



City of Quincy Massachusetts

OFFICE OF THE CITY COUNCIL
1305 HANCOCK STREET, QUINCY, MA 02169

Kevin F. Coughlin, President
Joseph G. Finn
Douglas S. Gutro
John F. Keenan

Margaret E. Laforest
Michael E. McFarland
Brian F. McNamee
Francis Orlando
Brian Palmucci

Joseph P. Shea, Clerk
Jeanne E. Reardon
Clerk of Committees
Susan M. O'Connor, Auditor

REVISED

MONDAY, DECEMBER 5, 2011

6:30 PM **ORDINANCE COMMITTEE MTG.**

7:30 PM **CITY COUNCIL MEETING**

1. *Traffic Engineer John T. Gillon re: Hannon Pkwy. & Other Traffic Issues*
2. *Pending in Ord. Com. Palmucci Utility Pkg. #2011-111 & #2011-112*
3. *Pending in Ord. Com. Coughlin Fees for Police & Fire details #2011-149 & #2011-149A*
4. *Pending in Env. & Public Health Com. #2010-132 Coughlin proposal re: Expanding Bottle Bill*
5. *Appropriation of \$35,000 to Police Dept. Contractual- Homeland Security-Maritime Div. to be transferred from Waterways Improvement Fund*
6. *Appropriation of \$248,900 to Public Works Capital Expenditures – Same to be transferred from Snow & Ice Contractual - Salt Shed*
7. *Appropriation of \$1,601,518 to Community Preservation Account to be transferred from FY2012 Estimated Community Preservation Revenues*
- 7(a) *Appropriation of \$906,400 to Debt Service to be charged as Follows: \$160,160 from Community Preservation Open Space Account and \$746,240 from Community Preservation Budgetary Reserve Account*

It is reasonably anticipated that one or more matters contained within the City Council Calendar, including any or all listed items pending in Committee, may be discussed and acted upon at this meeting. For a full Council Calendar, go to www.quincyma.gov



City of Quincy, Massachusetts

OFFICE OF THE COUNCIL

DOUGLAS S. GUTRO
COUNCILLOR – WARD FIVE

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**TO: ALL MEMBERS OF THE ORDINANCE COMMITTEE
OF THE QUINCY CITY COUNCIL**

FROM: COUNCILLOR DOUGLAS S. GUTRO, CHAIRMAN

The Ordinance Committee of the Quincy City Council will meet on MONDAY, DECEMBER 5, 2011 at 6:30 PM in the New City Hall Council Chambers relative to #2011-111 & #2011-112 pending in Committee (Councillor Palmucci's utility package) and #2011-149 & 149A (Councillor Coughlin's proposed orders regarding fees for Police & Fire details).

COPY TO ALL COUNCILLORS

PATRIOT LEDGER

QUINCY ACCESS TV, QUINCY SUN

MAYOR KOCH, MESSRS. FATSEAS, WALKER, McGRATH

SHEA, TIMMINS, HARRINGTON, DUCA

COMMISSIONER RAYMONDI, CHIEF KEENAN & CHIEF BARRON

RICHARD B. COLON, REG. DIR., EXTERNAL AFFAIRS, VERIZON

JOE CARROLL, DIR., CUSTOMER & COMMUNITY MGMT., NAT'L GRID

PETER NAGLE, NAT'L GRID, 40 SWAN ROAD, WALTHAM, MA 02451

***KATHERINE MALONEY, S.E.MGR.FOR GOVT. & COMMUNITY
RELATIONS***

COMCAST, 85 EAST BELCHER ST., FOXBORO, MA 02035

**CITY OF QUINCY
IN COUNCIL**ORDER NO.
ORDERED:**2011-111****June 20, 2011**

Be it ordained by the City Council that the Quincy Municipal Code is amended as follows:

In Title 12 Streets, Sidewalks, Waterways & Public Places Chapter 12.08 Street Sidewalk Use Regulations add 4 new sections 12.08.180, 12.08.190, 12.08.200 and 12.08.210

Section 12.08.180 Establish a Utility Advisory Council

Be it ordained, that the City of Quincy establish an ad hoc utility advisory council to be made up of no less than three members of the Quincy community, including but not limited to business owners, residents, and City officials, to be selected and convened at the discretion of His Honor the Mayor. It shall be the role of the Utility Advisory Council to evaluate the performance of the current utility providers, their compliance with all state and federal statutes in relation to performance and service, and shall make all necessary recommendations to ensure future performance and compliance.

Section 12.08.190 City to charge Utilities Fines for not removing double utility poles within 90 days

Be it ordained, that the owner of a utility pole shall incur a fine of \$100 per day for each double pole that remains erected, regardless of its use, beyond 90 days, after 120 days the fine shall increase to \$300 per day, after 150 days and each and every day thereafter the fine shall increase to \$500 per day per utility pole in violation of this ordinance.

