

Solid Waste Advisory Committee
8 December 2011
Minutes

Attending: Councilor's Keith Nyhan (Chair), Liz Blanchard, Mike DeIacono, and Jan McClure. Greg Banks, Mike Russell, Melanie Dorion, Arthur Aznive and Terry Clarkson.

Guests: Mr. & Mrs. Latchis, Latchis Properties, L. L. C.

Staff: Chip Chesley, Jeff Hoadley, Karon Devoid

Keith started the meeting at 4:20 PM indicating there was a quorum tonight, so the committee could go forward on two of the items from the previous meeting. They were the Latchis property in the Downtown Solid Waste Removal District and adjusting the hours of operation for the Old Turnpike Road Transfer Station and Recycling Center.

1. **Latchis Properties** – Keith asked Chip to provide a brief overview of the issues surround the request from Latchis Properties, L.L.C. Chip reviewed last meeting's discussion regarding property owners of 51-57 S. Main Street and the history regarding the Downtown Solid Waste District. He stated that notes from the previous meeting had been circulated to all committee members prior to this evening's meeting. In summary, he noted that a six yard solid waste dumpster has been located in the parking lot to the rear of the Latchis property, and there was often a conflict with people parking in the Latchis property parking lot such that Bestway had difficulty accessing the dumpster. He briefed the committee members on the dimensions of the Latchis property, and showed the general layout of the property, utilizing the City's GIS mapping. He also showed the committee members recent photographs showing how cars park in the Latchis property parking lot and how their location interferes with the safe collection of a six yard dumpster. He noted that the Department had worked with the Latchis on this matter in the past, and with the concurrence of the Latchis, had the dumpster relocated to another location on private property to the Sanel Block parking lot. Once the dumpster was removed from the Latchis property, there was no longer an issue with cars blocking access to the dumpster, and residents from the Latchis property successfully utilized the dumpster in its new location. With the construction of the Smile building and elimination of the parking lot on the Sanel Block, Chip noted that the dumpster was returned to the Latchis' property parking lot, and the previous issues with cars blocking safe access to the dumpster again emerged. In an effort to mitigate the long standing issue with parked cars blocking access to the dumpster, Chip noted that Bestway offered to the Downtown Solid Waste Removal District a higher level service by exchanging the dumpster for six totes that required Bestway to manually service the carts. Chip noted that Mr. Latchis claims that the totes were only serviced twice a week instead of six days per week and is requesting to be relieved of financially paying

for the service. Jeff Hoadley then presented the committee the Trimble global positioning system which is used to track the Bestway trucks on a daily basis as to where they were to pick up trash. Although it shows Bestway was on the street those days to pick up trash, it does not show which dumpsters/totes were emptied, but, the City can only assume if Bestway was indeed on the street, they would pick up. They start at 5:30 AM in the downtown solid waste district. Jeff could pick any one of 95 days worth of reports to show Bestway was on that street. A provision of their contract shows where they are every day. Keith stated also that assuming they go down the street, Bestway would pick up the totes/dumpsters.

Chip also reminded everyone the Downtown Solid Waste District fees are prorated based on the assessed building value of properties in the district. He also explained that all users within the district can use any/all dumpsters in the district. Dumpsters are placed on both public and private property and anyone in the district is allowed to use them. He noted that dumpsters sometimes hinders parking spaces that would have been available if the dumpster wasn't there; however, this is part of the compromise property owners assume for the effective and practical removal of waste and recyclables from the City's downtown area. As in any vibrant downtown area, Chip noted that there are times when the contractor may not be able to service a particular dumpster on a given day due to a conflict with a parked car, a construction vehicle or delivery vehicle; however there is sufficient volume solid in all dumpsters to absorb a single dumpster collection being missed on any given day. He concluded that staff can't confirm that the containers on the Latchis' property didn't receive service. He recalled that when asked by the committee at the previous meeting, the Latchis advised that they hadn't incurred any financial costs to have solid waste collected from the containers located on their parking lot. Chip noted that if the Contractor were to provide a credit to the District for missed service it would be divided among all members of the Downtown Solid Waste District since the containers are not assigned to a particular property within the District.

Jan asked Keith if this has ever been done before, and he said no.

Mr. Latchis stated he's been paying for service for ten years. He knows he is partly responsible, but it wasn't until the Smile building construction caused severe disruption, overflowing totes. Mr. Latchis stated he made numerous calls to Pat Winn. He stated he feels if service isn't provided, he shouldn't have to pay the bill. Mr. Latchis stated, at best, Bestway came twice a week, and also stated that trash collection was missed for an entire week. He states now the service has been restored and appreciates it. He stated others were using "his" totes. He stated the totes were in place when construction started. Street blocked then. Construction vehicles and others parked in their parking lot...weren't their tenants who were responsible for blocking the totes. Mrs. Latchis said their complaint is because of the construction; feels it's the city's responsibility because the city issued the building permit. Once street was opened, still two months of not emptying totes. Their calculation is on the monthly fee, six days a week. Trash

was only removed twice a week; prorated and came to their figure of \$470.66. Once it was brought to the advisory committee last month, service is much better.

Liz asked if that figure represents a year, and how many times were the totes overflowing. Mr. Latchis responded trash wasn't picked up for 10 days up to two weeks.

Mike referred to the dumpsters in the parking lot below the Latchis property parking lot adjacent to Storrs Street. He asked if these dumpsters were large enough to accommodate solid waste from the Latchis property. Jeff responded they are two 10 yard containers and are adequate to accommodate the residents of the Latchis property.

