

<p><b>Members Present</b> Becky Soderman (remote) Karen Willis Kristin Champagne Lee Williams Norm Eisenmann Rebecca Gore (remote)</p>	<p><b>Members Absent</b> None</p> <hr/> <p><b>Guests Present</b> Somi Chowdhury Eco Club Advisor (remote, left at 6:20 p.m.)  Jennica (Eco Club) (remote, left at 6:20 p.m.)  Stella (TV Club) (left at 6:20 p.m.)  Lynne Hartley talked about the back to benches program (remote, left at 6:40 p.m.)  Emily (remote, left at 6:50 p.m.)</p>	 <p><b>Chelmsford Recycling Committee</b></p>
<p><b>Sustainability Manager Present</b> Melissa Joyce (remote)</p>		

**Call to Order.**

The Committee meeting was called to order at 6:05 p.m. Everyone introduced themselves

**Review and Approve Meeting Minutes – December 2021**

The 2-December-2021 meeting minutes were reviewed and approved by unanimous vote.

**Eco Club Input**

- Created new goals.
- Restarted composting at CHS that was in place before COVID. Working with kitchen for food scrapes. Want to expand to student lunches, etc. later in the year.
- Requested suggestions on how to advertise, posters etc.
  - May need a person next to the bin to help students make the correct decisions.
  - Melissa offered to assist the club.
  - May want to have compost removed from the school grounds.
  - The school has been purchasing compostable equipment that can be composted in commercial composting facility. Going well so far. Need to work on logistics.

**Sustainability Manager Update – Melissa Joyce**

**TONNAGE TOTALS for November 2021**

Textile recycling (Formerly Pink Bags)	5661	Pounds
Recycling	294.1	tons
Trash	881.83	tons

RDP Recycling Dividend Program provided the Town \$30,000.

Chelmsford gained two additional points due to being in a higher population bracket based on the latest census.

Melissa plans to send us a copy of the new, more competitive RDP goals.

Melissa will work with Jones Farm on leaf drop-off. The next Commonwealth RDP may have higher goals and be more competitive and more cutting edge in order to raise the overall recycling rates.

The waste bans that go into effect in November will include textiles. We may want to look at companies other than Simple Recycling.

Any company in the Commonwealth that generates 1000 pounds of compostable material weekly will need to compost the material. A question was asked regarding how do supermarkets handle fresh food that is not purchased? Melissa knows that Hannaford's take their material to their site in Maine.

#### Farmer's Market

Lee will be at the Farmers Market on the 8<sup>th</sup> of January. The time will be from 10 to 1.

#### Recent Recycling Tonnages

See Attachment 2.

#### Old Business

##### Zero Waste Day

Not discussed.

#### Recent and Upcoming Events

EVENT	DATE(S)	TIME	LOCATION
Winter Farmers Market Table	13-November	COMPLETE	Maxwell's
Winter Farmers Market Table	8-January-2022	10 a.m. to 1 p.m.	Maxwell's
Pickup Rain Barrels and Compost Bins #	26-March-2022	9 a.m. to 1 p.m.	DPW on Alpha Rd
Bulb Shed Open	6-April-2022	9 a.m. to 5 p.m.	Bulb Shed behind Town Hall

Recycling Meeting Minutes 6-January-2022 @ 6:00 P.M. @ Town Hall Room 200

EVENT	DATE(S)	TIME	LOCATION
Household Hazardous Waste Drop-off #	23-April-2022	9 a.m. to 1 p.m.	DPW on Alpha Rd
Bulb Shed Open	4-May-2022	9 a.m. to 5 p.m.	Bulb Shed behind Town Hall
Shredding Event	7-May-2022	9 a.m. to 1 p.m.	DPW on Alpha Rd
Leaf Drop-off #	14-May-2022	9 a.m. to 1 p.m.	DPW on Alpha Rd
Brush Drop-off #	14-May-2022	9 a.m. to 1 p.m.	Community Tree
Bulb Shed Open	1-June-2022	9 a.m. to 5 p.m.	Bulb Shed behind Town Hall

# Will need some volunteer(s) to assist.

Publicity/website Update

Bags and banner are stored at the DPW building in the closet near the Stormwater office.

Emily will review the website and decide how it can be improved.