Section 12.08.200 City Tax Utility Poles

Be it ordained, that the City of Quincy Assessor make a report to the City Council, yearly on the number of utility poles and other such apparatus, including but not limited to utility control boxes in the City, the ownership of each utility pole and other such apparatus, and the amount of revenue currently generated from taxation levied upon same and/or the estimated amount of tax revenues which could be potentially generated from taxation levied upon same.

Section 12.08.210 Use of Permanent Spray Paint by Utilities

Be it ordained, that the City of Quincy request that National Grid, Comcast, Verizon, Dig Safe, Inc. and any other utility company which has reason to conduct similar work in the City of Quincy use an alternative paint with which to delineate work areas on public roadways and sidewalks. Specifically, a paint that is less permanent than what is currently used, so that it will not remain on the sidewalk and City roadways for an extensive period of time.

YEAS: Coughlin, Finn, Gutro, Keenan, Laforest, McFarland, McNamee, Palmucci, Raymondi
NAYS: Coughlin, Finn, Gutro, Keenan, Laforest, McFarland, McNamee, Palmucci, Raymondi

INTRODUCED BY

CITY OF QUINCY
IN COUNCIL

ORDER NO.
ORDERED:

2011-112

September 6, 2011

Be it ordained by the City council that the Municipal Code is amended as follows:

In Title 12 Streets, Sidewalks, Waterways & Public Places Chapter 12.04 Street & Sidewalk construction and maintenance add to Section 12.04.060 Street Construction -Procedures-Specifications "G"
"G" Utility Company Responsibility Ordinance:

DPW → Be it ordained that the City of Quincy prohibits the excavation of public sidewalks by any person or entity without first obtaining a permit issued by the ~~Quincy Building Department~~ for said work. Such permit maybe granted upon written notification of the address where the work will be conducted and the date and scope of the work to be performed. A permit application fee may be imposed at the discretion of the ~~Building Department~~ for said permit approval process. *DPW*

Any and all sidewalk excavation which would be governed under this ordinance that is necessary on an emergency basis shall be allowed to proceed without prior approval and permit upon the condition that said permit is sought within 72 hours of such work.

Any violation of this ordinance shall cause a fine in the amount of \$1,000 to be issued to the person, entity, or in the case of a corporation, the registered corporate officer in Massachusetts, who undertook or ordered the work. Said fine shall be imposed at the discretion of the ~~City of Quincy Building department~~. *Department of Public Works*

YEAS: Coughlin, Finn, Gutro, Keenan, Laforest, McFarland, McNamee, Palmucci, Raymond
NAYS: Coughlin, Finn, Gutro, Keenan, Laforest, McFarland, McNamee, Palmucci, Raymond

Introduced by: City Council President Kevin W. ...

Amendment to Utility Responsibility Ordinance 2011-112
Insert as second paragraph

Law Dept
to review

Upon the application of any contractor or utility company for a permit for the opening on any public way or sidewalk absent an emergency circumstance, prior to the issuance of said permit, the applicant shall provide a minimum ten (10) day advance notification to the ward councilor within whose district the work is to occur and individual notice to the abutters to the work being undertaken. Said notice shall include the purpose and scope of the work, a schedule of commencement to completion, any anticipated impacts to the abutters and immediate need supervisor contact information.

November 14, 2011

**CITY OF QUINCY
IN COUNCIL**

ORDER NO.

ORDERED:

2011-149

September 26, 2011

Be it ordained by the City Council of the City of Quincy that the Municipal Code is amended as follows:

In Title 2 Administration and Personnel Chapter 2.68 Police Department in Section 2.68.110 Public Safety Enforcement strike the existing "I" and insert the following

Section 2.68.110 Fees for Police Detail

- I. Fees for police details must be paid within thirty (30) days after the issuance of a bill. In the event that such charges remain unpaid after the expiration of the thirty (30) days, interest will accrue at a rate equivalent to that assessed for unpaid taxes pursuant to the provisions of G.L. c 59 & 57 as said provision may from time to time be amended. A late fee equal to 10% of the billable detail cost shall also be assessed.

The Police Chief may develop a policy assuring timely payment of such fees, including, but not limited to, requirement of a deposit or escrow of funds sufficient to cover such obligations.

