

**RECORD
TOWN OF GRANBY
SPECIAL TOWN MEETING
APRIL 07, 2014**

In accordance with the foregoing warrant, the inhabitants of the Town of Granby qualified to vote in elections and town affairs, met at the Granby Jr. Sr. High School on East State Street on April 07, 2014 at 7:00 p.m. then and there to act on the following articles, to wit:

Due to the fact of a long line of voters waiting to check in the Moderator, Lynn Snopek Mercier was unable to open the Special Town Meeting until 7:10 P.M. The STM was called to order at 7:12 pm a quorum was present (30 or more) 428 were in attendance at the time of opening.

The Moderator calls on the Town Clerk, Katherine A. Kelly-Regan, to certify that all the warrants were posted in accordance with the law.

The Clerk responds they have. The warrant for this Special Town Meeting was declared to be in order.

The Pledge of Allegiance to the Flag was lead by the Select Board Chair, Louis Barry and the residents joined in.

The Committees and Boards present at this STM:

Select Board: Chair, Louis M. Barry, Members, Mary A. McDowell, and Mark L. Bail, All Present sitting with the Select Board was Town Counselor, Edward Ryan, the Assistant Town Counselor, Brian O'Toole and Town Administrator, Christopher Martin.

Finance Committee: Chair, John Libera, Jr., Members, Robert Cannon, Robert Glesmann III, and Scott Wilson not present James Hartley.

Vote Counters & Checkers: Maureen Costello, Jeanne Crosby, Richard Gaj, Sr., Jeanne Merrill, Debra Plath, and Nancy Sedlak.

Public Safety: Jason Richard, Police Officer on duty.

Guest: Arlene Miller, Recycling Coordinator for the DEP of Western MA and Terry Grady, Representative for Allied Waste

The Moderator recognizes Select Board Member Mark Bail:

Mr. Bails report:

Good Evening:

I'd like to start with a list of facts before explaining our curbside pickup proposal. These facts are important for understanding what we are proposing.

1. The Town of Granby has never owned the landfill or transfer station. As a community hosting a landfill, we received money for every ton of commercial trash that entered there.
2. Any solid waste proposal involves TWO COSTS: a) operations b) disposal. Operations collects the trash. Disposal deposits the trash in a landfill or incinerator averages.
3. Before it was a modern, regulated landfill—I'm talking the 1950s and maybe the 1960s—there was a lot of stuff buried there that the Town would not want to be liable for. For this reason, the select board made a conscious decision not to buy any of that land.
4. The select board considered trying to lease the transfer station and keep it open and

rejected it as too costly.

5. There is no guarantee that the price of a private contract will remain the same for the next three years. The Town proposal will remain constant.
6. Charging a user fee means people must be able to opt out.
7. A tax increase is not a user fee, even when it pays for curbside pickup.
8. The Town has the authority to raise taxes; it does not have the authority to charge user fees as it pleases.
9. Tonight's vote puts the override question on the ballot for May.

How the Town proposal would work...

Trash would be picked up weekly. Recyclables would be picked up bi-weekly. You can use the trash containers you already have. We'll supply stickers for your trashcans to identify them. Inside the can, you would use regular trash bags.

Weight limits. There is a weight limit of 40 pounds. If a worker judges a trash can to be too heavy, a sticker will be placed on it, and it won't be picked up. If you have more than 40 pounds, you can either put it in one of the same blue bags we have been using or even save it in the trash for the next time around. There isn't a limit to the number of blue bags you can use.

Recycling. You can have as many containers of recyclables as you like. You can get rid of as many recyclables as you like every two weeks.

Yard waste. Based on the number of people concerned about this, I can tell there are a lot of people who do a better job taking care of their yard than I do. At the moment, we will have TWO days a year for yard waste. People will bring their waste to a designated location where it will be collected, most likely chipped, and disposed of. These TWO days are part of our proposed contract with Allied Waste. We realize that TWO times a year may not be enough for some folks, and we'll continue to try to work out other solutions. Please understand, any permanent or semi-permanent site would have to be permitted by DEP.

