

Report of the Special Meeting of  
Gorham Town Council  
October 18, 2011

Chairman Robinson opened the meeting with the Pledge of Allegiance to the Flag at 7:00 P.M. and there were 54 members of the public present.

Roll Call: Chairman Robinson; Councilors Caldwell, Gagnon, Mattingly, Miner, Phinney and Pressey; Town Manager, David Cole, Town Attorney, William Dale, and Town Clerk, Cornelia Loughran.

Chairman Robinson asked the Town Manager to summarize the events leading up to tonight's meeting. Chairman Robinson then opened the Public Hearing on a proposal to accept construction and demolition debris material from Plan-It Recycling at the Town's closed construction and demolition debris landfill located off Huston Road at 7:18 P.M.

One member of the public spoke giving his support reluctantly. Brenda Stoudt submitted a petition containing 26 signatures of homeowners in the area. Sixteen members of the public spoke against the proposal. The Public Hearing closed at 8:10 P.M.

Item #8085 Councilor Phinney disclosed that his father owns property across the street from Public Works. Council determined that there would be no conflict of interest. Moved by Councilor Phinney, seconded by Councilor Gagnon and ORDERED, that

Whereas, Plan-It Recycling has operated a construction and demolition debris recycling business in the Gorham Industrial Park and is now insolvent, and

Whereas, Plan-It Recycling left large piles of material at its site after it went out of business and has no resources to clean the site, and

Whereas, the Maine Department of Environmental Protection has extensively evaluated the material left at the site and determined that it consists principally of construction and demolition debris material that is compatible with the material in the Town of Gorham closed-out construction and demolition debris landfill off Huston Road, and

Whereas, the cost of disposing of the large piles of material at Plan-It Recycling in a commercial landfill is not a viable option because of the extraordinarily high cost, and

Whereas, the Town's closed-out construction and demolition debris landfill is a safe and environmentally sound disposal option, and

Whereas, the Town Council has determined that it is in the community's best interest where to have the material at Plan-It Recycling safely and responsibly disposed of in a location that is environmentally sound,

NOW, THEREFORE, BE IT ORDERED that the Town Council approve the proposed Superior Court Consent Agreement in substantially the terms shown on the attached draft and that the Town Council agree to allow the material at Plan-it Recycling to be disposed of at the Town construction and demolition debris landfill off Huston Road, and to seek Maine DEP and Gorham Planning Board approvals for the same, as part of a comprehensive court ordered settlement contingent upon:

1. R. J. Grondin's purchasing the Plan-It Recycling property and removing all waste material from the site and disposing of the same at the Town's closed-out construction and demolition debris landfill.
2. The Maine Department of Environmental Protection approving a plan for disposing of the material in the Town's construction and demolition debris landfill and properly and finally re-closing the site.
3. R. J. Grondin paying for the Town to hire an independent inspector to review and inspect the loads of material as it is brought to the Town's landfill to ensure that no hazardous waste is put into the Town's landfill.
4. R. J. Grondin will agree to provide public water to any homeowner whose well is contaminated from this landfill within four (4) years.

That the Plan-It Recycling property have a restriction placed on its real estate title, subject to Town Attorney approval, that prohibits the property from ever being used to process, store or transfer commercial or residential waste. 7 years

Item #8086 Moved by Councilor Pressey, seconded by Councilor Phinney and ORDERED that the Town Council appoint Scott M. Firmin to the Recycling Committee with a term to expire April 1, 2012. 7 years

Moved by Councilor Miner, seconded by Councilor Mattingly and Voted to ADJOURN. 7 yeas Time of adjournment 10:09 PM

A TRUE RECORD OF MEETING

Attest:

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Cornelia C Loughran, Town Clerk