YEAS: Coughlin, Finn, Gutro, Keenan, Laforest, McFarland, McNamee, Palmucci, Raymondi

NAYS: Coughlin, Finn, Gutro, Keenan, Laforest, McFarland, McNamee, Palmucci, Raymondi

CITY OF QUINCY
IN COUNCIL

ORDER NO.
ORDERED:

2011-149 A

September 26, 2011

Be it ordained by the City Council of the City of Quincy that the Municipal Code is amended as follows:

In Title 2 Administration and Personnel Chapter 2.72 Fire Department add the following section 2.72.230

Section 2.72.230 Fees for Fire Detail

- A. Fees for fire details must be paid within thirty (30) days after the issuance of a bill. In the event that such charges remain unpaid after the expiration of the thirty (30) days, interest will accrue at a rate equivalent to that assessed for unpaid taxes pursuant to the provisions of G.L. c 59 & 57 as said provision may from time to time be amended. A late fee equal to 10% of the billable detail cost shall also be assesses.
- B. The fire chief may develop a policy assuring timely payment of such fees, Including, but not limited to, requirement of a deposit or escrow of funds ufficient to cover such obligations.

NOT permit a detail to be assigned until detail is paid

YEAS: Coughlin, Finn, Gutro, Keenan, Laforest, McFarland, McNamee, Palmucci, Raymondi
NAYS: Coughlin, Finn, Gutro, Keenan, Laforest, McFarland, McNamee, Palmucci, Raymondi

Order No: 2010- 132

Coughlin

Resolve in support of updating the Mass Bottle Bill

Passed in Com.

Date: April 20, 2010

Com. Mtg held 5/24/10

Committee Referral(s)

Referred To:
Environmental & Public Health

1st Advertising Date:

Date Passed/Adopted:

VOTE Yes: No:

2nd Advertising Date:



2010-182

Introduced By: Kevin F. Coughlin, Council President

April 20 2010

RESOLUTION IN SUPPORT OF UPDATING THE MASSACHUSETTS BOTTLE BILL

Whereas The Massachusetts Bottle Bill, enacted in 1982 has allowed Quincy residents to enjoy a cleaner environment by creating an incentive for users of certain beverage containers to recycle those used containers; and,

Whereas, states with deposit laws have higher residential recycling rates of beverage containers than those of non-deposit states, and;

Whereas litter decrease in states with Bottle Bills averages 70-85%, and,

Whereas, through the Massachusetts Bottle Bill, we recycle nearly 80% of containers of deposit containers, but only 20% on non-deposit containers, and

Whereas the Governor of the Commonwealth, and members of the Massachusetts Senate and House of Representatives have recognized that the original bottle bill does not take into account those beverages such as bottled water, sports drinks, and teas.

Whereas the addition of bottled water, sports drinks and teas to the Bottle Bill will decrease the total volume of municipal solid waste that is needed to be collected, thus saving disposal fees and landfill space.

Be It Resolved

That we, the Quincy City Council commemorates the 28th anniversary of the implementation of the Massachusetts Bottle Bill.

Furthermore, Be It Resolved That: the Quincy City Council be placed on record as being in support of the Massachusetts Beverage Container Deposit Law and encourages it's strengthening through expanding the list as recommended by the Governor in his proposed budget and currently being considered by the House and Senate Joint Committee on Telecommunications, Utilities and Energy.

Furthermore, Be It Resolved that the Quincy City Council goes on record in supporting programs that encourage residents and visitors to return or recycle all beverage containers and other recyclable materials to fully utilize the currently available recycling programs.

Be it Further Resolved that the City Council requests our state representatives and state senator, and our governor to support and vote in favor of updating the Massachusetts Container Beverage Law.



MASSACHUSETTS BEVERAGE ASSOCIATION

2 PARK PLAZA SUITE 205 BOSTON MA 02116

617-357-7179 FAX 617-357-7184

*File with
MOLAH
2010-1/2*

TO: The Honorable Barry R. Finegold
House Chairman, Joint Committee on
Telecommunications, Utilities and Energy

FROM: Massachusetts Beverage Association,
Vincent Shanley, Legislative Counsel

DATE: September 22, 2009

RE: Opposition to Bottle Bill Law Expansion

Enclosed for your review are five (5) white papers arguing against expansion of the current law.

They are:

- (1) Why Massachusetts Should not Expand the Bottle Law
- (2) Analysis that expansion is not a "revenue raiser"
- (3) Costs Dwarf Estimated Benefits of Expanded Bottle Bill
- (4) Expansion of the Bottle Bill unintentionally will worsen the state's recycling efforts
- (5) Rhode Island Case Study: Comparing Deposits with Enhanced Municipal Recycling

Each presents a compelling case that expansion would be unwise for the commonwealth. It would cost consumers and Massachusetts businesses significant amounts of money with no public benefit. Indeed, we would argue such a proposal would interfere with efforts to promote comprehensive recycling as well as diminish revenues derived from the current system.

On behalf of the Massachusetts based bottlers and distributors, we respectfully urge you to reject changes to the current law.