The User Fee Snag

The most frequent objection to this proposal is the fact that people will be paying for trash pickup through taxes, rather than through a user fee. This isn't a radical idea. Most communities pay for solid waste disposal through taxes. Ludlow, Longmeadow, East Longmeadow, Agawam, and Chicopee all finance curbside pickup with tax dollars. If we weren't asking for an override, I don't think too many people would care if this proposal were financed with taxes. But because the proposal requires a tax increase, and because we have been clear and open about how much the proposal will cost individual property owners, people are very aware of the implications of the proposed override.

Many people have asked why we don't charge everyone the same amount. The answer is, we could not do this without implementing user fees. I think I speak for the Board when I say that the three of us would much prefer to be able to offer an optional, non-controversial user fee. But the fact is, we can't do it.

There are **TWO RELATED FACTORS** involved here. I call it the **User Fee Catch**. Here's how it works.

- 1) *When it comes to user fees, people must be allowed to opt out.* This is the law. The statute is MGL Ch. 140 and the case law is *Emerson College v. Boston* (1984). Granby has no legal authority to charge a user fee for trash without letting people opt out.

2) *It takes our entire town as a customer base to negotiate and receive a lower price for curbside pickup.* Granby is small. The economy of scale we have to offer a trash company is small. If people could opt out, there would not be enough customers to make town-wide pickup affordable.

Is it fair for people to pay for trash disposal based on taxes, rather than by how much trash they throw away? To me, that's a question without an answer. I estimate that between 85-90% of residents can benefit from this proposal. Is it fair to deny this vast majority of residents a cheaper alternative to getting rid of their trash because it requires an override? Don't we all for all pay for some town services that we don't use? To me, these are philosophical questions. Questions we can ultimately answer only for ourselves.

For generations, Granby citizens have been relying on the Town to provide trash disposal service. The select board brought this proposal forward because we felt we needed to offer to continue this service. We examined and rejected alternatives because they were worse than an individual contract with a private hauler. Trying to keep the transfer station open would have cost \$100,000-150,000 more than curbside pickup and cost individual users about \$500 a year, \$ 100 or more a year than a private contract with a commercial hauler.

This is the only proposal we have before us tonight. In the next month or two, we will be appointing a Solid Waste Advisory Committee to help us plan for the more distant future.

How the plan costs were calculated...

There are TWO costs associated with the curbside proposal 1) the pickup 2) the disposal. Our contract accounts for a number of tons of disposal, not an amount per household. We came up with the amount per household as an average of what people were currently throwing away. The pickup costs are definitely fixed for the next three years. Those costs can increase by 2.5% per year. We calculated those increases into the cost over the three years, and averaged out the payments. We pay a certain amount per ton for disposal. If we go beyond that, I'm pretty sure we pay for it. People will, after all, throw away different amounts per household. Waste Management's limit is 50 pounds. Ours is 40 pounds. I think both cost and waste reduction were the reasons for the 10 pounds less.

Why can't we keep the transfer station open?

Too expensive. There are approximately 2200 households in Granby, 1400 of those households have dump stickers. A number of households have not even been using the dump. The fewer people using the transfer station, the higher the cost for users. The Board assumed that as user fees approached the costs of private curbside pickup more people would prefer curbside pickup.

Lease: \$25,000 a month, or \$300,000 a year. Actual

Waste Disposal: \$65 a ton, estimate \$70,000

Employees: \$70,000 Insurance: \$10,000-20,000?

Without paying for employees or insurance, running the transfer station would cost more than curbside pickup, and the cost would be split by fewer people. My estimate is \$500 per person.

The Moderator recognizes the Finance Committee Chairman, John Libera, Jr.:

Mr. Libera mentions that the Finance Committee feels that this is a good price for the town, that the override is the way to go to fund this project, over all this is the best way to support this project for the whole town. The Finance Committee is in favor of this Article.

