



## ***Operations Committee - Board of Representatives***

Jonathan Jacobson, Chair

John Zelinsky, Jr., Vice Chair

# **Committee Report**

**Date:** Thursday, September 27, 2018

**Time:** 7:00 p.m.

**Place:** Legislative Chambers, 4<sup>th</sup> Floor, Government Center, 888 Washington Boulevard

The Operations Committee met as indicated above. In attendance were Chair Jacobson, Vice Chair Zelinsky and Committee Member Reps. Adams, Coleman, Lee, Mahoney, Sherwood, Spadaccini and Watkins. Also present were Reps. Aquila, de la Cruz, Giordano, Liebson, Lion, Lutz, Matherne, McGarry, McMullen, Miller, Morson, Nabel, , Pis, Pratt, Roqueta and Stella; Mayor Martin, Laura Burwick, Acting Director of Operations; Kathryn Emmett, Corporation Counsel; Thomas Turk, Traffic & Road Maintenance Supervisor, Doug Hoyt, Traffic & Road Maintenance Operations Forman;; Elizabeth Carlson, Special Assistant to the Mayor and approximately 75 members of the public (see the [attached public hearing sign-in sheet](#)).

Chair Jacobson called the meeting to order at 7:13 p.m.

| <b>Item No.</b>            | <b>Description</b>  | <b>Invitee(s) or Designee(s)</b> |
|----------------------------|---|----------------------------------|
| 1. <a href="#">O30.021</a> | ORDINANCE <u>for public hearing and final adoption</u> ; Amending Code §137-27 to add language permitting residents to place leaves at the edge of their property in either loose or bagged form during city-wide leaf pickup.<br>09/04/18 – Submitted by Reps. McMullen, Mahoney and Kolenberg<br><b>09/12/18 – Approved for publication by full Board</b> | Approved 8-1-0                   |

Chair Jacobson opened the public hearing. James Locker spoke in opposition to ending loose leaf pick-up; Lisa Duddy spoke in opposition to ending loose leaf pick-up; Debra Billington read the [attached statement](#) into the record; Carol Romaniello expressed concerns about how people with hedges or walls can put either loose or bagged leaves at the edge of their property; Frank Smeriglio stated that Stamford's MS4 permit does not require bagging; Douglas York, the president of the North Stamford Association, spoke in favor of the proposed ordinance; Mike Papa distributed the [attached materials](#); Terrance McGrath spoke that leaf pick up is a wonderful service; Ellen Goldberg spoke in opposition to ending loose leaf pick-up; Patrick Sasser spoke in favor of the ordinance; Amy Vitale stated that the savings amount is not sufficient to end the loose leaf pick-up; Vincent Pelazza, a landscaper, stated that bagged leaf pick-up would be difficult for his clients; Manuel Pincho, a landscaper, spoke in opposition to ending the loose leaf pick-up; Stephen Basile spoke in support of the City continuing to pick up

leaves at the curb; Alice Carter spoke in favor of continued curbside pickup of leaves; Chris hallowell spoke in opposition to the switch to bagged pick-up; Lynne Garcia spoke in opposition to bagged leaf pick-up; Roy Berardelli spoke in opposition to bagged leaf pick-up; Helen Chagaris spoke in favor of continuing the current leaf pick-up service; Patrick Kramer spoke in favor of continuing the current leaf pick-up service and suggesting saving money through proper management; Jeff Schulz, a landscaper, stated that the expense of pickup up the leaves would be passed on to his customers; Mike McNamara urged keeping the curbside option; Ashley Schultz stated that the Board should focus on environmental issues.

There being no further speakers, Chair Jacobson closed the public hearing at 8:09 p.m.

Committee members and other Board members discussed this item with Mayor Martin, Ms. Emmett, Ms. Burwick and Mr. Turk.

Representatives discussed the proposed ordinance as follows:

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- The ordinance is in the best interests of constituents because some are not able to afford or are physically incapable of bagging leaves
- The City can talk about changing this program over time
- The change to bagging leaves will not save the City money
- Whether the proposed ordinance is enforceable

Ms. Emmett addressed whether the Board is able to impose a financial obligation on the City after the mill rate has been set. She noted that it is within the Mayor's responsibilities to determine how money is to be saved after the \$1.4 million cut which was not tied to a line item. An ordinance contrary to the Mayor's decision may be unenforceable. There are legal opinions from the early 1990's relating to garbage pickup which address this. It is the Mayor's obligation to achieve financial savings. Mayor Martin stated that the trigger has been pulled for this year, so the ordinance would not mean much for this year.

