

**PUBLIC HEARING
FEBRUARY 3, 2016 – 6:00 P.M.
GARBAGE/RECYCLING OPTIONS**

The Public Hearing was called to order by Mayor Heather McKeever at 6:10 p.m. at the Gowanda Fire Hall. The pledge of allegiance was recited.

Present: Mayor Heather McKeever
Trustee Barb Nephew
Trustee Carol Sheibley
Trustee Pete Sisti
Trustee Paul Zimmermann

Village Employees: Public Works Superintendent Jason Opferbeck, Village Clerk Kathy Mohawk, Account Clerk Kathleen Ellis

Media Present: Phil Palen, Cable Channel 23
Larry Wroblewski, Pennysaver
Rebecca Cuthbert, Observer

Public Present: Laura Paskuly, Pat Spruce, Alice Covert, Sue Bettker, David Latona, Patti Pound, Rusty Pound, Rollin Besse, Karen Besse, Ivan Broyles, Arnold Andolsek, Dorothy Selan, Lou Selan, Margaret Moritz, Dorothy Holocinski, Jack Broyles, Joe Gorenflo, Alan Nephew, Andy Burr, Don Offhaus, Dennis Abraszek, Nick Crassi, Mark Hebner, Rev. Michael Nace, John Walgus, Charity Sweda, Joseph Sweda, Allison Sills, MRC Disposal, Inc.

Also Present: Linda McAndrews, Cattaraugus County, Efrat Forgette, NYSDEC Buffalo office, Rick Clarkson, NYS DEC Albany office

The purpose of the meeting was to discuss with the public the garbage and recycling options facing the Village in the future.

Public Works Superintendent Opferbeck went over the cost to the Village for garbage pickup. He indicated that in 2013-2014, the Village collected \$68,702 in sticker sales and spent \$179,250 for the garbage contract leaving \$110,548 to come out of the taxes. In 2014-2015, the Village collected \$66,349 in sticker sales, the garbage contract cost \$196,530, leaving \$130,181 to be made up with taxes. The projected costs for the current year are \$105,000 in sticker sales, \$163,000 for the garbage contract and only \$58,000 out of taxes. He cautioned that this lower tax amount includes no recycling pickup which is the current situation.

Rick Clarkson stated that the DEC was brought in once the Village stopped curbside recycling. He advised that recycling is a core tenet with the State. Mr. Clarkson spoke about the solid waste management hierarchy. Step 1 is to reduce the amount of solid waste generated; step 2 is reuse or recycle; step 3 is recover energy and step 4 is to

dispose of it. Mr. Clarkson advised that revisions to the Solid Waste Management Act in 1988 required communities to develop laws to require separation of recyclables. The law states that if curbside pickup is the choice of the municipality, both garbage and recyclables must be collected. If the material is personally delivered to a collection service, both must be offered

Cattaraugus County Local Law 1-1990 provides that any collector in the County has to submit a plan to provide for both solid waste and recyclable collection. Everybody is required to separate. The current issue is that the Village's current waste collection contract does not provide for the collection of recyclables and in October the DEC sent a letter to the Village advising same. A meeting was held on December 1st with the DEC staff and village representatives to discuss the issues. Mr. Clarkson stated the DEC is encouraged by the cooperation of the Village and they are helping the Village develop a program to be compliant.

Public Works Superintendent Opferbeck reported on the recycling center at the wastewater treatment plant. Mixed plastics brought \$128 per ton; the Village was changed \$75.00 a ton for co-mingled recyclables in June. The Town of Collins charges \$100 to haul the container to North Tonawanda. The price for plastic dropped in December to \$56.00 a ton. The value of plastic is going down while the cost to get rid of it is going up.

Public Works Superintendent Opferbeck reported on the current bids which were for garbage only, no recycling, trash or bulk waste. \$141,225 was the lowest; next was \$147,500 and the highest quoted per unit \$161.06 which translates to \$177,166. The 2015 bid for garbage from Casella was \$204,463 which included everything. All bids were rejected at that time due to the cost.

