



Public Safety & Health Committee - Board of Representatives

Gloria DePina, Chair

Matthew Quinones, Vice Chair

Committee Report

Date: Wednesday, November 30, 2016

Time: 7:00 p.m.

Place: Democratic Caucus Room, 4th Floor Government Center,
888 Washington Boulevard, Stamford CT

The Public Safety & Health Committee met as indicated above. In attendance were Chair DePina, Vice Chair Quinones and Committee Member Reps. Caterbone, Coppola, Moore and Zelinsky. Absent or excused were Committee Member Reps. Adams, Giraldo and Kolenberg. Also present were Reps. de la Cruz and Jacobson; Ernie Orgera, Director of Operations; Jennifer Calder, Health Director; Michael Toma, Law Department; Mike Papa, and two members of the public (see the [public hearing sign-in sheet](#))

Chair DePina called the meeting to order at 7:06 p.m.

Item No.	Description	Committee Action
1. PS29.068	ORDINANCE <u>for Public Hearing and Final Adoption</u> ; Amending Chapter 164, Noise, Section 164-5, Noise Levels, Concerning Noise Generated by Refuse Collection Activities of the City of Stamford. 08/01/16 – Submitted by Rep. Quinones 08/18/16 – Approved by Committee for publication 09/22/16 – Public Hearing held & Held in Committee 10/19/16 – Approved by Committee for publication, as amended	Approved 5-0-0

Chair DePina opened the public hearing. Ms. MacDonald and Ms. Gross each spoke in opposition to the ordinance, noting that they are awakened by trash collection. There being no other members of the public wishing to speak, Chair DePina closed the public hearing at 7:12 p.m.

In response to questions and concerns expressed by the Committee, Mr. Orgera explained that

- The purpose of this ordinance is to enable the City to start trash and recycling pickup early because it is difficult to work in high traffic areas and while school busses are out
- OSHA has stated that garbage collection is the third most dangerous job in the United States

- The City does not want to collect garbage while children are waiting for the school bus or walking to school or during high traffic times
- There is no money for overtime
- The City collects from parks on weekends
- The City only collects from residences on Sundays and federal holidays in the event of a snow emergency which prevented pickup during the week
- It would not be feasible to start the pick up later
- If a resident complains about noise, the City will reconfigure the route to cause the least disturbance
- The City seeks to minimize back-up by the trucks, and it is generally only done in cul-de-sacs where the truck can't turn around
- Due to workforce cuts, the City has gone from 9 to 6 routes and has time pressure to get the garbage collected
- He knows of no other communities which restrict garbage pick-up to begin at 8:00 am
- Private haulers do not pick up on weekends or federal holidays and also do not collect from residences

Committee members expressed concerns about the inconvenience to residents, but noted that the garbage needed to be picked up and there is a public safety issue created by starting later. It was noted that the noise ordinance is difficult to enforce.

Rep. Zelinsky made a motion to hold this item, which received no second

Rep. Quinones made a motion to amend Paragraph 9 to change the hours to 4 am to 8 pm Monday through Saturday and 10 am to 5 pm on Sundays and Federal and State holidays, which motion was seconded.

Mr. Orgera noted that this amendment might conflict with the labor contract, which says that collection and recycling drivers report to work at 4 a.m.

Mr. Quinones withdrew his motion and the second was withdrawn.

A motion to approve this ordinance for final adoption was made, seconded and approved by a vote of 5-0-0 (Reps. DePina, Quinones, Caterbone, Coppola and Zelinsky in favor).

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| 2. PS29.072 | ORDINANCE <u>for publication</u> ; Establishing Requirements to Assist in Saving Water with Professionally-Installed Irrigation Systems.
10/07/16 – Submitted by Mayor Martin
10/19/16 – Held in Committee | Approved, as amended, 4-1-0 |
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Dr. Calder explained that this ordinance is a response to the current drought and the recognition that some irrigation system providers do not provide shut-off instructions or rain/moisture detection. This ordinance will require shut-off instructions and rain/moisture detection for new systems.

In response to questions from the Committee, Dr. Calder noted that:

- This would be enforced through the civil citation process
- There is no requirement that residents put in moisture shut-offs on existing systems

- Sensors cost from \$40 to \$209

Representatives expressed concern about the provision of automatic approval of the penalty increase. A motion to strike Section 239-4(B) of the draft ordinance was made, second and approved by a vote of 4-0-1 (Reps. Quinones, Caterbone, Coppola and Zelinsky in favor; Rep. DePina abstaining).

Committee members discussed whether to require building permits for irrigation system installations.

A motion to approve this ordinance for publication, as amended, was made, seconded and approved by a vote of 4-1-0 (Reps. DePina, Quinones, Coppola and Zelinsky in favor; Rep. Caterbone opposed).

3. [PS29.073](#) RESOLUTION; Establishing Emergency Water Regulations. **Approved, 3-1-1**
 11/09/16 – Submitted by Mayor Martin

Dr. Calder explained that

- Section 238 of the Code gives the Mayor authority to declare a water emergency upon the recommendation of the Director of Health
- This resolution is based upon Resolution 2739 which was passed on May 2, 2002, which contained drought regulations which have since expired
- These regulations differ in that there are 4 phases and have no expiration date
- This is a pro-active step, in the event the Mayor does declare a water emergency
- The determination of the phase will be made by the Director of Health in conjunction with DPH
- The regulations provide for a termination of the water emergency upon notification by the Director of Health

Committee members discussed whether Aquarion could be regulated under this resolution. Mr. Toma stated that Aquarion is regulated by PURA and the City does not have jurisdiction to regulate Aquarion.

Committee members discussed whether it is fair to homeowners to prohibit them from building pools, rather than simply prohibiting pools from being filled. Rep. de la Cruz noted that testing of the pools or curing of the lining might need to wait until after the drought emergency ended.

A motion to approve this resolution was made, seconded and approved by a vote of 3-1-1 (Reps. DePina, Quinones and Coppola in favor; Rep Zelinsky opposed; and Rep. Caterbone abstaining).

To be considered under a Suspension of the Rules:

No motion to suspend the rules was made, and the following action was not taken up.

4. [PS29.074](#) REVIEW; Grant from Robert Wood Johnson Foundation for Crime Prevention on West Side. **No action taken**
 11/22/16 – Submitted by Mayor Martin

Chair DePina adjourned the meeting at 9:15 p.m.

Respectfully submitted,
Gloria DePina, Chair

This meeting is on [video](#).