Review of Open Action Items

Date	Owner	Action	Due Date
5-Nov-20	Lee	Purchase reusable bags. Bags were received.	<b>COMPLETE</b>
4-Feb-21	Lee Karen Rebecca	Organics curbside pickup: Town request for bids; residents sign up and pay individually. Offbeet is one possibility. Karen has information from previous years.  As discussed at the September Meeting, the next step is to prepare a Request for Proposal (RFP).  The summary of the survey is included in Attachment 3 to the minutes of 9-September-2021.  <u>UPDATE:</u> Two bids from other towns have been obtained to use as a starting point. A draft bid package will be ready within a few weeks.  The evaluation criteria were discussed in December.	3-Feb-22
3-Jun-21	Karen	Purchase a banner for a booth/table. Banner received.	<b>COMPLETE</b>
5-Aug-21	Karen Becky Rebecca	Contact the Tyngsboro Sustainability Committee to learn more about how they started, what they have learned, etc.  The initial plan is to have a collection in the Fall of 2022 in part due to the Tyngsboro drop-off is in the Spring of 2022. In 2021 Tyngsboro had two drop-offs.	3-Feb-21

Date	Owner	Action	Due Date
		Need to coordinate with the Center School and McCarthy PTO that has a Junk Day in the Fall.  <u>UPDATE:</u> Karen attended the Center School and McCarthy PTO event to start a conversation/coordination of their event with the Committee's planning of an event. She has also communicated with Ginger from the PTO on how to complement their efforts.	
2-Dec-21	Rebecca	Provide access to the Google Drive to Cheryl and Kristin	<b>COMPLETE</b>
2-Dec-21	Karen	Request Melissa to purchase a folding table that can be used at the Farmers Market and other events.	<b>COMPLETE</b>
6-Jan-22	Kristin	Setup a program to expand collection of plastic bags and plastic wrappers with Bags to Benches.  <a href="https://recycle.trex.com/view/programs">https://recycle.trex.com/view/programs</a>	7-Apr-22
6-Jan-22	Melissa	Melissa plans to send us a copy of the new, more competitive RDP goals.	3-Feb-22

Review of 2021-2022 Goals and Long-Term Goals

See Attachment 1 for updated goals.

**New Business**

Access to the shared Google Drive was discussed. Everyone has access to it.

**Bags to Benches**

Lynne discussed the Bags to Benches program that Westford has used.

- Plastic includes the bags that the newspapers are in, bread bags, and other wrappings.
- Can join the school challenge or community challenge.
- It goes for 6-months with a goal of 500 pounds.
- Someone needs to pick up the bags, weigh them and then take them to the grocery store.
- Four or five containers are provided. Those would be placed at select locations to expand the amount of collections sites. [NOTE: The Trex website states two containers are provided.]
- Depending on the amount collected determines the number of benches provided to the Town.
- Where to place the bench(es)?
- How is the weight validated?
- In Westford they put bins at Forge Village, Rodenbush, schools, etc. Kristina will work with Lynne and Melissa.

Visit the Waste Management MRF in Billerica.

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Melissa talked to WM Material Recovery Facility, and they can allow a maximum of 4 people to take a tour. Vaccines and masks are required.

Melissa will find out more details.

In order to not have a quorum of members present, the Committee should stick to 3 members per tour.

Toters for Recycling vs. Open Bins

Contract for recycling is up in 2023 and we could change to toters at that time. The hauler would need to change to side arm trucks.

Conflict of Interest Training

Each member received information from the Town Clerk regarding Conflict-of-Interest Training.

**Open Discussion**

Norm provided a brief overview of the Open Meeting Law. Attachment 3 contains information sent out by the Massachusetts Attorney General's Office to interested parties regarding the Open Meeting Law.

Consider using the RDP grant money to pay for the first month of compost collection.

**Next Scheduled Meeting**

3-February-2022 at 6:00 p.m. is the next meeting. It will be held at the Town Hall at 50 Billerica Rd. Room 200 with the option of remote attendance.

**Motion to Adjourn.**

The meeting was adjourned at 8:00 p.m.

**Attachments**

1. 2021-2022 Long-Term Goals
2. 2021 and 2022 Trash and Recycling Tonnages
3. Open Meeting Law Information from the Attorney General

Recycling Meeting Minutes 6-January-2022 @ 7:00 P.M. @ Town Hall Room 200  
Attachment 1 Long Term Goals Page 6 of 11

Review of 2021-2022 Goals and Long-Term Goals

**Mission Statement:**

The Chelmsford Recycling Committee is dedicated to reducing the volume of solid waste generated in the town of Chelmsford. The committee strives to promote waste reduction, reuse, recycling, repairing, and composting among the residents, businesses, and institutions in the town of Chelmsford.

