

**TOWN COUNCIL  
AGENDA  
June 22, 2009**

The Town Council meeting will be held in the Moose Hill Council Chambers, Town Hall, 268B Mammoth Road, Londonderry. Regular meetings are cablecast live and videotaped for the convenience of our viewers at home. *All regular meetings will be adjourned by 10:00pm unless otherwise notified.*

7:00 PM

- I. CALL TO ORDER – PUBLIC SESSION
- II. PUBLIC HEARING
  - A. Ordinance 2009-02 – Relative to an Amendment to the Municipal Code, Title IV, Chapter V, Solid Waste/ Recycling (Continued from June 15, 2009)
- III. PUBLIC COMMENT
  - A.
- IV. OLD BUSINESS
  - A. Andre Garron, Economic Development Update – Economic Revitalization Zone Program
- V. NEW BUSINESS
- VI. APPROVAL OF MINUTES
  - A.
- VII. OTHER BUSINESS
  - A. Liaison Reports
  - B. Town Manager Reports
  - C. Board/Committee Appointments/Reappointments
- VIII. ADJOURNMENT

MEETING SCHEDULE:

- A. Town Council Meeting, July 13, 2009, Moose Hill Council Chambers, Town Hall, 7:00 PM
- B. Town Council Meeting, August 3, 2009, Moose Hill Council Chambers, Town Hall, 7:00 PM
- C. Town Council Meeting, August 17, 2009, Moose Hill Council Chambers, Town Hall, 7:00 PM
- D. Town Council Meeting, August 31, 2009, Moose Hill Council Chambers, Town Hall, 7:00 PM (tentative)

Introduced: 6/01/09  
Second Read/Public Hearing: 6/15/09  
Public Hearing Continued: 6/22/09  
Adopted: x/xx/xx

**ORDINANCE 2009-02**  
***AN AMENDMENT TO THE MUNICIPAL CODE,***  
***TITLE IV, CHAPTER V, SOLID WASTE RECYCLING***

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***WHEREAS*** the Londonderry Town Council authorized the signing of a new solid waste collection contract which encourages recycling, better manages the waste stream, and saves tax dollars; and,

***WHEREAS*** some residents may have extenuating circumstances which require obtaining additional capacity to dispose of their solid waste; and,

***WHEREAS*** the added cost of granting additional capacity should be borne by the users generating said additional capacity rather than through the general property tax; and,

***WHEREAS*** RSA 41:9-a requires that a public hearing be held prior to the adoption of a fee system;

***NOW THEREFORE BE IT ORDAINED*** by the Town Council of the Town of Londonderry that the Municipal Code of the Town of Londonderry, Title IV – Public Health, Safety and Welfare, Chapter V, Streets and Sanitation – Solid Waste/Recycling, is hereby amended by adding Section VIII F. which establishes a fee structure for additional solid waste capacity.

Michael Brown - Chairman  
Town Council

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Meg Seymour

(TOWN

SEAL)

Town Clerk

**A TRUE COPY ATTEST:**  
*xx/xx/xx*



**SECTION VIII      COLLECTION,      REMOVAL      OR  
DISPOSAL OF REFUSE**

- A. The Town Council is hereby authorized, on behalf of the Town, to enact ordinances concerning the supervision and regulation of the collection, transportation, delivery and disposition of all or part of any solid waste generated within the Town so that the same is delivered to a designated resource recovery facility or such other facility as may be designated by the Town for processing or for other disposition or handling.
- B. The Town Council is hereby directed to appoint a Solid Waste Advisory Committee to assist the Council on municipal solid waste issues and to establish and maintain a municipal recycling program.
- C. From the time of placement of any recyclables at the curb of any residence, ownership of such materials shall thereafter vest in the Town of Londonderry.
- D. It shall be unlawful for any person or persons, firms or corporations to collect, remove or dispose of recyclables which are the property of the town.
- E. Each such collection, removal or disposal in violation hereof from one or more residences shall constitute a separate and different offense.

