



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

Joseph Coppola, Jr., Chair

John Zelinsky, Jr., Vice Chair

# **Committee Report**

**Date:** Monday, April 24, 2017

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

**Place:** Democratic Caucus Room, 4<sup>th</sup> Floor, Government Center, 888 Washington Boulevard

The Operations Committee met as indicated above. In attendance were Chair Coppola; Vice Chair Zelinsky; and Committee Member Reps. Adams, Coleman, Jacobson, Liebson, Mahoney and McMullen. Also present were Reps. Di Costanzo, Fedeli, McGarry, Ryan and Summerville; and Michael Handler, Director of Administration.

Chair Coppola called the meeting to order at 7:04 p.m.

Item No.	Description	Committee Action
1. <a href="#">O29.081</a>	ORDINANCE <u>for publication</u> ; Amendment of Chapter 200, Sewers, Section 200-33, Regarding the Responsibility for the Maintenance and Repair of Sewer Laterals within the City Right of Way. 03/08/17 – Submitted by Reps. McMullen, Mahoney, McGarry, Jacobson and de la Cruz	<b>Held 8-0-0</b>

Chair Coppola stated that he would like this item to be reviewed by the Law Department and also to get input from the City before the Committee moves forward with it.

Rep. McMullen explained that he assumed the City was responsible for anything that happened in areas that the City controls in the City right-of-way that affects their lateral. He was told by the Operations Department that this is a small expense for the City. It does not make sense for the resident to be responsible for something that goes on in the City right-of-way.

Mr. Handler stated this is a sweeping change and noted the following questions:

- Often the failure of the lateral is many years after the street was opened
- The residents control what goes through the lateral. Would the resident have to prove that they had maintained the lateral?
- This is shifting the responsibilities to tax payers, although the lateral only serves one home and not all taxpayers have sewers
- If the lateral breaks in the right of way and does damage to the home, the City would be liable

- Would homeowners be willing to wait for City employees to come inspect any damage

Rep. Mahoney stated that the ordinance should exclude taxpayers who do not receive sewer service for paying for this.

Committee members discussed whether the City should be responsible for these costs.

The following items were requested prior to the next meeting:

1. Legal review with special focus on specific concerns and possible solutions to those concerns;
2. Operations Department review with special focus on concerns relating to implementation and possible solutions to those concerns;
3. Confirmation of costs incurred in previous 5-10 years relating to this issue;
4. Confirmation that the taxing mechanism reflects attribution to sewer users and not septic users.

A motion to hold this item was made, seconded and approved by a vote of 8-0-0 (Reps. Coppola, Zelinsky, Adams, Coleman, Jacobson, Liebson, Mahoney and McMullen in favor.)

Chair Coppola adjourned the meeting at 7:40 p.m.

Respectfully submitted,

Joe Coppola, Chair

*Due to technical difficulties, there is no video for this meeting.*