Why Massachusetts Shouldn't Expand the Bottle Law

Several proposals would impose deposits on noncarbonated beverages. Expanding the beverage container deposit law would hurt consumers, raising prices in a weak economy; expansion would also yield disappointing environmental results, promote fraud, and harm existing recycling programs. A more fiscally and environmentally responsible approach is to invest in our existing recycling infrastructure and enhance the convenience and effectiveness of those programs.

Impacts on Consumers

- Consumers face price increases of at least \$58 million per year for products like juice, iced tea, and bottled water just to cover the operating costs of an expanded bottle bill. This does not count the deposits paid or consumers' time and expense associated with redemption.
- The average noncarbonated beverage container would cost 5¢ more to cover these costs plus another 5¢ for the deposit.
- Massachusetts consumers can't afford another \$116 million per year for groceries on top of the recent sales tax hike.
- The current bottle bill is already expensive to operate. Recycling containers through a deposit/redemption system is the most costly approach for consumers, retailers, and beverage distributors.

High Costs to Food Stores

- Massachusetts' grocers would bear the brunt of a more complicated bottle law and that means higher grocery prices:
 - More reverse vending machines (RVMs) to handle empties: higher costs to lease and maintain the machines, plus costs to remodel stores
 - More staff and much more space to handle containers that won't fit in RVMs: manual redemption of larger containers is time-consuming and will mean longer waits for consumers.

Environmental Gains are Limited

- For all the expense and effort, expanding deposits to noncarbonated, nonalcoholic beverages would increase the state's 35% recycling rate by about 1/8 of one percent (0.12%).
- The additional material recycled would equal about three pounds per person per year at a cost 10 times higher than recycling the same material at the curb.
- With noncarbonated beverages averaging 1.3% of litter, the impact on roads and parks would be minimal as well.

It's Really All About the Money

- Expansion is motivated largely by the hope that it would raise revenue from the unclaimed deposits: if consumers don't return containers, the state gets more nickels.
- Expansion is counterproductive for the state and communities, however. Expansion will significantly increase fraudulent redemption of out of state containers and will take away valuable materials from existing community recycling programs.

Costs Dwarf Estimated Benefits of Expanded Bottle Bill

DEP has estimated \$4 to \$6 million in savings for municipalities if Massachusetts were to expand its bottle bill to include all noncarbonated beverages including juices, sports, drinks, iced teas, water, wine, and spirits.¹ Unfortunately, achieving these benefits would require Massachusetts' consumers and businesses to spend \$72 million annually to operate an expanded redemption program. DEP's analysis provides another good illustration of why expanding the bottle bill costs way too much for too little benefit.

Consumers and Businesses Face Implementation Costs of \$72 Million

Including all nondairy beverages in the deposit program would cost \$72 million more than the current bottle bill. Those costs reflect redemption costs at stores and redemption centers as well as pickup and processing costs paid by beverage distributors, wholesalers, and manufacturers.

Asking consumers and business to fund an expensive and inefficient redemption system to produce small savings is a poor tradeoff. In fact, many cities and towns would lose more from the adverse impact on local businesses and wages than they would ever gain back.

Other Research Supports the High Cost and Inefficiency of Deposits

A comprehensive study for the Rhode Island solid waste authority indicated that investing in a deposit/refund system was more expensive, provided fewer environmental benefits, and produced a higher carbon footprint than opting to upgrade existing recycling programs. The head of RI's Resource Recovery Corporation wrote to the Senate President that the 2009 study supports:

*"improvements to our existing curbside program as the most effective way to increase recycling.... far superior to an enhanced bottle bill because it diverted almost twice the amount of new recyclables for about one third the cost of the bottle deposit program."*²

DEP's Estimates Overstate Actual Savings

Cities and towns would never realize much of the benefit DEP ascribes to expanding the bottle bill. DEP's theoretical savings estimate should be viewed as an upper bound for two principal reasons:

- Some of the benefits would be realized by private businesses like bars and restaurants, not cities and towns. DEP's analysis recognizes this and that its estimates are overstated as a result.
- DEP's analysis assumes that every city and town would adjust its trash and recycling routes in response to expansion. In other words, every pound of material redeemed would reduce man-hours and expenses. In fact, the amount of material collected fluctuates constantly for recyclers and trash collectors, but they don't change their pickup practices in response. Significant shifts in tonnage are required to produce real savings and a shift of ¼ of 1% of trash generated in Massachusetts is not very significant. Further, cities and towns with "put or pay" contracts for trash must pay for pre-negotiated waste amounts, regardless of waste diversion.

¹ MA DEP Fact Sheet, "Benefits of an Expanded Bottle Bill on Municipal Refuse and Recycling Costs and Revenues."