Keith said totes are being picked up. Bestway is not charging the district for the totes.

Mr. Latchis said they could not have access to the construction dumpsters during the construction of the Smile building. He noted when the contractors left at the end of the day, they would lock up the construction area and he wasn't able to get access to the dumpster.

Jan asked about other dumpster locations within the District that could serve the Latchis property. Jeff responded there are dumpsters nearby at the Bindery Building and Hermanoes.

Mrs. Latchis stated that the collection truck has "irregular times of arrival". Chip responded that service to the area may have been temporarily obstructed due to ongoing construction activities and the truck returned later in the day to service the containers. Jeff advised that the driver is a ten year veteran and knows his route.

Liz and Jan both were concerned of the perceived poor customer service and not getting back to the Latchis. Jan also said we do the best we can. If we compensated all residents, the city would go broke.

Keith opined if there was a customer service issue or vendor issue, it was because of the construction. The monies requested is money the Latchis haven't paid for yet. If there is service interruption, do we demand the vendor provide a credit to individuals or to the Downtown Solid Waste District?

Chip said that Pat's observations are different than what the Latchis' experienced. Pat saw no code issues; the Latchis' indicated there was.

Mrs. Latchis said it doesn't prove that the trash wasn't picked up. She wished they'd taken pictures.

Liz made the comment that it was too bad someone didn't (perceived) return their call...could have been resolved. Doesn't feel it was properly addressed.

Melanie said the vendor made an attempt to pick up the trash; it's not the vendor's fault that it couldn't pick up the trash.

Arthur reminded the committee that his family owns property in the Downtown Solid Waste Removal District and told the Latchis' they should call General Services any time there's a problem. Mr. Latchis said he has better things to do than to call every time there's an issue. And why should everyone in the District get reimbursed when it only affected them?

Keith said it is "our" vendor – we have to deal with vendor. Costs are still being incurred. We need to go back to Bestway, if necessary, and push for a credit.

Chip reminded the committee that many downtown tenants walk a further distance to dispose of trash than this case. It's a parking space versus a dumpster. Needs to be a compromise. Mr. Latchis states for thirty years, a dumpster was there.

Keith asked for someone to make a motion. Greg made the motion not to provide financial relief to Latchis L. L. C. and Mike seconded the motion. On a voice vote, all agreed except Liz.

After the vote, Greg said it was very unfortunate Pat couldn't attend tonight's meeting. He reminded the committee at the previous meeting Pat advised he had been in contract with the Latchis' on a number of occasions. Greg noted that the dumpster was often blocked and moved. The problem returned when the dumpster was moved back. He said Mr. Latchis neglected to tell the committee he was chasing people off his property for using "his" dumpster/totes.

Keith agreed the City went out of its way to accommodate them. Greg opined about the long term future of the totes.

Should there be questions of the committee members, Jan reminded the committee members that they should be referred to Keith, as he is the Chairman.

2. Transfer Station Hours –

Jeff briefed the committee that the current hours for the Old Turnpike Road Transfer Station and Recycling Center are: Monday, Wednesday, Friday, from 8:00 AM to 4:00 PM; Thursday, 8:00 AM to 1:00 PM,; and Saturday from 8:00 AM to 3:00 PM. The facility is closed on Sundays and Tuesdays. The vendor is proposing to stay open on Tuesday, but, cut the hours back on Saturday to noon.

Liz asked why we are changing hours.

Keith said currently, each day has different hours. There is no cost to the city on the contract if hours are changed. It is the vendor, not the city, who is requesting the hours be changed.

Jeff noted that the vendor wants to accommodate contractors and residents who wish to use the transfer station on Tuesdays. Committee members expressed concerns about a reduction in Saturday hours and its impact on residents who work during the week. Several members feel Saturdays are the only day that many residents have to use the transfer station.

The consensus of the committee was to return to the vendor with the proposal to operate the station from 8:00 AM to 3:00 PM Monday through Saturday. Jan moved the motion, and Mike seconded the motion. On a voice vote, the motion carries without dissent. If vendor agrees, the new hours will start January 1st.

3. Update on the Old Suncook Road Landfill –

Chip updated the committee on the closure schedule for the Old Suncook Landfill at an estimated construction cost of \$6- \$8 million dollars. He reminded the committee that the city has working on this project for a number of years and is continuing to work with the New Hampshire Department of Environmental Services on the closing the landfill that includes placing a cap over the refuse mass.

Currently, leachate from landfill is impacting groundwater under the landfill and the New Hampshire Department of Environmental Services has issued the City a groundwater discharge permit. Chip noted that the leachate doesn't impact the drinking water for the people living in the area of the landfill because all properties within the impacted area receive City water.

Jeff provided the committee members with the page from the Fiscal Year 2012 Capital Budget showing the proposed schedule for closing the landfill.

Chip reviewed the schedule and noted that the Department of Environmental Services is first requiring the City to secure area of the refuse mass, and then provide approximately twelve inches of interim cover over the refuse area. Chip reported that the schedule then calls for a two year planning study to consider reusing the site for recreational uses, followed by actual design of the final closure whose construction would probably take two construction seasons. Chip reported that the fence installation has been completed this fall with funds appropriated through the adoption of the Fiscal Year 2012 budget, and next spring, the City will need complete the next task of clearing the vegetation and trees that has grown over the refuse mass and then placing interim cover over the refuse mass.

Jan wants to make sure the residents know on Airport Road that the trees are coming down and why.

Terry asked if there were any solicitations.

Meeting was adjourned at 5:35 PM.