

CITY OF NEWTON

IN BOARD OF ALDERMEN

PUBLIC FACILITIES COMMITTEE REPORT

WEDNESDAY, JULY 9, 2003

Present: Ald. Schnipper (Chairman), Gerst, Linsky, Salvucci, Stewart, Yates, Mansfield and Lappin

City Personnel: Lou Taverna (Director of Utilities) Sandy Pooler (Chief Budget Officer), Robert Rooney (Commissioner of Public Works), Elaine Gentile (Director of Environmental Affairs), Paul Whelan (Utilities Department) and Doug Bartley (Public Works Department)

ITEM RECOMMITTED TO PUBLIC FACILITIES ON 6/16/03

#220-03(2) HIS HONOR THE MAYOR recommending that Department of Public Works fees for sewer back-ups be increased to more accurately reflect the City's cost of providing services. The increased revenue from these fees is to be part of the FY04 revenue estimates prepared by the Chief Budget Officer.

ACTION: **APPROVED 5-3 (Salvucci, Mansfield, Gerst Opposed)**

NOTE: Lou Taverna, Robert Rooney and Sandy Pooler were present for discussion. A spreadsheet reflecting the breakdown of responses to sewer blockages was provided to the Committee (attached). The rationale for increasing fees is to encourage property owners to replace problem lines, discourage people from using the service to just have their lines cleaned and possibly reduce the number of hours crews spend on private blockages.

Ald. Lappin asked if any data regarding whether tree root damage to private sewer lines is caused by city or private trees. Mr. Taverna explained that there is currently no data available. Ald. Lappin asked that the Utilities Division start a database to collect that data and Mr. Taverna agreed. Ald. Stewart feels that it is in the best interest of the City to discontinue providing the service, as it is not fair to have all water/sewer users pay for a limited number of people using the service. Ald. Mansfield feels that this item needs in depth discussion. He feels that the City should continue to provide the sewer blockage service and does not feel the fees should be raised in light of the override. Ald. Linsky voiced his support of raising the fees. Ald. Gerst does not support raising the fees. However, he would support an incremental increase for people who repeatedly call for service. Ald. Lappin stated that the increase in fees does not even cover the actual cost to the City. She is in support of raising the fees.

Ald. Mansfield that it was important for the City to respond to sewer blockages, as it gives the City the opportunity to fix a blockage on the City side. Paul Whelan

stated that the crew fixes the problem whether or not it is on the City side or private side. He also explained that the crew tells the homeowner that the best way to fix the problem is to replace the pipe.

Ald. Salvucci moved denial of the item, which failed to carry by a vote of three in favor (Salvucci, Gerst, Mansfield) and five opposed (Linsky, Stewart, Yates, Schnipper, Lappin). Ald. Lappin moved approval of the item with an amendment to clarify the fee based hours by replacing "normal hours" with Monday through Friday, 7 AM to 11 PM and including 11 PM through 7 AM and weekends and holidays as overtime hours. Ald. Mansfield offered an amendment (attached) to the proposed fees. The amendment failed to carry by a vote of two in favor (Mansfield, Gerst) and six opposed (Linsky, Salvucci, Stewart, Yates, Schnipper, Lappin). The Committee approved Ald. Lappin's motion including the amendment to clarify the hours.

#220-03(3) HIS HONOR THE MAYOR recommending that Sec. 11 of the City of Newton Revised Zoning Ord., 2001 be amended to institute a fee for collection of "white goods".

ACTION: **HELD 8-0**

NOTE: Commissioner Rooney and Sandy Pooler were present for discussion of this item. Ald. Mansfield noticed that the draft Ordinance approved by Public Facilities varied from the draft approved by the Finance Committee. The draft provided to the Public Facilities Committee applied a fee to appliances containing CFCs, HCFCs or Freon only. The draft before the Finance Committee applied a fee for all white goods and it included a white goods definition. Ald. Mansfield felt that the definition was unclear because it did include; stoves, ranges, washers, dryers, water heaters but it did not clearly include microwaves, toaster ovens and barbecue grills. Ald. Mansfield is very concerned that this is the beginning of a movement towards pay as you throw fee system in the City. Sandy Pooler responded that the City in the near future must decide where it is going with trash disposal. This fee is not meant to be a prelude to pay as you throw fee system. It is because of the waste ban and Public Works being proactive towards it. He also explained that the Public Works' budget is based on these fees.

Commissioner Rooney explained that the Law Department inadvertently left out the definition of white goods in the draft ordinance provided to the Public Facilities Committee. The definition included in the current draft is from the State standards for white goods. The Commissioner provided the Committee with the State's law about waste bans that include white goods (attached). He explained that the DEP is enforcing the removal of white goods from waste loads. He feels that the City would be close to negligent not to abide by the DEP's waste ban. Elaine Gentile explained that the way the State law is written it could include microwaves and toaster ovens, while the City's ordinance applies to large

appliances not microwaves and toaster ovens. Ald. Lappin asked if gas grills would be considered a white good. It is Ms. Gentile's recommendation that gas grills be picked up as regular waste for the time being. At some point in time gas grills and toaster items may be included as white goods.

Currently, white goods are separated from regular waste stream after pickup and it is up to the incinerator and Waste Management to remove the white goods. The City just received a letter stating that Waste Management was cited for having several white good items in the trash. There is serious concern that Waste Management will no longer pick up white goods.

Commissioner Rooney explained that many companies that sell appliances would remove old appliance when they deliver new ones. This is an incentive for people to offset paying the disposal costs and thereby saving the City the extra costs of disposal. He feels that the recycling of white goods is the right thing to do from a policy and economic standpoint. A metal recycler will use as much metal as possible from the appliances. The bid for a metal contractor will open tomorrow. The bid includes language that all of the items must be recycled if possible.

Ald. Mansfield felt that when these fees originally came to the Board as part of an overall increase in fees charged by Public Works it was not clear that it was a recycling initiative. If it is a recycling initiative why are we charging citizens to recycle white goods if we do not charge for other recyclables. He would also like to know what the City's policy is if someone dumps a white good in front of a home. Ald. Gerst feels that the City should not take a step in the direction of charging for trash collection. Ald. Stewart and Mansfield felt that it would be helpful to see the contract or a draft for the collection of white goods before voting on the item. Ald. Mansfield would like an outline of how the City currently handles items called out in the DEP waste ban pamphlet. Elaine Gentile explained that the City has an idea of how many white goods will be collected within a year. Therefore, the City is able to estimate the cost to the City for the collection.

Ald. Yates had two questions about the draft language. He feels that under the definition it should say to heat or cool air or water and the language in subsection (d) should be clearer in regards to the distinction between white goods and those containing chlorofluorocarbons, hydrofluorocarbons, Freon or any other similar substance. Ald. Linsky asked what other surrounding communities' policies are regarding white good collection and if there is concern about people dumping white goods. Ms. Gentile provided the Committee with a handout of a white goods fee survey of the surrounding communities. Commissioner Rooney thinks that it is highly unlikely that people will dump white goods on other people's property. He has, however, received numerous calls from residents about people bringing their trash and dumping it in Newton.

The Committee held the item in order to review the contract and receive responses to their questions.

Respectfully submitted,

Sydra Schnipper, Chairman