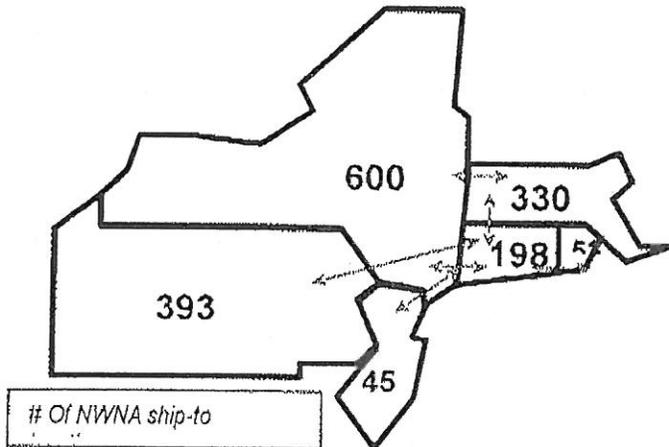
² Letter from Michael J. O'Connell, Executive Director, RI Resource Recovery Corporation, to Senate President Paiva-Weed, July 8, 2009.



Brian J. Flaherty
Vice President, Government Affairs
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www.nestlewatersnorthamerica.com

BOTTLED WATER DISTRIBUTION AND ITS IMPACT ON BOTTLE DEPOSIT COSTS AND OVER-REDEMPTION

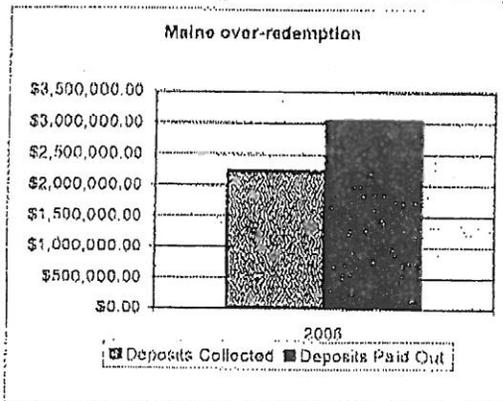
Expanding Massachusetts' bottle bill as proposed in most of the legislation filed this year poses significant problems for my company—all of which stem from applying a collection scheme designed 29 years ago for beverages distributed within exclusive regions to a product that follows an entirely open path to market. Put another way, people weren't buying bottled water when the bottle bill passed—they were buying beer and soda. And the bill was designed to operate under a closed system of distribution with specific territories that were conducive to a two-way distribution/redemption system. Bottled water isn't sold that way.



- Open distribution:** Most bottled water is sold one-way, to food wholesalers, drug wholesalers, to distributors of other products, directly to chain retail stores, and to warehouses owned by those retailers (Stop & Shop, Target, etc). Some warehouses are located in Massachusetts and some are out of state. This system was built to ease variations in retail demand on a large regional scale—not to provide ease of product tracking or recovery.

- After we drop our shipments at those warehouses, we have no control over where the products are sold to consumers.

- Over-redemption:** Bottle deposits are based on the premise that someone will pick up a bottle if given a nickel incentive. Unfortunately, that same economic principle works with fraudulent redemption—whether it is a person redeeming a bottle in a state where it was not



- sold OR selling product in a state when a deposit has not been paid.

We know from our experience in Maine that over-redemption is real and it is costly. Even though Maine is located on the northern end of many freight shipping routes, we have seen extensive over-redemption of water in that state.

- In 2006, we paid out \$815,000 more than we collected for deposits: a redemption rate of 112%.



BEVERAGE WORKERS

Coca Cola - Braintree, Ma
Coca Cola - Needham, Ma
Coca Cola - Waltham, Ma
Coca Cola - Lowell, Ma

Canteen - Woburn, Ma
Pepsi Cola - Canton, Ma
Pepsi Cola - Cranston, RI
Pepsi Cola - Merrimack Valley

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Carlos Alves
3rd Vice President

James Brown
Sergeant at Arms

The Honorable Barry R. Finegold
Chairman, House Committee on Telecommunications, Utilities and Energy
State House, Room 473-B
Boston, MA 02133

Dear Chairman Finegold,

The members of Local 513 RWDSU/UFCW work for several Coca Cola, Pepsi Cola and Canteen Corporation facilities located in Massachusetts.

Local 513 represents 850 workers at these companies and with other union and non union employees there are over 3,000 people employed in the beverage industry in Massachusetts. These are good paying jobs with good benefits. Most of these jobs are in the \$18 to \$22 per hour range.

Our members are very concerned about the proposed expansion of the Bottle Bill Law (House 3515 and Senate 1480). Many of us who were employed when the Bottle Bill was first enacted in 1983 saw a loss of business at that time as people started going to New Hampshire to buy their beverages. We can only conclude that a further expansion of the Bottle Bill will result in further loss of business and that translates into a loss of jobs. It will also make it difficult to make progress on better wages and benefits through collective bargaining.