Prior to June 2022	Beyond June 2022	Recycling Committee Goals	Committee Member Taking Lead
		<b>EDUCATION/AWARENESS</b>	
X		Town-wide Clean-up re-imagined <ul style="list-style-type: none"> <li>• Have the cleanup for a week again, vs just one day.</li> <li>• Need to be able to thank persons and groups via Facebook, local papers, etc.</li> <li>• Need to post photos</li> </ul>	Karen Melissa
		<b>REDUCE WASTE</b>	
	X	Investigate one or more water bottle filling stations for the Bruce Freeman Rail Trail. <ul style="list-style-type: none"> <li>• Cost per unit (not installed) is between \$2000 and \$8000.</li> <li>• Need location with access to water main.</li> <li>• Need to consider winter weather.</li> </ul> UPDATE: The Bicycle & Pedestrian Advisory Committee (BPAC) is interested in working with the Committee installing a water station at Cushing Place. There is a water source, but not sure if the water is potable water. A MassTrails grant may be more appropriate source of funds than RDP.	Lee
X		Investigate and setup a program with Trex to collect plastic bags, etc.  <a href="https://recycle.trex.com/view/programs">https://recycle.trex.com/view/programs</a>	Kristin
		<b>RE-USE/REPAIR</b>	
	X	Repair Cafés Three events/year, post-pandemic (Eco Club participation?)	Lee
		<b>RECYCLE-RESIDENTIAL/TOWN RECYCLING</b>	
	X	Multi-vendor recycling event (shredding, electronics, tires, etc.) The Zero Waste Day.	Karen
		<b>RECYCLE-BUSINESS RECYCLING</b>	
	X	Advocate for Board of Health mandate for hauler permits	Rebecca
	X	Plan the Implementation of hauler permits: <ul style="list-style-type: none"> <li>• Research how other MA municipalities have implemented business recycling programs and</li> <li>• Conduct a survey of Chelmsford businesses to find out what level of business recycling is going on now.</li> </ul>	Rebecca
		<b>COMPOST</b>	
X		Organics curbside pickup: Town request for bids; residents sign up and pay individually. Offbeet is one possibility. Karen has information from previous years.	Lee

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Prior to June 2022	Beyond June 2022	Recycling Committee Goals	Committee Member Taking Lead
X		Organics drop-off: Promote with sale of compost bins in the spring, free compost pails?	Lee
X		Setup survey of how many interested in composting.	<b>COMPLETE</b>
	X	Setup program for indoor composting. Consider using money to have a worm composting seminar. Have at July 4 <sup>th</sup> booth and raffle off some worm composting kits.	Lee
	X	Consider changing to recycling totes with new contract in 2023.	



## Guidance Spotlight: Subcommittees and Sub-quorum Communications

This month we offer guidance on the creation of subcommittees under the Open Meeting Law, and permissible communications among members that constitute less than a quorum of a public body. We recognize that public body members want to conduct business efficiently and effectively. However, public body members must exercise caution when communicating and carrying out the public body's responsibilities outside of a properly posted meeting. The Open Meeting Law prohibits deliberation outside of a posted meeting. "Deliberation" is communication *among a quorum* on a matter within the public body's jurisdiction. Because the Open Meeting Law focuses on communications among a quorum, there is no prohibition on communications outside of a meeting that do not involve or reach a quorum of members—as long as the members are not also a quorum of a subcommittee. Therefore, it is important to understand whether members of a public body may constitute a designated subcommittee.

The Open Meeting Law defines "public body" as any "multiple-member board, commission, committee or subcommittee within the executive or legislative branch or within any county, district, city, region or town, however created, elected, appointed or otherwise constituted, established to serve a public purpose." G.L. c. 30A, § 18. The Law further defines a "subcommittee" as "any multiple-member body created to advise or make recommendations to a public body." Id. A public body forms a subcommittee when the body formally authorizes multiple members of the public body to advise or make recommendations to the public body. Whether a subcommittee was created hinges on the public body's action and whether it intended to create a multiple-member body, or whether it intended to assign the task to one person, even if another member of the public body subsequently volunteers to assist. Therefore, if a single member undertakes a task, or multiple members decide on their own to communicate about a matter or prepare a recommendation without having been designated to do so, no subcommittee is created. Furthermore, the name of a group—whether called a subcommittee, a "working group," a "task force" or something else—will still be subject to the Open Meeting Law if it is a multiple-member body created to advise or make recommendations. Even subcommittees that have members who are not part of the public body will be subject to the Open Meeting Law if they meet the Open Meeting Law's definition of "public body."