Public Works Superintendent Opferbeck indicated that this year's tax increase was 9.53%. Without garbage it would have been about 3.74%. In Erie County \$1.08 per thousand of taxes goes for garbage collection; in Cattaraugus County it is \$.87 per thousand. Already this year on taxes, it is estimated that including recycling in the garbage, the Village will be looking at a 4.55% tax increase. This is an increase of \$.85 per thousand in Erie County and \$.68 per thousand in Cattaraugus County.

Public Works Superintendent Opferbeck presented the various options the Village is considering:

1 – Eliminate the service altogether and leave the recycling center at the sewer plant. Homeowners would be responsible for contracting for garbage collection themselves. Nothing would be collected in the taxes.

2 – Bid out garbage and recycling together. Garbage would be weekly and recyclables could be weekly, bi-weekly or monthly.

3 – Bid for the customers to pay a contractor directly. Only one contractor would be allowed to do garbage collection in the Village. Set prices for elderly/single users, residential users, commercial users and village facilities.

Arnold Andolsek stated that there is really no option. Whether the residents continue to buy stickers or not, the cost is still going to be in the taxes.

Public Works Superintendent Opferbeck advised the only way to get the cost of the taxes is to offer direct pay to the contractor. This would be one contractor one day per week. Not picking up the recyclables is not in compliance.

Ms. McAndrews stated the reason for the County fee schedule was to keep the State from being a huge landfill. Mr. Clarkson also stated that the value of recyclables is cyclical. It moves up and down the same as the gasoline prices.

Don Offhaus, Walnut Street, stated that if the Village opts for having people pick their own contractors, some won't. The garbage will just pile up. Patti Pound agreed that the apartment dwellers will just leave their garbage. Ms. McAndrews indicated that the code enforcement officer and police department will need to cite and ticket the violators. Mr. Offhaus said there are a lot of rules already that aren't enforced. Ms. McAndrews said the police department should enforce the rules about recycling. They should publicize names of those who are illegally dumping. She believes it can be controlled through the proper enforcement.

Dorothy Holocinski, Miller Street, read that the Village of Angola just re-did their garbage and asked if the Board looked at other places? She also asked about trash. How much will the taxes go down if she get her own collector?

Public Works Superintendent Opferbeck indicated that the Village is already looking at a 4-5% increase in taxes if they resume the recycling. That would be .33% tax levy for the year. Trash pickup could be curbside or at the recycling center. Mr. Opferbeck advised that he checked other locations in Cattaraugus County. Little Valley, Salamanca, and Cattaraugus do nothing with garbage pickup. Franklinville charges \$23 per quarter per water unit. Portville charges a flat \$134 per unit on the tax bills. Delevan uses \$1.50 and \$.75 stickers. Randolph self-performs, charging \$2.00 per bag and nothing on the taxes. South Dayton charges \$1.50 per bag and is losing money. Ellicottville charges \$20 per quarter per unit and the rest is on the taxes. Mayor McKeever indicated that a lot of municipalities are doing away with the service altogether after their contracts expire.

Rusty Pound, Dawson Drive, asked if the Village looked at doing the garbage pickup themselves. He stated that cost of the equipment initially could be high but may be feasible over time. Mayor McKeever stated that wouldn't work to be able to do both trash and recyclables from a manpower standpoint. Public Works Superintendent Opferbeck said \$105-115,000 cost per year of co-mingling recyclables has put that option out. The lead time for a truck is too long now to be able to get a truck for June. Mayor McKeever again indicated that the taxes will go up if recycling is done by the Village. Mr. Pound asked if they would go down if the Village got out of the garbage business altogether.