The Moderator asks if there are any more discussions

Richard Domeracki, 428 Batchelor Street, he mentions he also believes this is a good plan however he motions to make an amendment to the article to read:

I move the Town vote to raise and appropriate the sum of \$363,041 for the purpose of funding a Town-wide curbside solid waste and recycling collection contract and authorize the Select Board to enter into a three year contract for said services. All of the aforementioned to be contingent on a Proposition 2½ override question under General Laws Chapter 59 § 21C to be held on May 19, 2014.

The wording three- year was added into the original motion

The Moderator tells the voters we must accept this Amended before voting on it. She asks for a motion to accept this Amendment. Motion 2nd

She then asks the voters if there are any further discussions on this Amendment. The Moderator now asks the voters if they are willing to vote on this Article as Amended Motion 2nd

Passes by Majority - To vote on Article 1 as Amended- Show of Hands

There were still discussions about this Article and after twenty minutes or so Albert Bail, 40 North St requests to move the question. The Moderator tells the voters if they are willing to move the question it will take 2/3 of the voters to move this question. She motions to move Article 1. Motion 2nd

Required 2/3rd to pass

Passes by 2/3 Vote to move the question –Declared by Moderator-Show of Hands

Louis Barry Select Board, Chair, asks for a secret ballot there is a short discussion on the pros and cons of this procedure and it is finally decided to take a hand count on this Article.

The Moderator calls to vote on Article 1 as Amended at 8:12 pm Motion 2nd

ARTICLE 1 as Amended. move the Town vote to raise and appropriate the sum of \$363,041 for the purpose of funding a Town-wide curbside solid waste and recycling collection contract and authorize the Select Board to enter into a three year contract for said services. All of the aforementioned to be contingent on a Proposition 2½ override question under General Laws Chapter 59 § 21C to be held on May 19, 2014.

Only Majority Vote Required Motion 2nd
Passed -by Majority- Declared by Moderator Show of Hands

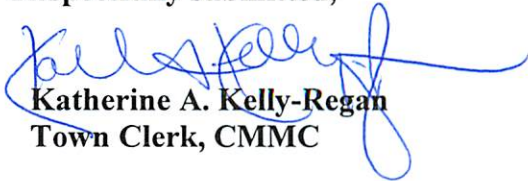
The Moderator motions to adjourn this STM Motion 2nd
All in favor to adjourned:

Passed - Unanimous- Show of Hands

The business for this STM held on April 07, 2014 has been completed, all Articles have been voted on and the Moderator officially dissolves this STM at 8:17 P.M.

There were 437 voters and 11 non-voters who showed up to support and participate in this Special Town Meeting.

Respectfully submitted,


Katherine A. Kelly-Regan
Town Clerk, CMMC

Copy of Hand out on Tax Increase:

TAX INCREASE BY PROPERTY VALUE

House Value	Yearly Cost	Quarterly Cost
\$ 100,000	\$63.00	\$15.75
\$ 125,000	\$78.75	\$19.69
\$ 150,000	\$94.50	\$23.63
\$ 175,000	\$110.25	\$27.56
\$ 200,000	\$126.00	\$31.50
\$ 225,000	\$141.75	\$35.44
\$ 230,000	\$144.90	\$36.23
\$ 250,000	\$157.50	\$39.38
\$ 275,000	\$173.25	\$43.31
\$ 300,000	\$189.00	\$47.25
\$ 325,000	\$204.75	\$51.19
\$ 350,000	\$220.50	\$55.13
\$ 375,000	\$236.25	\$59.06
\$ 400,000	\$252.00	\$63.00
\$ 425,000	\$267.75	\$66.94
\$ 450,000	\$283.50	\$70.88
\$ 475,000	\$299.25	\$74.81
\$ 500,000	\$315.00	\$78.75
\$ 600,000	\$378.00	\$94.50
\$ 700,000	\$441.00	\$110.25
\$ 800,000	\$504.00	\$126.00
\$ 900,000	\$567.00	\$141.75
\$1,000,000	\$630.00	\$157.50