

FIFTEEN ROPE FERRY ROAD



WATERFORD, CT 06385-2886

AGENDA
PUBLIC WORKS, PLANNING & DEVELOPMENT
Special Meeting

Thursday, February 13, 2020
5:00 P.M. - Waterford Town Hall
Louise Appleby Room

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Public Comment
5. Consideration of and possible action on item referred to committee:
A. "Amendment to the SCRRRA Ordinance, 8.04" (RTC 02-03-2020)
6. Adjournment

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2020 FEB - 7 PM 2:22
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Suisman Shapiro

Attorneys-At-Law

Robert A. Avena

Raymond L. Baribeu, Jr.

James P. Berryman

Michael A. Blanchard

Eric W. Callahan

Michael P. Carey

Richard S. Cody

John A. Collins, III

Jeanette M. Dostie

Eileen C. Duggan

Bryan P. Fiengo

Theodore W. Heiser

Jeffrey W. Hill

Carolyn P. Kelly

Kristi D. Kelly

Nicholas F. Kepple

Robert B. Keville

Jillian K. Miller

Roger T. Scully

Robert G. Tukey

Kyle J. Zrenda

In Memoriam

Andrew J. Brand

James P. Brennan

James J. Courtney

L. Patrick Gray, III

Michael V. Sage

Matthew Shafner

Max M. Shapiro

Charles J. Suisman

Thomas B. Wilson

Louis C. Wool

Of Counsel

Hinda K. Kimmel

Jay B. Levin

Richard A. Schatz

January 31, 2020

VIA E-mail: wastreasurer152@outlook.com

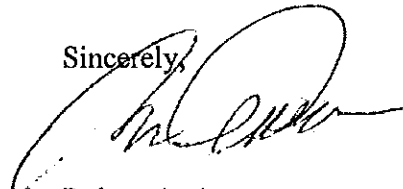
Thomas J. Dembek, RTM Moderator
Town of Waterford
15 Rope Ferry Road
Waterford, CT 06385

RE: SCRRRA Ordinance Amendment

Dear Tom:

Enclosed please find a copy of the amendment to the SCRRRA Ordinance.
Please forward to the appropriate Standing Committee of the RTM for consideration
and review.

Sincerely,



Robert A. Avena
Waterford Town Attorney

RAA/lap
Enclosure

cc: David Campo, Town Clerk

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Title 8 - HEALTH AND SAFETY

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2020 FEB -3 AM 8:16

Chapters:

Chapter 8.04 - REFUSE COLLECTION AND DISPOSAL

Donna L. Carter
TOWN CLERK

Sections:

8.04.010 - Declaration of policy.

The accumulation, collection, removal and disposal of refuse must be controlled by this municipality for the protection of the public health, safety and welfare. It is consequently found and declared that:

- A. This municipality is authorized by law to regulate the disposition of refuse generated within its boundaries and to collect a charge therefor and to license refuse collectors; and
- B. This municipality is authorized by Connecticut General Statutes Annotated Section 22a-220a to designate the area where refuse generated within its boundaries shall be disposed; and
- C. This municipality has executed a municipal-Municipal solid-Solid waste-Waste management Management services-Services contract-Contract with the 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 SCRRRA for ultimate delivery to the SCRRRA Facility for disposal, subject to and in accordance with the Wheelabrator Agreement.
- D. This municipality seeks to encourage the recycling of refuse and other methods to reduce the volume of municipal solid waste generated within its boundaries; and
- E. The enactment of this chapter is in furtherance of this municipality's solid waste management plan.

(R.T.M. 10-3-88: prior code § 8-1)

8.04.020 - Definitions.

For the purposes of this chapter the words set out in this section shall have the following meanings:

"Bulky wastes" means construction debris, street sweepings and oversized bulky items including, but not limited to, discarded appliances, large parts of automobiles, and oversized tree stumps, logs and branches. "Oversized municipal solid waste" means oversized bulky items including, but not limited to, discarded appliances, large parts of automobiles and furniture.

"Commercial food refuse" means and includes waste from the preparation, cooking and consumption of food, condemned food products and all refuse from the handling, storage, preparation and sale of produce originating primarily in commercial kitchens, stores, restaurants, food markets and factories.

"Director" means the director of public works of this municipality.