Janet Vogtli asked for a copy of Public Works Superintendent Opferbeck's presentation. She feels the businesses should get some credit since they have dumpsters. Nick Crassi indicated he has negotiated his own contracts for 29 years for garbage pickup. Trustee Nephew stated that one of the options is for residents to contract themselves.

Dennis Abraszek, Seneca Street, asked where the glass and corrugated cardboard is going. He indicated that most people are putting it into their garbage. He mentioned 4 states, North Carolina, Michigan, Utah and Florida, that all make money from recyclable materials.

Janet Vogtli asked if the Village was not in compliance since the DEC indicated if the Village offers curbside garbage pickup, they must also offer curbside recycling. Linda McAndrews indicated that the State is working with the Village which is why they are here.

Charity Sweda stated that she could contract with anyone and then the Village would be out of it. She asked if one of the options is that the Village would decide who they could use.

Public Works Superintendent Opferbeck reminded residents that the transfer stations are open for everyone. Trustee Nephew reported that clear glass and corrugated cardboard can be taken to the transfer station.

Linda McAndrews advised that the DEC wanted to work with the Village and didn't want to fine them for not being compliant. When Ms. Sweda asked why the public wasn't informed about the letter the Village received from the DEC, Mrs. Besse indicated that it has been discussed at Village meetings before this.

Steve Buckley, MRC Disposal in Springville, indicated that he offers curbside pickup. He also indicated that the cost of a garbage truck runs about \$200-250,000. He said it costs significant dollars for recycling. He stated that he charges \$20 per month for a 2 bag limit/week; \$24 per month for 4 bags and \$31 per month for 8 bags. He told the Village Board that privatizing garbage pickup might be the way to go. He indicated that the Village can't mandate the residents to go to anyone in particular. He advised that he didn't bid on the last RFP because the request for a bid performance bond of six months was excessive. He can provide one month's performance bond.

Jack Broyles asked Mr. Buckley why he was present. Mr. Buckley advised that he has contracts in Gowanda and it was brought to his attention. Mr. Buckley also advised that the Town of Collins is doing a favor to haul the Village recyclables for \$100. That won't last. He indicated that he owns his own recycling center and it's losing money.

Jack Broyles, Walnut Street, stated that the garbage stickers were instituted as a way for the Village to make money.

Trustee Sisti said the maybe the Village could save \$40-50,000 from garbage if they don't offer the service at all. Public Works Superintendent Opferbeck advised that the Village loses money on every load of recyclable material that is hauled away.

Trustee Sheibley stated the Village has no price for just recycling. She feels the Village needs to put out an RFP for just the recycling portion to get the cost.

Andy Burr, 43 Center Street, asked Mr. Buckley what is a reasonable bid bond. Mr. Buckley said one month's performance should be sufficient. A performance bond puts money in the bank. What should a bid bond look like? If you are willing to put money up front, it brings competent people to the plate.

Janet Vogtli asked that all the proposals be put on the website.

Joe Gorenflo, 53 Frederick Street, thinks it is a bad idea if the Village picks one contractor for everyone.

Mayor McKeever stated that the Village code would need to be up to date and a permit would be required of anyone wishing to do garbage pickup in the Village. Public Works Superintendent Opferbeck stated that any contractor would bid the entire Village according to the breakdown in Option #3 above. Trustee Nephew stated the code would need to be changed to allow more than one provider.

Mayor McKeever advised that the next Board meeting is Tuesday, February 9. This topic will be discussed at the work session. Public Works Superintendent Opferbeck and Account Clerk Ellis will be preparing RFP's for review at that meeting.

Trustee Sisti asked how much the residents are interested in keeping the service. He said there was no feedback at all from all in attendance on that.

Mayor McKeever thanked the DEC and Cattaraugus County for their assistance in this matter.

Motion 215-15. Motion by Trustee Zimmermann, seconded by Trustee Sisti to adjourn the Public Hearing at 7:50 p.m. Motion carried 5-0.

Respectfully submitted,

Kathleen V. Mohawk
Village Clerk