

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Ken Cohen, Assistant Town Administrator/797-1030

SUBJECT: Resolution

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A CONTRACT AMENDMENT FOR COLLECTION AND DISPOSAL OF SOLID WASTE, BULK WASTE, RECYCLING AND CONSTRUCTION AND DEMOLITION DEBRIS BETWEEN THE TOWN OF DAVIE AND WASTE MANAGEMENT INC. OF FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: Numerous complaints, regarding the new "Bulk Waste" system, have been received over the last 6 months by both town staff and Waste Management personnel. Two resident meetings, several staff meetings with Waste Management and discussions at council meetings took place to determine the best way to resolve the outstanding issues. At the last council meeting, it was decided to amend the Bulk Waste service portion of the contract. The contract amendment and verbatim transcript of the discussion between Waste Management staff and council is attached.

PREVIOUS ACTIONS: Resolution R-2004-219 approving the Waste Services contract.

FISCAL IMPACT: N/A

RECOMMENDATION(S): Motion to approve the Resolution

Attachment(s): Resolution
Amendment Exhibit "A"
Verbatim Transcript Exhibit "B"

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A CONTRACT AMENDMENT FOR COLLECTION AND DISPOSAL OF SOLID WASTE, BULK WASTE, RECYCLING AND CONSTRUCTION AND DEMOLITION DEBRIS BETWEEN THE TOWN OF DAVIE AND WASTE MANAGEMENT INC. OF FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Davie deemed it in the communities best interest to amend the contract for waste services; and

WHEREAS, Waste Management, Inc. of Florida, a Florida corporation, has agreed that an amendment to the contract for the collection and disposal of solid waste, bulk waste, recyclables and construction and demolition debris to the Town of Davie is in the best interest of both Waste Management, Inc. and the community; and

WHEREAS, the Town Council deems it in the best interest of the residents and business operators located within the Town to approve the subject contract amendment; and

WHEREAS, the Town Council wishes to approve the contract amendment as reflected in the "first amendment to solid waste, bulk waste, recycling and construction and demolition debris collection contract", a copy of which is attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. That the first amendment to the contract for Collection and Disposal of Solid Waste, Bulk Waste, Recycling and Construction and Demolition debris, a copy of which is attached hereto as Exhibit "A" is hereby approved.

SECTION 2. The Mayor is authorized to execute same on behalf of the Town of Davie.

SECTION 3. All Ordinances and Resolutions or parts of Ordinances and Resolutions in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Resolution is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Resolution.

SECTION 5. This Resolution shall take effect on August 17, 2005.

PASSED AND ADOPTED THIS DAY OF , 2005

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2005

FIRST AMENDMENT TO SOLID WASTE, BULK WASTE, RECYCLING AND
CONSTRUCTION AND DEMOLITION DEBRIS COLLECTION CONTRACT
BETWEEN
THE TOWN OF DAVIE, FLORIDA
AND
WASTE MANAGEMENT INC. OF FLORIDA

THIS FIRST AMENDMENT, is made and entered into this ____ day of _____, 2005, by and between the TOWN OF DAVIE, FLORIDA, a municipal corporation organized and existing under the laws of Florida ("Town") and WASTE MANAGEMENT, INC. OF FLORIDA, ("Contractor"), a Florida corporation with offices at 2700 NW 48th Street, Pompano Beach, Florida 33073.

WITNESSETH

WHEREAS, the parties entered into that certain Solid Waste, Bulk Waste, Recycling and Construction and Demolition Debris Collection Contract dated October 1, 2004 ("Contract"); and

WHEREAS, the parties desire to amend the Contract by modifying the definition of Bulk Waste and changing the frequency and methodology for Bulk Waste Collection Service, which results in a reduction in the rate for such service; and

WHEREAS, the Town has determined that these modifications are in the best interests of the Town and its residents.

NOW, THEREFORE, in consideration of these premises and the mutual undertakings hereinafter stated, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows (additions are shown by underline; deletions by ~~striketrough~~):

1. Section 2E **Bulk Waste** is modified as follows:

Bulk Waste shall mean any and all non-liquid material which is predominantly noncombustible and therefore, should not be processed in a mass burn resource recovery system or which is not susceptible to normal loading and collection in packer-type sanitation equipment. Bulk Waste includes, but is not limited to furniture and large appliances (with refrigerants properly removed and verified), incidental tires, concrete rubble, mixed roofing materials, noncombustible building debris, lumber, rock, cement, asphalt, tar, gravel and other earthen materials, equipment, wire, cable, ~~tree branches or trunks~~ **capable of being handled with a standard claw truck, with a diameter of more than four inches**, or being in whole or in part of a solid mass, the solid mass portion of which has dimensions such that a sphere with a diameter of eight inches could be

contained within such solid mass portion, and Garbage (to the extent that it is contained as an incidental part of Bulk Waste). Bulk Waste must be generated by the customer for whom the Bulk Waste is collected. Bulk Waste does not include items herein defined as Contractor-Generated Waste, or Exempt Waste. Compacting of Bulk Waste containing refrigerants or other potentially harmful fluids or gases is prohibited.

