The Commonwealth of Massachusetts
DEPARTMENT OF LABOR AND INDUSTRIES
DIVISION OF OCCUPATIONAL STATISTICS
100 CAMBRIDGE STREET, 11TH FLOOR
BOSTON, MASSACHUSETTS 02202-0003

ROBERT J. PREZIOSO
Director

TEL: (617) 727-3593
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April 8, 1996

Sue Briggs, Town Manager
Town of Williamstown
31 North St.
Williamstown, MA 01267

Re: Metal Disposal and Demolition Disposal; Prevailing Wage

Dear Ms. Briggs:

Thank you for taking the time to speak with me on Friday, April 5, 1996 regarding the prevailing wage requests for metal disposal services and demolition disposal services submitted by you to the Department of Labor and Industries ("DLI"). It has been determined that the requirements of the prevailing wage law, M.G.L. c. 149, §§ 26 - 27F, do not apply to either contract. This decision is based on the following facts:

1. The Town of Williamstown operates a landfill where the residents bring their solid waste. Residents must purchase a permit from the town in order to enter the landfill.

2. Metals and demolition debris are separated from other household solid waste by being deposited into dumpsters provided by a private contractor.

3. The private contractor will be hired by the Town of Williamstown to transport the dumpsters to facilities that accept, and/or recycle, metals and demolition debris

4. Residents will be required to sign a receipt indicating the volume of material deposited each time they bring metals or demolition debris to the landfill.

5. The contractor will bill the town for its services and the town will bill the residents based on the volume of metals or demolition debris deposited by each such resident. No public money will be expended.

Based on the above-mentioned facts, the requirements of the Massachusetts prevailing wage law do not apply to either of the contracts for metal disposal services or demolition disposal services. Please contact me immediately if any of the facts in this case change.

If you have any further questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Robert J. Prezioso

cc: Spencer Demetros, Esq., DLI General Counsel
Paula Niziak, Esq., Office of the Attorney General
Anthony Penski, Esq., Office of the Attorney General