*F. Residents may request overflow bags, additional waste container(s) and/or request a different container size, beyond the one container provided by the Town, upon payment of the following fee(s):*

<i>Overflow Bag -</i>	<i>\$3.00 per bag</i>
<i>Additional 32 Gallon Container -</i>	<i>\$150 for the initial year the container is issued to a resident \$105 for each subsequent twelve month period</i>
<i>Additional 65Gallon Container -</i>	<i>\$200 for the initial year the container is issued to a resident \$150 for each subsequent twelve month period</i>
<i>Additional 96 Gallon Container -</i>	<i>\$255 for the initial year the container is issued to a resident \$195 for each subsequent twelve month period</i>
<i>Upgrade -96 Gallon Container -</i>	<i>\$55 for the initial year the container is issued to a resident \$40 for each subsequent twelve month period</i>

*Downgrade – 32 Gallon Container – No charge*

*G. Waiver of Fee – The fee for an additional waste container shall be waived for household units that have seven (7) or more occupants, and may be waived by the Department of Public Works for households that have less than seven (7) occupants, but have family members such as older adults or individual with special needs that have personal care items to dispose of that cannot be reduced and add greatly to the overall volume of household waste.*

The following options are some, but may not be all of the options to be considered by the Council at the June 22 continued Public Hearing:

- 1) ***Refuse to issue any additional containers or overflow bags to any residents under any circumstances.***

This option insures that the Town will meet its budgetary targets, but does not provide any flexibility to meet residents' extenuating circumstances.

- 2) ***Authorize staff to issue either a second container to residents who demonstrate the need after participating in the Town's recycling program to an appropriate degree, at no charge to the requesting resident.***

It is anticipated that there will be certain households that have elderly adults or physically disabled people living who may require a higher volume for the personal care items that result on a daily basis. Also, there are some large households that have more waste based on the increased number of people in the residence.

With this option, the Town should only consider providing additional volume for household units that have 7 or more occupants or those that have family members such as older adults or individuals with special needs that have personal care items to dispose of that cannot be reduced and add greatly to the overall volume of household waste. Residents should make a formal request to the Town with a full explanation of why the request is being made. The Town will also make certain inquiries to determine whether the household is recycling to the full extent of the Town guidelines.

The solid waste contract was based on the increase in efficiency from only one operator with an automated truck and only one container per residential unit. If second containers are issued and the number is great, we increase the contracted price for this service because of the additional time and labor it will take to empty additional containers throughout the town. Additional containers will also add to the overall amount of material that will be disposed of which will continue to cost the Town additional money for the tonnage. The projected savings from this program will subsequently be greatly reduced, and the incentive to increase recycling responsibilities will be lost.

- 3) ***Issue overflow bags or an additional container to any resident who requests same, however, adopt a fee schedule which covers the cost of the service, including the estimated cost of collection, disposal and container.*** This option recognizes that virtually all town residents will be able to manage their solid waste stream to one 65 gallon container, thereby limiting the solid waste generated and its associated costs. For those residents who need additional capacity, the cost of this extended service is assessed to those who will incur additional costs upon the Town.



## **CALCULATIONS FOR PROPOSED FEE SCHEDULE AUTOMATED SOLID WASTE COLLECTION SYSTEM**

### **ESTIMATED “OVERFLOW BAG” WEIGHT AND DISPOSAL COST**

Per WasteZero (a company that provides bags and administrative services to Pay as You Throw communities):

30-gallon bag – average weight	20 pounds
New contract disposal cost per ton	\$72.00

One-time cost for disposal of additional material from 20 pound bag =  
 $20 \text{ pounds per bag} / 2000 \text{ pounds per ton} \times \$72.00 \text{ per ton}$

One-time disposal cost for 20 pound bag	\$0.72
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This price is for tonnage only. It does not include the cost of purchasing the bags, administration fees for selling bags or potential future labor costs because the driver must get out of the truck\*\*.

Based on the cost analysis provided above, the purchase price for each “overflow bag” should be \$3.00.