Currently the economy has caused layoffs, hiring freezes, and elimination of overtime in this industry. We feel any further expansion of the Bottle Bill or any other form of tax on food and beverages will send more good paying jobs to New Hampshire.

The executive board meets on the third Wednesday of every month in Dedham and we would be happy to meet with you if you wanted to discuss this issue further.

Please keep in mind the potential loss of good paying jobs when considering this bill.



RETAILERS ASSOCIATION
of MASSACHUSETTS

The Value of Retailing

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M. Steven & Sons
Condominium, Inc.

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Edward P. Mohr
Edwin's Supermarkets

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Mara's

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Ames Food Co., Inc.

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Membership Director

Andrea K. Shea

Membership Services

Director

Scott Payne

Testimony of

**William C. Rennie, Vice President
Retailers Association of Massachusetts**

**Before the Joint Committee on Telecommunications, Utilities and Energy
October 7, 2009**

Re: Bottle Bill legislation

The Retailers Association of Massachusetts (RAM), established in 1918, is a statewide trade association of over 3,100 member companies. Our membership ranges from independent, "mom and pop" owned stores to larger, national chains operating in the general retail, restaurant and service sectors of the retail industry. The industry's contributions to the Commonwealth include over \$112 billion in annual sales; over \$5.7 billion in annual sales and use taxes collected; 17% of all Massachusetts jobs; and operations in over 38,000 locations across the state.

On behalf of RAM, I would like to express our *strong opposition* to any legislative effort that seeks an expansion of the existing bottle bill. It is the position of the Association that the current redemption system is deeply flawed and that the bottle bill should be repealed. Any expansion of the law will do far more harm than good. In the wake the recent 25% increase in the sales tax, the elimination of the sales tax exemption on alcohol sold in stores, and the loss of the Sales Tax Holiday, retailers across the Commonwealth are struggling with a dramatic decrease in overall sales and in customer traffic. The cost of an expanded bottle bill and the creation of an entirely new collection system for containers not now covered would further burden tremendously, the already overburdened retailer. It is certainly not the time to look to add to the high cost of doing business here in the Commonwealth.

There are numerous problems with the current redemption system, one being that the system is plagued by fraudulent returns. Not all states bordering the Commonwealth have expanded bottle laws. Both New Hampshire and Rhode Island do not have *any* form of bottle law. To many individuals it is now a common practice to buy beverages or collect beverage containers in nearby out-of-state communities that do not impose a deposit and then redeem them in Massachusetts. This practice comes with a high price tag for Massachusetts businesses and consumers.

In addition to fraudulent redemption, an increase in required bottle deposits in Massachusetts will lead to increased out-of-state purchasing of beverages. Again, Massachusetts is bordered by multiple states that do not share our bottle redemption laws. Our local businesses in border communities and neighboring cities and towns already on a daily basis deal with the loss of business to less expensive, less taxed border states. With the new 25% sales tax increase and the removal of the sales tax exemption on alcohol sold in stores, the incentive was just recently made that much greater. Expansion of the bottle bill will further exacerbate this problem.

While the issue of competitiveness with retailers in border states is an important one, the ability to compete here in our own state is just as significant. Smaller retailers, "mom and pop" family stores, face considerable challenges due to a lack of space and struggle to provide room for redemption collection areas. The smaller retailer is already at a size disadvantage and that disparity grows as they are forced to devote valuable store footage to collection areas. Small restaurants, package stores and local markets won't have the room to safely store the copious amounts of beverage containers required for redemption under expansion proposals.

While the bottle bill may have served to raise awareness of recycling many years ago, over the years, the tide has turned. Consumers and citizens are now well educated on a variety of recycling programs and are environmentally conscious. Curbside recycling has become the preferred method and we should focus our efforts on further promotion of those programs. Massachusetts communities have recycling infrastructure in place, providing curbside and/or drop-off recycling programs, making a bottle bill obsolete and inefficient. Also, in an era of rising fuel prices, separate, individual car trips to the local redemption center to return one's beverage containers is by far, less efficient than utilizing curbside pickup programs.

On behalf of RAM and our more than 3,100 retail members, I urge you to reject any proposed expansion of the bottle bill and to repeal this regressive consumer tax.

I thank you for the opportunity to comment on this important matter and please do not hesitate to contact me if I can be of any assistance to you in your deliberations.

MEMORANDUM

TO: COMMITTEE ON TELECOMMUNICATIONS, UTILITIES AND ENERGY
FROM: BEER DISTRIBUTORS OF MASSACHUSETTS, INC.
DATE: OCTOBER 7, 2009
RE: OPPOSITION TO S. 1480, S. 1532, S. 1535, H. 3077, H. 3082, H. 3113,
and H. 3515.

