

**ROXBURY BOARD OF SELECTMEN  
SPECIAL MEETING**

**January 27, 2009  
MINUTES**

**CALL TO ORDER**

Barbara Henry, First Selectman, called the meeting to order at 7:17 AM.  
Present: Barbara Henry, First Selectman; Russell Dirienzo, Selectman; Mike Rice, Constable; Fran Hodges and Dave, RRR Sanitation.

**Transfer Station Discussion**

Russell Dirienzo explained that Roxbury's Transfer Station is run in accordance with their DEP permit. He explained that they have been having a big problem with recyclables in the solid waste bin. He clarified that it is not the intentions of the BOS to shut down RRR's services; although, there have been suggestions to bar commercial services. He noted that 300 residents depend on these services.

Russell Dirienzo questioned whether there is a communication barrier with the employees of RRR. Fran Hodges explained that it is not that they do not understand, but many times are confused. When they are accused of things that are not true and rather than argue they leave.

Barbara Henry explained that she has witnessed times when a lot of trash is deposited; however, there is no newspaper in the loads. She explained that when they open the black bags with orange tags they find newspaper and boxes in with the solid waste. Additionally, they have found bags of bottles separated and deposited in the same manner.

Dave of RRR explained that it is their practice to put the recyclables into black bags with orange tags when picked up so that they do not rip open. He confirmed that these bags are thrown into recycling at the transfer station.

Fran Hodges suggested that they inspect deposits from RRR while the drivers are on site. This will assist in identifying which drivers are making the mistake. He also offered to come to the site himself when trash is being inspected. He noted that he does not want to get the call after the fact regarding these issues.

Mike Rice and Barbara Henry stated that more black bags of recyclables are being found in the hopper. Not just one or two bottles in someone's trash, but black bags full of recyclables. The driver stated that he did not pick up the load. Mike Rice explained that DEP Regulations state that the driver must be told where the load comes from and should be fined if they cannot produce this information. Mike Rice reported that when the driver was questioned he did not know where the garbage came from.

Mike Rice stated also that last January four out of five loads of trash dumped into the hopper were from other towns. Barbara confirmed that and still had the customers' names.

Mike Rice noted that DEP Regulations require a separation of liquid which is something RRR's trucks are not equipped with. Fran Hodges agreed to add a seal if this is a problem. Mike Rice explained that it does not have to be a problem to comply with DEP Regulations.

An occasion where both recycling and solid waste fell into the hopper along with the separation board was discussed. Fran Hodges explained that this could not possibly happen without recycling being unloaded from the truck first.

Barbara Henry read the DEP Regulations – Haulers – sec. 22-220 (f) – A collector shall be liable for a civil penalty of not more than \$2,500 for each violation and not more than \$10,000 for a subsequent violation if the collector:

- a) Dumps more than one cubic foot of solid waste at one time in an area not designated for such disposal by a municipality; or
- b) Knowingly mixes other solid waste with items designated for recycling pursuant to 22a-241b.

Russell Dirienzo questioned whether there has been a problem with the recycling bin being full. Barbara Henry noted that the recycling bin becomes full when returnables are not separated out. Fran Hodges suggested a table be set up to facilitate the sorting of returnables. Russell Dirienzo noted that there is a metal bin in the trailer for this purpose. Dave explained it would take them an extra 15 minutes to sort in this manner. It was agreed that a small table would be set up in back for the use of sorting returnables.

Russell Dirienzo suggested that RRR send out a letter to their customers encouraging recycling and explaining how the money earned goes to those in need. Russell Dirienzo offered to write this letter for them.

Fran Hodges explained that as a service to his customers he uses pick-up trucks to pick up trash when regular trucks will not make it up the driveways in the snow. The truck then returns to the shop to sort out recyclables. He confirmed that he has a permit to store recyclables.

Barbara Henry explained that it has been suggested to not accept commercial loads on Saturday due to the volume that day. He explained that on the occasion when trash is picked up on a Friday it is dumped in Danbury. On Saturday they pick up from Town facilities and could be complete as early as 6:00 a.m. Barbara Henry agreed that they should continue to accept one load on Saturdays.

Barbara Henry asked why the number of truckloads coming from them have been inconsistent on the same days from week to week. Fran Hodges explained that Roxbury is a very inconsistent town. Many people go away for weeks at a time. The schedule of pick ups was reviewed noting that Roxbury trash is picked up Tuesday, Wednesday and Saturday. RRR also picks up from Southbury, Bridgewater and Washington on Wednesdays.

Mike Rice discussed the possibility of pushing back the cut-off time for haulers to access the center from 3:00 to earlier. It was determined that RRR knows that the transfer station is locked and closed at 3:30 and that they have to be out by that time. If they can't dump the trash with enough time left for the operator to run the hopper and close the gate by 3:30, then they will be told to leave.

Fran Hodges explained that he is willing to cooperate, but expects to be treated with respect up there. He noted that he understands that the volume that he brings into the transfer station is difficult to maintain. He agreed to have a talk with the drivers and include the letter Russ Dirienzo drafts with his next billing.

Fran Hodges was provided with a copy of DEP Regulations.

Barbara Henry read the following aloud from section 11-47 of the Town's Solid Waste and Recycling Ordinance – Warnings and Reporting of Violations:

(a) Any Collector who has reason to believe that a person from whom he collects Solid Waste has discarded recyclable items with such waste without the required separation of recyclables shall promptly notify the First Selectman or his designated agent of the alleged violation.

(b) Collectors shall provide a written warning notice, by tag or other means to any person suspected by the Collector or Town agents of violating the requirements of this Ordinance. The Collector shall assist the Town to identify any person responsible for creating loads containing significant quantities of recyclable items mixed with Solid Waste which are delivered to the Center or other designated location by the Collector and detected by the operator of the disposal facility.

(c) Any Collector shall be deemed to have committed an infraction if they fail to:

1. Notify a Town agent or First Selectman that a person from whom he collects solid waste has discarded recyclable items with solid waste;
2. Provide a warning notice to such persons at the request of the municipality; or
3. Assist the Town in determining the person responsible for creating loads containing significant quantities of recyclable items mixed with Solid Waste, which are delivered to the Center or other location by the Collector.

(d) Any Collector who dumps more than one (1) cubic foot in volume of Solid Waste at one time in an area not designated for such disposal by the Town or who knowingly mixes other Solid Waste with items designated for recycling pursuant to General Statutes § 22a-241b or this Ordinance shall be subject to such penalties as are provided in General Statutes § 22a-220a, as amended.

Motion by Russell Dirienzo to adjourn at 8:17 PM. The motion was seconded by Barbara Henry and carried.

Respectfully submitted,

*Tai Kern*

Tai Kern,  
Secretary

*These minutes are not considered official until approved at the next Regular Meeting of the Roxbury Board of Selectmen.*