



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

John Zelinsky, Jr., Co-Chair    Joseph Coppola, Jr., Co-Chair

# **Committee Report**

**Date:** Wednesday, February 17, 2010  
**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. Present were Committee Member Reps. Co-Chairman Zelinsky, Adams, Gabriele, Raduazzo, Taylor and White. Absent/excused was Committee Member Rep. Mallozzi. Also present were Clerk of the Board Summerville, resident Claudia Puff, Robin Stein and Erin McKenna of the Land Use Bureau; Keith Crosby of ADPSC; Steve Grasso, President of Sustainable Stamford; and Stamford resident Megan Baroni of Robinson & Cole.

Chair Zelinsky called the meeting to order at 7:10 p.m.

<b>Item No.</b>	<b>Description</b>	<b>Committee Action</b>
1. <a href="#">O28.001</a>	PROPOSED ORDINANCE; <b>for publication</b> ; regarding construction and demolition material recycling.	<b>HELD IN COMMITTEE 6-0-0</b>

Erin McKenna stated:

- This ordinance is about recycling demolition and construction waste and is an initiative of Sustainable Stamford.
- The authors of the ordinance worked so that it is practical and reasonable; they have worked on it for over two years.
- The authors have worked with several construction companies and city staff from Solid Waste, Operations, Engineering and Building Departments.
- Copies of the draft ordinance have been distributed to all local carting companies.
- The ordinance would require recycling of 50% of waste from all demolition and construction projects.

Ms. Baroni, an attorney (and Stamford resident) at Robinson & Cole drafted the ordinance. She stated the ordinance:

- defines the projects that would be covered;
- places the power to administer and enforce the ordinance with the Director of Operations (or his/her designee); and
- captures projects based on a cost formula that is lowered over 18 months. The formula begins by including construction projects that equal or exceed \$250,000; the \$250,000 is reduced over 18 months to \$50,000. For demolition projects, the initial threshold are projects that equal or exceed \$50,000; this amount is reduced over 18 months to \$10,000. (The [attached](#) indicates the number of permits that would have been captured in 2008 under this proposed ordinance.)

Ms. Baroni also stated:

- Contractors would submit a waste management plan indicating how they plan to recycle. At the end of the project, they will submit a compliance plan with receipts/tickets proving they complied with the requirements.
- Variances can be issued by the Director of Operations (or designee) for any reason, but this provision is designed for situations, e.g., where a project results materials with low recyclability (such as contamination of building materials).
- There is a penalty provision for non-compliance of \$.50 per pound on the amount of materials that should have been recycled. In addition, the Director of Operations, at his/her discretion, can withhold a certificate of occupancy and/or suspend or revoke (for up to 1 year) the right of the contractor to pull a permit.

Robin Stein stated that:

- In addition to meeting locally with a number of contractors, they looked at other communities, and 50% is not a particularly onerous number.
- This ordinance was reviewed by the Law Department.
- In response to a question, Mr. Stein confirmed that there will not be a fee associated with this permit and the city will not make any money from this ordinance. Contractors may, however, incur charges from haulers.

In response to concerns from Rep. Adams, Mr. Crosby confirmed that any contaminated materials would not be involved at all in the recycling effort. There are state laws regarding pre-demolition and pre-construction testing for contamination as well as state laws dictating the proper disposal of contaminated materials. This ordinance would only apply to materials that have been determined not to be contaminated.

Recycling of construction materials is already happening by both contractors and haulers. In the two years that Sustainable Stamford has been working on the ordinance, the number of types of recyclers has increased and now includes sheetrock and plaster, roof shingles, ceiling tiles and carpet recyclers.

This ordinance would probably not impact the cost of demolishing a single family home but is intended for larger-scale commercial projects.

Mr. Grasso stated that:

- Sustainable Stamford is looking to the future.
- This type of ordinance will eventually be adopted by the State of CT; if Stamford enacts it, it will put Stamford on the map and enhance its reputation as a leader in sustainability.

Rep. Gabriele stated that contractors are already recycling as it is in their best interest to do so. He added that this ordinance will be a nuisance for them. Mr. Grasso responded that while many contractors are recycling, there are plenty of contractors who are not recycling.

Mr. Stein added that over the 18-month phase-in period, an effort to educate contractors on how to comply and recycle will be undertaken. No fines would be implemented during the 18-month phase-in period.

Rep. White stated that this ordinance will put all contractors on the same level playing field, and as such, he is in favor of it.

Chair Zelinsky stated that this is for publication, not for final adoption.

Clerk Summerville stated that the original ordinance was submitted by Mayor Malloy back in October. She asked that the submitters confirm in writing to the Committee that Mayor Pavia is also submitting this item. Chair Zelinsky noted that President Skigen signed on as a submitter and respectfully disagreed with Clerk Summerville that the ordinance should be submitted again by Mayor Pavia.

A motion to approve the ordinance for publication was made and seconded.

Clerk Summerville noted that this is a very lengthy ordinance that will cost a considerable amount of money to publish. She added that she was hopeful the Committee would not publish the ordinance until everyone had a chance to read it thoroughly and any and all issues had been discussed and worked out. Rep. Adams stated since he had just received the ordinance this evening, he would vote in favor of holding it for one month to allow the committee to discuss it in detail next month. Mr. Stein confirmed that a one-month delay would not be a problem.

The motion to approve the ordinance for publication failed by a vote of 2-4-0 (Reps. Taylor and White in favor; Reps. Zelinsky, Adams, Gabriele and Raduazzo opposed).

A motion to hold the item was made, seconded and approved by a vote of 6-0-0.

2. O28.002      REVIEW; amendment to WPCA ordinance to      **REPORT**  
eliminate \$25 fee for vacant homes.      **MADE**

Rep. Zelinsky read from the most recent WPCA board meeting minutes wherein the Board agreed to eliminate the \$25 fee.

Mr. Zelinsky stated that the term “vacant homes” is not factually correct in that the fee applies to homes with no reported water usage between October and April. The WPCA calculates its fee based on water usage between October and April of each year. The WPCA then bills the same amount twice a year.

The elimination of this fee will not only impact the 400 or so vacant homes in the City of Stamford but also those people who do not occupy their homes during the winter months (i.e., October through April). Reps. White, Adams and Taylor were concerned that this latter group is in essence getting a “free ride” and that as a matter of fairness, the WPCA should reconsider its methodology for billing, especially since the amounts not paid by this group are distributed among the remaining paying users.

**As Secondary Committee**

1. [A28.016](#)      **WPCA**      **NO ACTION**  
Louis Basel (I)      Repl. Chris Maggio      **TAKEN**  
106 Carriage Drive      (*Exp. 1/1/8*)  
Stamford, CT 06902  
Term Expires: 02/01/13

Because the Appointments Committee will not be interviewing Mr. Basel until next week, the Committee opted not to take this item up.

The meeting was adjourned at 8:20 p.m.

Respectfully submitted,

John Zelinsky, Chair