

Town of East Lyme
NOTICE OF PUBLIC HEARING
7:15 P.M.
Via ZOOM Meeting

NOTICE IS HEREBY GIVEN, of a public hearing to be held by the East Lyme Board of Selectmen on June 3, 2020 via Zoom Meeting beginning at 7:15 p.m. to receive comments regarding proposed amendments to the following ordinance entitled:

AN ORDINANCE REGULATING THE STORAGE, COLLECTION AND DISPOSAL OF SOLID WASTE AND PROVIDING FOR A SYSTEM OF REFUSE COLLECTION AND DISPOSAL AND THE ADMINISTRATION THEREOF

The proposed amendments are as follows:

1. A new clause “(e)” is added at the end of Section 1:

(e) This municipality has executed a Municipal Solid Waste Management Services Contract with Southeastern Connecticut Regional Resources Recovery Authority (SCRRA), including an Amendment No. 5 to such Municipal Solid Waste Management Services Contract (collectively with such Amendment No. 5, the MSA). The MSA defines the System (the SCRRA System) to include the solid waste disposal and resource recovery facility located in Lisbon, Connecticut and operated by Wheelabrator Lisbon Inc. or its successors or assigns (the SCRRA Facility) pursuant to a Solid Waste Disposal Agreement between SCRRA and Wheelabrator Lisbon Inc. (the Wheelabrator Agreement), and designates the SCRRA Facility as the “Facility” within the SCRRA System. Pursuant to the MSA, this municipality has agreed to deliver or cause to be delivered all Solid Waste (as defined in the MSA) generated within the corporate boundaries of this municipality to the SCRRA System as directed by SCRRA for ultimate delivery to the SCRRA Facility for disposal, subject to and in accordance with the Wheelabrator Agreement.

2. A new clause (c) is added to Section 8:

(c) All Refuse generated in this municipality shall be delivered or caused to be delivered to the SCRRA System for so long as the MSA remains in effect, as directed by SCRRA and for ultimate delivery to the SCRRA Facility. To the extent any such Refuse is not acceptable for disposal at the SCRRA Facility, such unacceptable Refuse shall be delivered or caused to be delivered to such other facility designated by SCRRA. After the MSA is no longer in effect, the Board of Selectmen shall designate the facility for the delivery of Refuse generated in this municipality. The person delivering Refuse to the SCRRA Facility or other designated place shall pay any applicable disposal charge. All regulations of the Town and any direction or designation by the Board of Selectmen or the Director about the disposal of Refuse generated in this municipality shall be consistent with this Section 8(c).

Interested persons are invited to attend and be heard.

Dated at East Lyme, Connecticut, on this 20th day of May, 2020.

EAST LYME BOARD OF SELECTMEN

By _____
Mark C. Nickerson
First Selectman

Panelists and Public Attendees:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/81069933965>

Webinar ID: 810 6993 3965

To join the meeting via teleconference:

646-558-8656 US (New York)

312-626-6799 US (Chicago)

Find your local number: <https://us02web.zoom.us/u/kdxwk54UPm>

1. EAST LYME SOLID WASTE ORDINANCE

[Note: The Proposed Amendments below are the technical amendments to be inserted in the applicable ordinance, together with relevant ordinance and section references and other legislative formalities. The Current Primary Relevant Provisions are for reference only.]

An Ordinance Regulating the Storage, Collection and Disposal of Solid Waste and Providing For a System of Refuse Collection and Disposal and the Administration Thereof

CURRENT PRIMARY RELEVANT PROVISIONS

Section 1. Declaration of Policy.

Section 8. Disposal of Refuse.

- (a) Each Refuse Collector who disposes of refuse collected within the town at the Southeastern Connecticut Regional Resource Recovery Authority Facility (the SCRRRA Facility) in Preston, Connecticut shall, except as provided in paragraph (b) of this Section, pay the Town promptly when billed a per-ton fee to be set by the Board of Selectmen from time to time.
- (b) The Town may, from time to time, in accordance with procedures set by the Board of Selectmen or the Director, offer for sale to licensed Refuse Collectors the right to dispose of Refuse collected within the Town at the SCRRRA Facility at a price and on terms set by the Board of Selectmen. Any refuse collector who purchases the right to dispose of Refuse pursuant to this paragraph (b) shall not be liable for payment of any fee pursuant to paragraph (a) of this Section for any refuse disposed of at the SCRRRA Facility of which the right to dispose was purchased pursuant to this paragraph (b).

PROPOSED EAST LYME AMENDMENTS:

- 3. A new clause “(e)” is added at the end of Section 1 as follows:

This municipality has executed a Municipal Solid Waste Management Services Contract with Southeastern Connecticut Regional Resources Recovery Authority (SCRRRA), including an Amendment No. 5 to such Municipal Solid Waste Management Services Contract (collectively with such Amendment No. 5, the MSA). The MSA defines the System (the SCRRRA System) to include the solid waste disposal and resource recovery facility located in Lisbon, Connecticut and operated by Wheelabrator Lisbon Inc. or its successors or assigns (the SCRRRA Facility) pursuant to a Solid Waste Disposal Agreement between SCRRRA and Wheelabrator Lisbon Inc. (the Wheelabrator Agreement), and designates the SCRRRA Facility as the “Facility” within the SCRRRA System. Pursuant to the MSA, this municipality has agreed to deliver or cause to be delivered all Solid Waste (as defined in the MSA) generated within the corporate boundaries of this municipality to the SCRRRA System as directed

by SCRARRA for ultimate delivery to the SCRARRA Facility for disposal, subject to and in accordance with the Wheelabrator Agreement.

4. Clause (a) of Section 8 of the Ordinance is amended and restated as follows:

Section 8. Disposal of Refuse.

- (a) Each Refuse Collector who disposes of Refuse collected within the town at the SCRARRA Facility shall, except as provided in paragraph (b) of this Section, pay the Town promptly when billed a per-ton fee to be set by the Board of Selectmen from time to time.
- (b) [The Town may, from time to time, in accordance with procedures set by the Board of Selectmen or the Director, offer for sale to licensed Refuse Collectors the right to dispose of Refuse collected within the Town at the SCRARRA Facility at a price and on terms set by the Board of Selectmen. Any refuse collector who purchases the right to dispose of Refuse pursuant to this paragraph (b) shall not be liable for payment of any fee pursuant to paragraph (a) of this Section for any refuse disposed of at the SCRARRA Facility of which the right to dispose was purchased pursuant to this paragraph (b).] [NOTE: Consider the function of this paragraph and how to handle it.]

5. A new clause (c) is added to Section 8 of the Ordinance as follows:

(c) All Refuse generated in this municipality shall be delivered or caused to be delivered to the SCRARRA System for so long as the MSA remains in effect, as directed by SCRARRA and for ultimate delivery to the SCRARRA Facility. To the extent any such Refuse is not acceptable for disposal at the SCRARRA Facility, such unacceptable Refuse shall be delivered or caused to be delivered to such other facility designated by SCRARRA. After the MSA is no longer in effect, the Board of Selectmen shall designate the facility for the delivery of Refuse generated in this municipality. The person delivering Refuse to the SCRARRA Facility or other designated place shall pay any applicable disposal charge. All regulations of the Town and any direction or designation by the Board of Selectmen or the Director about the disposal of Refuse generated in this municipality shall be consistent with this Section 8(c).