



Operations Committee - Board of Representatives

Joseph Coppola, Jr., Chair John Zelinsky, Jr., Vice Chair

Committee Report

Date: Tuesday, June 23, 2015

Time: 7:00 p.m.

Republican Caucus Room, 4th Floor, Government Center, 888

Place: Washington Boulevard

The Operations Committee met as indicated above. In attendance were Chair Coppola, Vice Chair Zelinsky and Committee Member Reps. Adams, Coleman, and McMullen. Absent or excused were Committee Member Reps. Giraldo, Mahoney and Reeder. Also present were Reps. DiCostanzo, Kolenberg and Nabel; Lou Casolo, Engineering Bureau; and Dan Colleluori, Solid Waste & Recycling.

Vice Chair Zelinsky called the meeting to order at 7:00 p.m.

Item No.	Description	Committee Action
1. <u>O29.039</u>	ORDINANCE <u>for publication</u> ; Amending Section 137-2(A) and 137-13 of the Code of Ordinances regarding the Placement and Removal of Refuse and Recyclable Containers from the Street and/or Curb. 05/06/15 – Submitted by Mayor Martin 05/27/15 – Held in Committee	Approved, as amended 3-2-0

Mr. Colleluori stated that he proposed this ordinance is response to complaints he regularly receives from residents asking for a way to get their neighbors to remove their garbage containers from the curb. This was drafted by the Law Department. In response to questions from the Committee Mr. Colleluori stated that:

- The ordinance prohibiting placing items in the street would not apply and the law department said that there is currently no applicable ordinance
- These receptacles are on the curb
- Some residents never remove their bins from the curb
- They spend approximately \$100,000 on toters per year; he will check with the Law Department regarding options for stolen toters

A motion to amend this proposed ordinance to delete the phrase “before the end of the collection day” from §137-2.A.(4) and replace it with “within two (2) days” was made, seconded and approved by a vote 3-1-1 (Reps. Coppola, Zelinsky and Coleman in favor; Rep. McMullen opposed and Rep. Adams abstained).

A motion to amend §137-2 to remove any reference to recycling was made, seconded and failed by a vote of 2-2-1 (Reps. Coleman and McMullen in favor; Reps. Coppola and Zelinsky opposed; Rep. Adams abstaining).

A motion to approve the ordinance for publication, as amended, was made, seconded and approved by a vote of 3-2-0 (Reps. Coppola, Zelinsky and Coleman in favor; Reps. Adams and McMullen opposed).

- ¹2. [O29.037](#) ORDINANCE, for publication; Amendment to Chapter 214, Article II of the Code to require Utility Companies to repair poorly done repaving after Excavation. **Approved, 5-0-0**
05/07/15 – Submitted by Rep. Zelinsky
05/27/15 – Held in Committee

Mr. Casolo stated that at a prior meeting, the Committee requested that the Code be amended to require a 2 year performance bond in connection with street openings. This has been his practice. He asked the Law Department to draft an amendment replacing the 1 year bond requirement with a 2 year bond requirement. In response to questions from the Committee, he noted that:

- The ordinance gives him control over the type of repair which is being done given the scale of the work. He does not feel it is necessary to specify the scale of the repair in the ordinance.
- After the 2 year period, the City would be responsible, although most of the utilities are responsible and would be good neighbors if he called them to come back
- The cost to the utility of a longer bond period would be substantial. 2 years is the norm.

A motion to approve the ordinance for publication, as amended, was made, seconded and approved by a vote of 5-0-0 (Reps. Coppola, Zelinsky, Adams, Coleman and McMullen in favor).

- ²3. [O29.041](#) ORDINANCE, for publication; Amendment to Chapter 214, Article II of the Code of Ordinances, encroachment and excavations of sidewalks. **Approved, as amended 4-0-1**
06/02/15 – Submitted by Rep. Kolenberg

Mr. Kolenberg stated that this ordinance came out of a constituent concern and clarifies the results of a violation. Mr. Coppola stated Mr. Toma told him that the State authorizes the fine to be not more than \$250, although the fine has always been not more than \$90.

A motion to amend proposed Section 214-32.A. to remove the language “not less than twenty-five (\$25.) nor more than” was made, seconded and approved by unanimous vote (Reps. Coppola, Zelinsky, Adams, Coleman and McMullen in favor).

A motion to approve the ordinance for publication, as amended, was made, seconded and approved by a vote of 4-0-1 (Reps. Coppola, Zelinsky, Coleman and McMullen in favor; Rep. Adams abstaining).

¹ Video Time Stamp 00:17:08

² Video Time Stamp 00:31:50

4. O29.042 REVIEW; Drainage on Pine Hill Avenue.
06/01/15 – Submitted by Rep. Coppola

Held

A motion to hold this item was made, seconded and approved by a vote of 5-0-0 (Reps. Coppola, Zelinsky, Adams, Coleman and McMullen in favor).

Vice Chair Zelinsky adjourned the meeting at 7:50 p.m.

Respectfully submitted,

John Zelinsky, Jr., Vice Chair

This meeting is on [video](#).