barrel. He also believes it's a slippery slope to carve out specifics for who would qualify or not qualify for the smaller barrel. B. Seale recommends that residents accept the 65 gallon barrel, however if a resident insists on the smaller barrel that then that would be their final barrel Town Issued Barrel. Residents would not be issued two 32/35 gallon barrels in place of the 65 gallon, just one barrel for trash and one barrel for recycling regardless of gallon size. The price for either size is \$100, and should the resident in the future change their mind it would be at the cost to the resident to purchase the barrel. B. Seale proposed the following changes to the fee schedule:**

32/35 gallon barrel - \$100

65 gallon barrel - \$100

Annual Trash Permit for either barrel size - \$120

Bulk Item - \$20

Annual Recycling Permit – Free

Jason Mello explained that the smaller barrels are difficult for him to obtain. Barrels ship from California, and they're just as expensive as the large barrel because of the cost of shipping. The smaller container is not as durable or stable. Highly recommends that residents accept the 65 gallon barrel.

Board agrees that it would be advantageous to review each resident's request case by case. R. Janes asked if the resident already owns a G. Mello barrel or a similar cart (needs to be inspected and approved) would be allowable to use and then just simply purchase the "Annual Trash Permit". Recycling would not have an annual fee, but would receive a free recycling sticker. Also available to purchase an additional "overflow" barrel for \$100 and it would be delivered to the resident.

B. Seale announced extension 141 will be dedicated to Waste and Recycling. July 1st would be the deadline for residents to request an exchange in barrel size. Each case will be considered independently by the Board.

T. Fahey stated that the change in the Annual Trash Permit to \$120 instead of \$200 is a very reasonable price, approximately \$2 for additional estimated 50 pounds per week. B. Seale also reminded everyone that the Pipestave Recycling is always available for residents to utilize, and gate is open Saturday mornings.

R. Janes retracted his suggestion for the special need clause. R. Janes re-read the original regulation and made a motion that the Board accept regulation # ***FY21-41321: 65 Gallons Automated Curbside Trash and Recycling Cart Regulation*** B. Seale seconded, roll call vote:

Robert Janes, Chairman-Aye, Blake Seale, Member-Aye, Tom Fahey, Member-Aye **APPROVED Unanimously 3-0-0** (Bulk Item, and Fee Schedule included in regulation.)

Fee changes will be modified, and the FAQ mailing will be sent to the residents ASAP.

T. Fahey clarified residents will be given an acceptable one month trial period for both the recycling and trash barrel, also once a resident chooses to downsize (half the size of recommended 65 gallon barrel size) that there will be no additional change in "Town Issued barrel". For future changes, residents will be required to purchase any size barrel. J. Mello also wants everyone to know that the smaller barrel will be one color so stickers will be needed to designate the recycling barrel as well as the trash barrel. T. Fahey stated that the G. Mello as well as the Board will work with the residents.

R. Janes called the Public Hearing to adjourn 5:30pm

Next Meeting May 4, 2021