"Hazardous wastes" means solid and liquid wastes in the following classifications:

1. Explosives;

1. The applicant has been irresponsible in conduct of refuse collection and hauling operations based upon previous suspensions and/or revocations of licenses or based upon violation of any regulations enacted by the board of selectmen;
 2. The applicant lacks suitable equipment with which to collect refuse in a safe and nuisance-free manner and in compliance with this chapter;
 3. The applicant lacks adequate liability insurance.
- C. Revocation or Suspension of License. A license to engage in refuse collection and to use the waste disposal or processing facilities provided by this municipality is a privilege, not a right. In the event the holder of a license issued under the provisions of this chapter fails to comply with the provisions of such license the director shall have authority to revoke or suspend such license in addition to any other penalty (impossible) imposed by law.
- D. Director Responsible. The director shall administer the licensing of any refuse collector engaged in the collecting and transporting of refuse in this municipality. The director shall also regulate the refuse collectors' responsibilities and obligations in the collection and disposal of refuse or bulky waste. The director shall regulate refuse collectors in accordance with Section 22a-220a of the Connecticut General Statutes Annotated.
- E. All solid waste generated in this municipality shall be delivered or caused to be delivered to the SCRRRA System for so long as the MSA remains in effect, as directed by SCRRRA and for ultimate delivery to the SCRRRA Facility to the extent any such solid waste is not acceptable for disposal at the SCRRRA Facility, such unacceptable solid waste shall be delivered or caused to be delivered to such other facility designated by SCRRRA. After the MSA is no longer in effect, the board of selectmen shall designate the facility for the delivery of solid waste generated in this municipality. All regulations of the board of selectmen and any direction or designation by the board of selectmen about the disposal of solid waste generated in this municipality shall be consistent with this paragraph E of Section 8.04.040.

(R.T.M. 2-7-00 (part); R.T.M. 10-3-88: prior code § 8-4)

8.04.050 - Refuse containers.

The owner of each premises upon which refuse is created or generated shall provide a suitable place upon such premises for sufficient receptacles for receiving and holding such refuse during the intervals between collections. The board of selectmen, in the regulations adopted pursuant to Section 8.04.030 of this chapter, shall determine whether such receptacles are to be provided by the owner or by the municipality and shall determine the standards to which such receptacles shall conform.

(R.T.M. 2-7-00 (part); R.T.M. 10-3-88: prior code § 8-5)

8.04.060 - Storing and disposing of refuse.

- A. Public Places. No person shall place any refuse in any street, alley or other public place or upon any private property, whether owned by such person or not, within this municipality except in proper containers or otherwise properly prepared for collection or under express approval granted by the director. No person shall throw or deposit any refuse in any stream or other body of water.
- B. Accumulation of Refuse. Any uncontainerized accumulation of refuse on any premises is declared to be a nuisance and is prohibited. Failure to remove any accumulation of refuse within ten days after written notice from the director by registered mail shall be deemed a violation of this chapter.

- D. Anyone who violates this section shall be subject to penalties and fines in amounts as allowed in Section 19a-206 of the General Statutes of Connecticut.

(R.T.M. 10-3-94)

8.04.110 - Collection on unaccepted streets.

The board of selectmen shall have the power to take such measures as it shall deem effectual for the removal of refuse and recyclables from multifamily and elderly housing developments. The board of selectmen shall provide that such housing developments be served by municipal collection, upon such conditions as it may require. As a precondition to receiving municipal collection, improvements shall be made to refuse or recyclable areas or receptacles for the storage or collection of solid waste by the owner(s) of the development, to the extent required to conform to the town's collection methods. The design of the collection system shall be approved by the director of public works and shall conform to zoning regulations and permits, and shall be installed by the owner(s) prior to the initiation of municipal collection.

(R.T.M. 2-7-00 (part): R.T.M. 12-5-94 (part): R.T.M. 10-3-88: prior code § 8-11)

8.04.120 - Violation—Penalty.

Any violation of the terms of this chapter shall be deemed an infraction and shall be punishable by a fine of not more than ninety dollars for each offense. The board of selectmen shall establish a schedule of fines for such infractions. Each infraction shall be a separate and distinct offense and, in case of a continuing infraction, each day's continuance thereof shall be deemed a separate and distinct offense. In addition, the town or its agent, reserves the right to refuse to collect garbage, rubbish or other refuse, or to allow disposal in a landfill utilized by the town where the spirit or letter of this chapter or the regulations enacted under these provisions are ignored. The board of selectmen shall have full discretionary authority in deciding all disputed questions arising under the provisions of this chapter or the regulations enacted under these provisions.

(R.T.M. 10-3-88: prior code § 8-12)