

**CITY OF LEWISTON**

**CITY COUNCIL**

**SEPTEMBER 11, 2007**

**SPECIAL MEETING HELD IN THE GYMNASIUM OF THE  
MULTI-PURPOSE COMMUNITY CENTER AT 7:00 P.M.**

THE HONORABLE LAURENT F. GILBERT, SR., MAYOR, PRESIDING.

PRESENT: Councilors Mendros, Bernier, O'Brien, Samson, Paradis, Rousseau, City Administrator James Bennett, and City Clerk Kathleen Montejo.

Absent/Excused: Councilor Jean

Pledge of Allegiance to the Flag.

Moment of Silence.

**ORDER TO SUBMIT A REFERENDUM QUESTION TO THE VOTERS FOR THE  
NOVEMBER 6, 2007 MUNICIPAL ELECTION REGARDING A THIRTY YEAR  
CONTRACT WITH CASELLA WASTE SYSTEMS, INC. FOR THE MANAGEMENT  
AND USE OF A PORTION OF THE CITY'S SOLID WASTE FACILITY**

Mayor Gilbert stated this item has been reviewed and studied over the past eighteen months due to the work of the citizen Solid Waste Task Force (SWTF), which has produced two reports which the Councilors have read and which were reviewed in a public forum last week. Mayor Gilbert asked the members of the SWTF to stand for recognition and thanks: Normand Ancil, Ronald Comeau, Peter Grenier, Leo Larochelle, Robert Reed and Normand Veilleux. The Mayor also recognized Public Works Director Paul Boudreau and Solid Waste Superintendent Rob Stalford who provided staff support to the task force.

Councilor Mendros said that he is reviewing this issue with the question of where will the city's solid waste needs be in thirty years. He said he is looking thirty years down the road, when he is in his late 60s, living on a fixed income, and his now young daughter is starting a family, and there will be a one million dollar hole in the city budget that will have to be filled via increased property taxes or other means. Councilor Mendros stated he will be voting "no" on this motion.

Councilor Bernier stated this process of sending this matter to referendum is too fast paced and needs to be slowed down, and therefore she will be voting "no" on this motion. She noted the landfill is a natural resource that is very precious to the city and it needs to be protected, not exploited by a private company. She said this issue has nothing to do with the City Administrator and the media has painted a negative picture indicting he has created problems regarding this matter. Councilor Bernier said that as part of his job, he is required to bring forth any and all ideas for Council consideration and that during the spring budget workshops, the idea of seeking a private company to run the landfill was discussed and considered by the Council. She noted the Council had directed the City Administrator to find creative and alternative ideas to solve budget issues and to save money. The City Administrator suggested creating the SWTF to fully study and review the matter of privatizing the landfill as a revenue source.

Councilor O'Brien said that she has done a great deal of reading and reviewed a lot of documents pertaining to the Casella Waste Systems company. She said she has studied the documents from the State Legislature's Solid Waste Task Force and they have visited sites where Casella operates landfills. She stated the comments and findings were negative regarding the company. Councilor O'Brien noted that municipal solid waste is a costly and expensive issue that all communities must deal with and it will cost more in the future to address the problems. She stated that she will be voting "no" on this item as well.

Councilor Samson thanked the members of the SWTF for their work on this issue and thanked the citizens for voicing their opinion on this matter, stating that is what it is all about. He noted that a thirty year commitment is a long time to turn over this facility to a private company and he does not want his grandchildren to have to suffer the negative effects of a decision he would make tonight and therefore will also be voting "no".

Councilor Paradis said he is proud to be serving as a Councilor from Ward Six, saying he has worked hard during his past six years on the Council to defend the needs of his constituents. He noted this issue is one of the toughest matters he has had to address in his six years on the Council, noting the Walmart Distribution Center was also one of the most difficult. He said he will be voting "no" on this motion, since it is the right thing to do for the neighbors of Ferry Road, River Road and Goddard Road, as well as throughout the city. He said the city needs to promote economic development, but trash is not the way to do it. He noted the city has changed a lot in the last five years and he does not want to see all of that progress disappear with this one action. He said he echos Councilor Bernier's comments regarding the City Administrator's work on this issue, saying it was one option of many that were reviewed as part of the budget process and the entire Council asked the SWTF to explore this issue for study and consideration. He reminded the residents that during the Palesky tax cap proposal and the TABOR issue, the Council pledged to work to find creative ideas to off set city operating expenses, other than property taxes. This is one example of a creative and unique idea for alternate source of revenue funds, and it needed to be explored. Councilor Paradis noted the new stormwater fee is another example of creative alternate sources of revenue, noting for the first time ever, large non-profits in the city such as St. Mary's, Central Maine Medical Center and Bates College are now paying their fair share of their "impact", something that has always been absorbed on the backs of the single family home owners.

Councilor Rousseau said that he also echos the other comments made this evening as well, saying that six years ago when he was elected, his chief job was to work to change the perception of the city and to create better opportunities, and he feels the Council has done this. He said that over the years, the Council has had a lot of difficult decisions to make and for the most part, he believes the decisions were good and fair. He noted this decision to privatize the landfill could be a devastating decision and therefore he will also be voting "no" since it is not a good deal for the city. He noted if the deal is worth \$47 million today, it might be worth \$100 million in ten years, stating the landfill is a precious commodity to the city and is a jewel that needs to be protected. He discussed the flaws in the current state statutes regarding property taxes such as issues with the homestead exemption program and the TIF system. He called for real changes in the state tax code to benefit individual residents and he urged residents to address their Legislators and demand changes. Councilor Rousseau said he has meet with the Governor a couple of times to relay his concerns and the state does not seem to be understanding the message that the tax structure needs to change, even after the Palesky tax cap and TABOR.

The Mayor announced that Councilor Jean could not be in attendance this evening due to a trip out of state that was scheduled prior to the selection of this meeting date. Councilor Mendros read a statement from Councilor Jean in which he also noted he would not support his motion, if present.

At this point, the Mayor asked for a show of hands from the public to see how many people were opposed to the deal with Casella Waste Systems. It appeared that every person in the room raised their hand. He also asked for a show of hands for who supports the contract, and no hands were raised.

State Representative Elaine Makas thanked the SWTF for their many hours of hard work as well as the city staff for their work, noting that many questions were asked by citizens and their questions were always researched and answered.

David Peak of 29 Mitchell Street said he was speaking on behalf of the group “Don’t Dump on ME” and they wanted to thank the SWTF, Rep. Makas, the city staff and the Councilors for their work and to thank the Council for their vote to support the residents.

Mayor Gilbert stated he has not taken a public position on this matter, but he also echoes the comments made by the Councilors this evening. He noted the City recently received the All America City designation, one of ten nationwide and that Lewiston certainly has an engaged citizenry.

**VOTE (1)**

Motion by Councilor O’Brien, seconded by Councilor Samson:

Be It Hereby Ordered by the City Council that the following Referendum Question be submitted to the voters at the Municipal Election to be held on November 6, 2007:

“Shall the City of Lewiston enter into a thirty year contract with Casella Waste Systems, Inc. for the management and use of a portion of the City’s solid waste facility, subject to the terms and conditions of the Term Sheet, dated June 19, 2007?”

Did Not Pass - Vote 0-6

**VOTE (2)**

Motion by Councilor Paradis, second by Councilor Rousseau:

To adjourn at 7:45 P.M. Passed - Vote 6-0

A true record, Attest:

Kathleen M. Montejo, CMC  
City Clerk  
Lewiston, Maine