

SPECIAL COMMITTEE ON SOLID WASTE ACTIVITIES

February 17, 2026 at 6:00 PM

Chairman Fajardo called the meeting to order.

The Clerk calls the roll.

Present: Aldermen Fajardo, Trisciani, Kaw-uh, Kantor, Sapienza

Messrs: T. Clougherty, J. Spooner, E. Pasic

1. Communication from Jerome Spooner, Solid Waste Environmental Programs Manager, requesting authorization for the Department of Public Works to extend its contract with Waste Management as negotiated.

Alderman Kaw-uh: I had a quick question, if I may. Would Jeremy and Tim be willing to just give a brief overview of what they're bringing forward to us just for the public to hear and also for us to get a refresh?

Tim Clougherty, Director of Public Works: Yeah, we'd be more than happy. The city's enjoyed a mutually beneficial relationship with Waste Management for the past 30 years. We had built into the contract several extensions. Waste Management constructed the transfer facility in Auburn that the city uses to haul our refuse. We dump it at the transfer station in Auburn, and then it's hauled via Waste Management vehicles to their turnkey landfill in Rochester. We are subsequently out of opportunities to extend the contract. We are faced with a situation where there are very limited options for the city to dispose of its solid waste materials, and we correspondingly engaged Waste Management, probably 6 or 8 months ago to start discussions about the potential for a contract extension. After some friendly discussions, negotiations, Waste Management came up with an offer and we believe that offer to be very fair and reasonable to the city. Correspondingly, we've come before this committee and hopefully the Board of Mayor and Aldermen to approve entering into that contract because we are doing it without the benefit of a request for proposal or public procurement, because of the limited options that the city has relative to disposal of solid waste. I'd be happy to entertain any further questions.

Alderman Trisciani: So under exhibit A we had kind of through the contract what they will take, but exhibit A calls out what they're considering unacceptable waste. What happens with that material?

T. Clougherty: I should also say Ed Pasic and Kathy Pereira with Waste Management are here with us tonight, should there be any questions for Waste Management.

Jerome Spooner, Solid Waste Environmental Programs Manager: The unacceptable waste is any type of basically asbestos and stuff like that, especially specialized things where an abatement company has to come in and remove that stuff. That's that type of stuff that you're looking at. But as far as residential refuse, we just collect regular

household trash. And we also bring construction demo, which consists of, you know, two by four lumber, sheet rock, roofing shingles, and stuff like that as well at the transfer station.

Alderman Trisciani: Right. But what actually do we do with the unacceptable waste? Because Waste Management isn't taking that.

J. Spooner: We don't pick it up. We have an abatement company, like Express, for example, a rental company or homeowner would have to pick that up and cover that cost.

Alderman Fajardo: I had some questions about this as well. I noticed that it's a pretty extensive list of things in there. Asbestos, construction waste. That makes sense. I was sort of more drawn to the list of chemical waste and I was curious. I should say curbside stuff seems straightforward. That would fall to the property owner to arrange for that. I know I had to do that this past summer when I had some asbestos removed from my basement.

T. Clougherty: That's 99% of what this contract covers is residential curbside collection.

Alderman Fajardo: Under the unacceptable waste it seems to start to get into what I would think of as what might be more like potentially industrial customers. And I just am wondering, in a scenario where you know, pumping sludge from a publicly owned sewage treatment, for example, waste from an industrial process, waste from a pollution control process, residue and debris from cleanup of a spill, release of chemical substances, commercial products, contaminated soil, water residue, debris, articles, items seven and eight and also 11 in this list, if Waste Management isn't assisting us with this, I guess, how is the city managing this operation?

T. Clougherty: So, we haven't had any problems with illegal substances being brought to the Auburn Transfer Station. Waste management has the right to reject loads if we do that. But we haven't run into that problem.

Alderman Fajardo: How are we monitoring for that or how are they?

J. Spooner: They monitor it at the at the facility as we dispose of it. There's actually somebody who watches you while you're disposing. Your trucks are emptying out. There's actually a spotter who spots and inspects the loads each time.

Alderman Fajardo: Okay, so I guess I'm thinking there must be some presence of unacceptable waste in the city.

J. Spooner: It must be. But I don't think we've ran into any type of problems in over 30 years, so.

Alderman Fajardo: So in the scenario where we might have unacceptable waste, how would we handle that. The city? Like, is it is there an outside contract?

J. Spooner: It would be dropped off at the transfer station and Waste Management would manage it correctly in accordance with the state rules and regulations.

Alderman Fajardo: And I assume there's some kind of pass through on that cost wise.