Ms. Burwick stated that the cost for leaf pickup last year (excluding haulaway) was \$323,669; the estimate cost of the bagged leaf program is \$155,190 (excluding haulaway) The estimated savings are \$237,909, which includes haulaway savings.

In response to a question about whether or not this ordinance would require two separate leaf pickups, Mr. Turk explained that if both loose and bagged leaves were to be picked up, the City would throw the leaves and bags into the street and plow them all up together– it would not be possible to use the vacuum trucks for loose leaves and garbage trucks for bags

Representatives went on to note:

- Residents place leaves in the street, not on the curb and a hedge or stone wall at the edge of a property may prevent residents from placing leaves on the curb
- The City has not fined people for failing to comply with the loose leaf pickup requirements
- Residents are not getting the services they are entitled to

The Mayor noted that leaf pickup will begin earlier and end later this year

Representatives discussed the veto procedure. If the Mayor were to veto this ordinance, the Board would not have an opportunity to override the veto until the next regular Board meeting, which would be in November. This would be too late for residents.

Representatives stated that:

- The bagged leaf program provides less than \$2/person in savings
- They do not believe the savings estimates are correct
- This is an expense residents, including many in North Stamford, can't cover
- It is disingenuous to legislate how the Mayor cuts funds, but constituents are opposed to this cut

The Mayor stated that he is unwilling to “kick the can down the road” financially or operationally. The City is already committed to the bagged leaf program for this year. He stated that the \$1.6 million put into contingency by the Board of Finance was not put in to cover the Board of Representatives \$1.4 million budget cut, but to address other contingencies. If the budget had not been cut, the Board of Finance would have still had to put \$1.6 into contingency

Representatives continued to discuss this ordinance:

- It is difficult to deal with bagged leaves if they get wet
- Bagging leaves is environmentally positive
- A great deal of thought has gone into the program
- Bagged leaf programs have merits
- \$250,000 is a decent amount of money to save
- It would have been preferable to have a resolution expressing the concerns of the Board rather than the ordinance

In response to a question, Mr. Turk explained that it is 5 times more efficient to use a garbage truck rather than a dump truck, because of the garbage truck's capacity.

Mayor Martin stated that Trumbull is the only city in Fairfield County that still does citywide loose leaf pickup. He wants these savings regardless of the budget

In response to a question, Mr. Turk explained that the City will pick up leaves in the streets with street sweepers which follow the pick-up crews. This is the same procedure they have used in the past. The current proposal is for two passes of leaf pickups. Leaves that are bagged in plastic will not be picked up, just as plastic bags were not taken in the past.

Ms. Burwick stated that a mailing explaining the process to all residents went out this week and there is information on the City's website.

A motion to approve this ordinance was made, seconded and approved by a vote of 8-1-0 (Reps. Zelinsky, Adams, Coleman, Lee, Mahoney, Sherwood, Spadaccini and Watkins in favor; Rep. Jacobson opposed)

2. [O30.022](#) RESOLUTION ; Sense of the Board Urging and Strongly Asking the Mayor to Not Act on his New Leaf Pickup Proposal for One Year to Help Our Residents. **WITHDRAWN**  
09/07/18 – Submitted by Reps. Zelinsky and Kolenberg  
**09/14/18 – Withdrawn**

3. O30.015      REVIEW; The New Bagged Leaf Pickup Program      Held 5-4-0 until  
Being Proposed By Mayor Martin.      10/1/18  
07/10/18 – Submitted by Reps. Watkins,  
Michelson, Sherwood and Zelinsky  
07/26/18 – Held by Committee 4-1-1  
08/20/18 – Report made and Held by Committee 7-  
1-0

A motion to hold Item No. 3 until Monday, October 1 at 6:00 p.m. was made, seconded and approve by a vote of 5-4-0 (Reps. Adams, Coleman, Mahoney, Sherwood and Spadaccini in favor; Reps. Jacobson, Zelinsky, Lee and Watkins opposed).

Chair Jacobson adjourned the meeting until 6:00 pm October 1, 2018 at 10:31 pm

Respectfully submitted,  
Jonathan Jacobson, Chair

This meeting is on [video](#)