Subcommittees are public bodies in their own right, which means they must follow all of the Open Meeting Law's requirements applicable to public bodies. Subcommittee members should be particularly careful about any communications they have with their fellow subcommittee members in order to avoid deliberating outside of a posted meeting, as the subcommittee has its own (smaller) quorum. The quorum of a public body, including a subcommittee, is a simple majority of its members, unless otherwise provided by law. Therefore, although it is generally permissible for public body members to communicate amongst themselves outside of a posted meeting as long as the communications do not involve or reach a quorum (whether concurrently or serially), public body members must always be cognizant of the makeup and quorum of the public body, including any subcommittees on which they serve.

### **Determinations Regarding Subcommittees and Sub-quorum Communications:**

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**OML 2021-176:** Finding no violation of the Open Meeting Law because text message conversations did not contain or reach a quorum of the Board. In all cases, the Board members engaged in one-on-one text exchanges during the meeting. In addition, we find no evidence of serial deliberation among a quorum of the Board. [Available at <https://massago.onbaseonline.com/MASSAGO/1801PublicAccess2/oml.htm> . Enter the year and all determinations for that year will be available for opening.]

**OML 2021-115:** Subcommittee deliberated outside of a posted meeting, in violation of the Open Meeting Law, when a quorum of the Subcommittee discussed the status of a matter that was clearly within the Subcommittee's jurisdiction outside of a posted meeting. [Available at <https://massago.onbaseonline.com/MASSAGO/1801PublicAccess2/oml.htm> Enter the year and all determinations for that year will be available for opening.]

**OML 2018-128:** Board did not create a subcommittee where the Board took no vote after one member offered to research a topic and another member of the public body subsequently volunteered to assist. [Available at <https://massago.onbaseonline.com/MASSAGO/1801PublicAccess2/oml.htm> Enter the year and all determinations for that year will be available for opening.]

**OML 2017-111:** Board did not create a subcommittee where the Board clearly intended to assign a task to one person and another member of the public body subsequently volunteered to assist. [Available at <https://massago.onbaseonline.com/MASSAGO/1801PublicAccess2/oml.htm> Enter the year and all determinations for that year will be available for opening.]

**OML 2016-96:** Working Group did not create a subcommittee where two members of the Working Group, on their own initiative, worked on projects for the benefit of the Working Group, without the Working Group taking any official action to delegate that responsibility to the two members. Available at <https://massago.onbaseonline.com/MASSAGO/1801PublicAccess2/oml.htm> Enter the year and all determinations for that year will be available for opening.]

## Recent Open Meeting Law Determination Highlights

**OML 2021-177:** A public body demonstrated good cause for delay in approving one set of meeting minutes beyond the required next three meetings or 30 days (whichever is later), where it reviewed the minutes for approval within 30 days of the meeting date, but found errors that required correction before the minutes could be approved; it then approved the minutes at a subsequent meeting. On the other hand, the public body failed to timely approve a different set of meeting minutes that was not even reviewed until more than three meetings and 30 days thereafter.

**OML 2021-159:** A public body posted an insufficiently specific meeting notice where it included the topic

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“Goals and Objectives,” without further detail, and the particular topic for discussion under “Goals and Objectives”—restructuring or elimination of the town’s economic development office—was reasonably anticipated in advance.

**OML 2021-152:** A public body convened in executive session for an impermissible purpose, in violation of the Open Meeting Law, when it discussed the schedule and process for hiring a new fire chief as well as prepared and discussed interview questions. A preliminary screening committee may convene in executive session under Purpose 8 to screen, consider, or interview applicants if having the discussion in open session would have a detrimental effect in obtaining qualified applicants. However, general discussions regarding the interview and screening process are not appropriate for executive session.

*Open Meeting Law determinations may be found at the Attorney General’s website,*  
<https://www.mass.gov/the-open-meeting-law>

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