The Beer Distributors of Massachusetts, Inc. strongly opposes bills before the Committee which would expand the bottle law to include most beverages except for milk, increase the bottle law handling fee and require the fee to be adjusted to reflect the increased costs incurred by redemption facilities (S. 1480, H. 3082 and H. 3515), or tie the fee to the consumer price index (S. 1532, S. 1535 and H. 3113). The distributors also strongly oppose language in those bills which would require bottlers and distributors to pick up empty beverage containers from redemption centers.

The bottle law presently requires that bottlers and distributors redeem empty beer and soda containers from retailers and redemption centers, and pay them the five cent deposit **plus an additional 2 ¼ cent handling fee** to the retailers and redemption centers. This fee is paid by the bottler and distributor **from their own funds**.

These statutory mandates cost **beer distributors alone some \$42 million per year**. The costs are ultimately passed along to consumers in the form of higher prices and are **in addition to the \$1.20 deposit** paid by consumers each time they purchase a case of beer.

The mandated costs per case include the **54 cent handling fee** (2 ¼ cents per container for a 24 container case), and the **direct costs** associated with the **distributors handling, processing and disposing of the empty containers** redeemed from retailers and redemption centers.

Any increase in the handling fee would simply increase the cost of beer to consumers. **There is no compelling reason for an increase in the fee and the resulting increase in the price of beer**. Consumers are not complaining that they do not have enough places to redeem empty beverage containers. **Indeed the vast majority of empty beer containers are redeemed at package stores** at the time the consumer purchases new product.

The additional and substantial costs imposed if the handling fee is increased and if distributors are required to pick up empty containers from redemption centers (which are not customers of the distributors for the sale of its products) **will only raise the price of beer and soft drinks paid by consumers in Massachusetts, and will not cause one additional empty beverage container to be redeemed.** It is patently unfair for consumers to be forced to pay more for their beer with **no public benefit**, especially in these tough economic times, and just after the sales tax was imposed on the sale of beer at package stores.

Massachusetts is already at a **competitive disadvantage** with surrounding, non-bottle law states (most notably New Hampshire) in beer sales **because of the costs associated with the bottle law and now because New Hampshire has no sales tax on beer.** Since the bottle law went into effect in 1983, Massachusetts sales trends have been **flat to down**, while New Hampshire has been trending up. According to the most recent statistics from the Beer Institute in Washington, D.C., **New Hampshire is number two in the nation in beer per capita consumption at 42.9 gallons. Massachusetts is number 45 at 27.7 gallons.** Massachusetts sales have **never returned** to their pre-bottle law levels in the twenty plus years under the bottle law. New Hampshire has **never dropped below** its pre-Massachusetts bottle law levels.

For all of the foregoing reasons, the Beer Distributors of Massachusetts, Inc. strongly urges the Committee to reject the numerous bills which would expand the bottle law, increase the handling fee, and require distributors and bottlers to pick up from redemption centers.

Respectfully submitted,



John F. Stasiowski, President
Beer Distributors of Massachusetts, Inc.
45 School Street, 4th Floor
Boston, MA 02108
617-523-3065

INTRODUCED BY

**CITY OF QUINCY
IN COUNCIL**

ORDER NO. – 2011

December 5, 2011

Upon the request of the Director of Municipal Finance, and with the recommendation of His Honor, the Mayor, the sum of \$35,000.00 is hereby appropriated to Police Dept- Contractual. The same to be transferred from Waterways Improvement Fund.

PASSED TO BE ORDAINED DECEMBER 5, 2011

ATTEST:

CLERK OF COUNCIL

YEAS Coughlin, Finn, Gutro, Keenan, Laforest, McFarland, McNamee, Palmucci, Raymondi

NAYS Coughlin, Finn, Gutro, Keenan, Laforest, McFarland, McNamee, Palmucci Raymondi



Quincy Police Department
1 Sea Street
Quincy, Massachusetts 02169



Lieutenant Robert P. Gillan
Quincy Police Homeland Security (617)-594-4848
rgillan@quincyma.gov

Chief Paul Keenan
617-479-1212

Date: 2 November 2011
To: Chief Keenan
From: Lieutenant Robert Gillan
CC: Captain Dougan
Captain DiBona

SUBJECT: REQUEST FOR AN APPROPRIATION FROM WATERWAYS IMPROVEMENT FUND

Chief Keenan:

I am writing to request permission to submit a proposal to the Mayors Office for an appropriation in the amount of \$35,000.00 from the City's Waterways Improvement Fund.