Ed Pasic, Waste Management: To address some of the concerns about unacceptable waste. As was mentioned, the contract really contemplates just solid waste that's collected at the curb. So the generation of materials like industrial waste, contaminated soils and so forth aren't really a part of the scope of the agreement. I just wanted to make that clear. And then what we call out in exhibit A is the fact that we're specifically excluding those types of materials from the curbside program. So essentially what we're saying is, is that those items should not be put in the waste stream by the residents or at the drop off center. And I think just to kind of round out the answer if those materials were to against the policies of the city and the laws of the state were to be disposed of that way and they were identified at the Auburn transfer station, we would notify the city and indicate that there has been the discovery of unacceptable waste. And then what would happen is we would offer the city the opportunity to come and take remove that from our facility, because it should never have been brought there. In some cases, we could potentially offer a mitigation kind of remediation of that ourselves and pass that cost through to the city. But that would be something that we would offer at that point in time. So it would be a matter of notification, identification, and then an option to for the city to remove. Or we would remove at the city's expense.

Alderman Fajardo: Is there any record of that over the last 30 years with you?

E. Pasic: Not that I'm aware of. And I'm not saying that that never happened in 30 years. But there's no events that that I'm particularly aware of.

Alderman Fajardo: I will say exhibit A really caught my attention because it's lengthy. And I had to imagine that they're given that long list of options of things that could potentially be excluded. I just was wondering, you know, how we are managing that in the event that that any of these things exist? I know we're on a schedule. I will have some follow up questions on that, but I can take those directly to DPW.

Alderman Kaw-uh: This is more of just establishing my understanding as a new member of the committee. So the city has curbside pickup. That's mostly what we're talking about now. But when there are property owners or businesses or residents in Manchester who have hazardous waste or waste that is not otherwise covered by the solid waste pickup, they're responsible for disposing of that on their own in accordance with the state and city laws, correct? So it's on them to figure out what they're doing?

T. Clougherty: In general, yes. We do have a household hazardous waste day twice a year that covers a lot of common household chemicals that can be disposed of for free during those two days. But if you've got some of the things in here, nuclear waste or animal products or something like that, asbestos, those aren't covered on those days. So you're responsible for taking care of those on your own.

Alderman Trisciani: I like the uncharacterized waste. That should have just been the whole thing.

Alderman Fajardo: With the transfer station, do we get double charged? Essentially for waste that's delivered to the transfer station in Auburn, and then again to the disposal site in Rochester? And I'm thinking specifically for those roll off containers that were listed. I just was curious how that pricing works. And I suppose maybe the same question, just in general, when we go from anything to Auburn and then Auburn to Rochester.

E. Pasic: So the pricing that's in the contract reflects two different rates. But the city would only pay once. So it all depends on where the city's material end up? Does it end up at Auburn initially? And then that's the rate you pay. Or if the city were to deliver direct to Rochester, New Hampshire, then that would be the rate. But it's only one charge for disposal.

Alderman Fajardo: Do we do that much, go directly to Rochester?

T. Clougherty: Last year, the Board approved purchase of containers, city owned containers at our drop off. And we bought a vehicle, and we are transporting our own dumpsters of construction and demolition metal. Other things from the drop off transfer station in Auburn. It's typically not solid waste. So we aren't typically going to Rochester, but we would have that opportunity if we so chose.

Alderman Fajardo: I just noticed in section D it's page seven in our packet, but contractor expressly reserves the right to charge and collect from the city and equitably apportion share of the increased cost of operating the site resulting from changes in federal, state or local law regulation governing the receipt, transport, handling of acceptable waste. I noticed there's no language in the contract that speaks to you know, any kind of minimum notice. So if something like that were to take place where chart atypical charges would be coming through is there any protocol? It may already exist and it's not captured there, or can we update it to reflect? Is there any kind of minimum notice that your department would get and then in turn, this board, should there be any unforeseen or atypical?

T. Clougherty: We can certainly work with the City Solicitor's Office to see if there's any liability or risk associated with that clause if there are any. Timely notification clauses anywhere else. I can tell you that anytime something happens at the federal government, there is adequate public notice and public hearings. So we would hear about that from Waste Management a long time in advance. So it's really not a cause of concern.

*On motion of **Alderman Trisciani**, duly seconded by **Alderman Kantor**, it was voted to approve.*

T. Clougherty: I was hopeful that it would go to the board this evening. As you know, Ed and Kathy are here tonight, but if it's the will of the chairwoman.

Alderman Fajardo: I am hearing that we shouldn't hold it up for my question relative to adequate notice. So, I'm comfortable with what you said. And I certainly I trust your

discretion as the experts. So if you're comfortable and I know this has gone through the solicitor's office already, then I wouldn't want to hold it up.

T. Clougherty: I appreciate the committee's consideration.

*On motion of **Alderman Trisciani**, duly seconded by **Alderman Kantor**, it was voted to expedite the committee's report to the full Board this evening.*

*There being no further business, on motion of **Alderman Trisciani**, duly seconded by **Alderman Kaw-uh**, it was voted to adjourn.*

A True Record. Attest.

A handwritten signature in black ink, appearing to read "Matthew Normand". The signature is fluid and cursive, with a long horizontal stroke at the end.

Clerk of Committee

Meeting Start Time: 6:03PM
Meeting End Time: 6:19PM
Minutes Prepared By: Tom Hilton