### **ESTIMATED CONTAINER WEIGHT AND DISPOSAL COST**

I. <u>Average 32-gal container weight</u>	24 pounds
Contract disposal cost per ton	\$ 72.00

32-gallon:

Container cost, approximate	\$ 45.00
Annual collection fee**	\$ 60.00

Yearly cost for disposal of additional material from second container =  
 $24 \text{ pounds per container} \times 52 \text{ weeks per year} / 2000 \text{ pounds per ton} \times \$72.00 \text{ per ton}$

Annual disposal cost for 32-gal container	\$ 44.93 (24 pounds)
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Cost for first year for additional 32-Gallon Container

Annual disposal cost for container, average 24 pounds	\$ 44.93
Cost of container	\$ 45.00
Annual collection fee **	<u>\$ 60.00</u>
	\$149.93 (Round to \$150.00)

Cost for each subsequent year for additional 32-Gallon Container

Annual disposal cost for container, average 24 pounds	\$ 44.93
Annual collection fee**	<u>\$ 60.00</u>
	\$104.93 (Round to \$105.00)

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II. <u>Average 65-gal container weight</u>	48 pounds
Contract disposal cost per ton	\$ 72.00

65-gallon:	
Container cost, approximate	\$ 50.00
Annual collection fee**	\$ 60.00

Yearly cost for disposal of additional material from second container =  
48 pounds per container x 52 weeks per year / 2000 pounds per ton x \$72.00 per  
ton

Annual disposal cost for 65-gal container	\$ 89.86 (48 pounds)
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Cost for first year for additional 65-Gallon Container

Annual disposal cost for container, average 48 pounds	\$ 89.86
Cost of container	\$ 50.00
Annual collection fee **	<u>\$ 60.00</u>
	\$199.86 (Round to \$200.00)

Cost for each subsequent year for additional 65-Gallon Container

Annual disposal cost for container, average 48 pounds	\$ 89.86
Annual collection fee**	<u>\$ 60.00</u>
	\$149.86 (Round to \$150.00)

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III. <u>Average 95-gal container weight</u>	70 pounds
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Contract disposal cost per ton \$ 72.00

95-gallon:

Container cost, approximate \$ 65.00

Annual collection fee\*\* \$ 60.00

Yearly cost for disposal of additional material from second container =  
70 pounds per container x 52 weeks per year / 2000 pounds per ton x \$72.00 per  
ton

Annual disposal cost for 95-gal container \$131.04 (70 pounds)

Cost for first year for additional 95-Gallon Container

Annual disposal cost for container, average 70 pounds \$131.04

Cost of container \$ 65.00

Annual collection fee \*\* \$ 60.00

\$256.04 (Round to

\$255.00)

Cost for each subsequent year for additional 65-Gallon Container

Annual disposal cost for container, average 70 pounds \$131.04

Annual collection fee\*\* \$ 65.00

\$196.04 (Round to

\$195.00)

IV. Upgrade from 65 gallon to 95 gallon (only container issued to household)

Cost for first year for upgrade to 95-Gallon Container

Container upgrade cost, approximate \$ 15.00

Annual collection fee\*\* \$ n/a

Annual disposal cost (95 gallon) \$131.04

Annual disposal cost (65 gallon) \$ 89.86

Increased annual disposal cost \$ 41.18

\$ 56.18 (Round to

\$55.00)

Cost for each subsequent year for additional 65-Gallon Container

Increased annual disposal cost \$ 41.18

Annual collection fee\*\* \$ n/a

\$ 41.18 (Round to

\$40.00)

*\*\* Please note that the Town bid its solid waste contracts based upon an approximate number of collection points and containers to be emptied. It should be anticipated that the contractor would request an equity adjustment to the agreement should a large number of residents pay for a second container. It is staff's expectation that this might not occur, and that the actual number of second containers requested by residents will decrease dramatically in subsequent years, as residents adjust their disposal habits. The \$60.00 collection fee is not anticipated to be incurred by the Town at the onset of the program, but would occur if an appreciable number of second containers are distributed.*