If approved by yourself, Mayor Koch, and the Quincy City Counsel, the subject appropriation would be used as a maintenance and repair fund for the Quincy Police Marine Unit Vessels.

In addition to waterborne patrol and response, these vessels were used for: Maritime Critical Infrastructure Protection, Citizen Ride-Alongs, Special Marine Events such as Veterans Day and 4th of July Celebrations, and assistance to partner Maritime Homeland Security Agencies.

I have enclosed a detailed listing of proposed expenses for each Marine Unit Vessel.

Your careful consideration of this proposal would be sincerely appreciated.

Very Respectfully


R.P. GILLAN

Marine Unit Budget Summary

Boat	Est. Cost
Guardian	10480
Vigilant	3580
Alert	13755
Protector	7185
Total	35000

ALERT

	Est. Cost	Comments
Maintenance		
Bilge Pump	200	once
Engine Rebuild	9000	once
Bottom paint	150	annually
Decklights	200	once
Ensign	30	annually
External speaker for VHF	100	once
Fuel Filter	200	annually
Boat Hook	75	once
Light for Ring Buoy	200	once
Line for Ring Buoy	25	once
Oil + filter change lower unit	150	for twice a year
Oil + filter change main engine	225	for twice a year
Pontoon pump	100	once
Propeller	200	once
rescue collar	100	once
Searchlight (mounted)	400	once
Spotlight - handheld	100	once
Trailer maintenance	200	annually
Anchors	400	once
Line for anchors	300	once
de-watering pump	900	once
Winter Shrink Wrap	500	
Totals	13755	

GUARDIAN

	Est. Cost	Comments
Maintenance		
Air filters	100	annually
Bottom paint	1200	annually
cleaning and painting supplies	300	annually
Coolant main engine	400	annually
Ensign	30	annually
Fuel filter	200	annually
Fuel Filters (RACORS)	400	for twice per year
Helm oil seal	700	once
Impellers (engine cooling system)	400	once per year
Light bulbs for Nav lights	100	annually
Oil + filter change gear boxes	700	for twice per year
Oil + filter change generator	400	for twice per year
Oil + filter change main engines	1800	for twice per year
paint deck	150	annually
paint sides	200	annually
Replace A/C and generator piping	300	once
Winterizing emergency generator	200	annually
Winterizing heating system	200	annually
Winterizing engines	400	annually
Dewatering Pump	900	
Winter Shrink Wrap	800	
zincs	600	for twice per year
Totals	10480	

PROTECTOR

	Est. Cost for 4
Winter Shrink Wrap	700
Service Engines	3000
Shifting Cables	2000
Cleaning supplies	200
Oil + filter change lower unit	160
Dewatering Pump	900
Oil + filter change main engine	225
Totals	7185

VIGILANT

	Est. Cost	Comments
Maintenance		
battery jump pack	200	once
Bottom paint	200	annually
Change water pumps	400	annual
cleaning and painting supplies	300	annually
Ensign	30	anually
Fuel Filters	200	annually
Oil + filter change lower units	300	for twice a year
Oil + filter change main engines	450	for twice a year
de-watering pump	900	once
Winter Shrik Wap	600	
Totals	3580	

INTRODUCED BY

CITY OF QUINCY
IN COUNCIL

ORDER NO. 2011-

December 5, 2011

Upon the request of The Commissioner of Public Works and with the recommendation of His Honor, the Mayor, the sum of \$248,900.00 is hereby appropriated to Public Works- Capital Expenditures. The same to be charged to the ~~Revenue of Fiscal Year 2012.~~ *SNOW + Ice account.*

PASSED TO BE ORDAINED DECEMBER 5, 2011

ATTEST:

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INTRODUCED BY: Mayor Thomas P. Koch

**CITY OF QUINCY
IN COUNCIL**

ORDER NO: 2011 -

December 5, 2011

ORDERED:

1. Upon the request of Mayor Thomas P. Koch the sum of \$1,601,518.00 is hereby appropriated for the following purposes:

A. Community Preservation Administrative Account	\$80,075
B. Community Preservation Affordable Housing Reserve	\$160,160
C. Community Preservation Historic Preservation Reserve	\$160,160
D. Community Preservation Open Space Reserve	\$160,160
E. Community Preservation Budgetary Reserve Account	\$1,040,963

Same to be transferred from Fiscal Year 2012 Estimated Community Preservation Revenues

2. Upon request of Mayor Koch the sum of \$906,400 is hereby appropriated for the following purpose:

A. Debt Service	\$906,400
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Same to be charged as follows: \$160,160 from the Community Preservation Open Space Account and \$746,240 from the Community Preservation Budgetary Reserve Account.

PASSED TO BE ORDAINED,

ATTEST:

CLERK OF COUNCIL

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