2. Section 3.1.2.3 **Residential Curbside Bulk Waste Collection Service** is modified as follows:

3.1.2.3 Residential Curbside Bulk Waste Collection Service – The CONTRACTOR shall pick up Bulk Waste, not to exceed ~~6~~ **fifteen (15)** cubic yards per Residential Curbside Service Unit, Town-wide, ~~fifty-two (52)~~ **twelve (12)** times per year on a **Scheduled Collection Day of the week that Residential Curbside Solid Waste Collection Service is provided to the Residential Curbside Service Unit.** If the customer needs additional Bulk Waste Collection in excess of the amount specified above, it will be provided by the CONTRACTOR at the Additional Bulk Waste Collection rate specified in Exhibit 3. The customer shall pay the additional Bulk Waste Collection Charge in advance of the collection and CONTRACTOR shall not be required to provide such service without such prepayment. Additional Residential Curbside Bulk Waste Collection Service set out and collection requirements are contained in Exhibit 10 made a part hereof. Exhibit 10 shall be circulated by the Town to all those customers receiving Residential Curbside Bulk Waste Collection Service.

3. New Exhibit 10 is added as follows:

Exhibit 10

PLEASE READ CAREFULLY.

BULK PICK UP HAS BEEN CHANGED TO ONCE A MONTH

Bulk pickup will now occur **ONCE A MONTH** on one of your scheduled garbage collection days. Waste Management will provide you with a yearly calendar with the dates of your scheduled collection. The week of August 8th is the first monthly pickup.

NEW BULK WASTE REQUIREMENTS:

- **Bulk service will change from 6 cubic yards to 15 cubic yards per residence at no charge. Fifteen cubic yards is approximately the size of a standard car or 15' long by 7' wide by 4' deep.**
- **Tree Limbs and trunks shall not exceed 5' in length or 50lbs in weight.**

- Palm fronds do not need to be cut.
- Up to 15 cubic yards will be collected. Bulk in excess of 15 cubic yards will not be picked up and will result in an additional charge of \$13.00 per cubic yard plus franchise fee: total \$15.54 per/yard.
- Items that cannot be picked up by a claw truck, such as piles of leaves, small piles of twigs, or other loose material, must be placed in plastic bags of sufficient strength that can be safely lifted without breaking and do not weigh more than 40 lbs. Loose items will not be picked up.
- For safety, please place glass items in a disposable box, carton, or crate of sufficient strength that may be lifted while containing its contents. Larger items such as glass tabletops, shower doors or other heavier type glass must be placed separate from the normal bulk for collection. Placing it in with the bulk will subject it to shattering.
- Bulk waste collection is for normal residential activities. Commercial businesses, nurseries, landscapers are prohibited from placing anything out for collection.
- Bulk piles should be placed in a location that facilitates the safe collection with an overhead clam truck. Bulk piles should not be placed under overhead obstacles such as wires, trees, building structures, or near automobiles, mailboxes, and/or other objects that would prohibit the safe collection of bulk material.

SPECIAL TIPS:

- If you don't want to pay for extra service, do not put out more than 15 cubic yards.
- If the pile exceeds this amount, only 15 cubic yards will be picked up and the remainder will be tagged.
- You will have one week to remove the excessive bulk from your swale or it will become a code violation.
- To have the excess tagged items removed and to avoid a code violation, you may:
 - a) Call Waste Management at 954-974-7500, option #3 for a special pickup for \$13.00 per cubic yard plus franchise fee, total (\$15.54)
 - b) You may also use your green roll-out cart to supplement your disposal needs
 - c) Remove tagged items from the swale and put out with the next month's pickup
 - d) Call a landscaping company to remove the remaining waste
- If you wish to have all your bulk waste removed at one time, and you know in advance it is greater than 15 cubic yards, call Waste Management to make arrangements for a special pickup during your scheduled monthly collection. The first 15 cubic yards will be taken at no cost, after that, the \$15.54 rate will apply.
- **REMEMBER: 15 cubic yards refers to the overall dimensions of bulk on your swale.** To make the most out of your allowable amount, stack everything as neatly and closely together as possible. (Air space between items will count towards the 15 cubic yards). For example: A one-cubic yard empty box will count as one full cubic yard. If you flatten the box you will save almost the whole amount.

ITEMS THAT WILL NOT BE TAKEN:

- **Hazardous Waste**
eg: Motor oils, paint, batteries, pesticides
- **Contractor Generated Waste/Landscaping Company Waste**
eg: Construction materials, tree trimmings, and materials as a result of land clearing.
- **Exempt Waste**
eg: Biological sludge, auto or boat parts, machine parts

4. Except as modified herein, the terms and conditions of the Contract shall remain in full force and effect. To the extent of any conflict between the terms of this Amendment and the terms of the Contract, the terms of this Amendment shall control.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their officers thereunto duly authorized or have hereunto set their hands and seals in duplicate as of the day and year first above written.

TOWN OF DAVIE, FLORIDA

By: _____

Attest:

By: _____

Approved as to form:

By: _____

WASTE MANAGEMENT, INC. OF
FLORIDA

By: _____

Its: _____

Attest:

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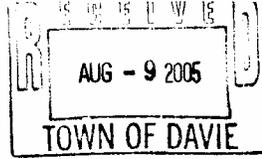


Exhibit "B"

Tony Spadaccia: Essentially, this letter, our response, is to your inquiry regarding the modification of the bulk waste collection services presently provided in our agreement.

In lieu of the current service, Waste Management will provide monthly bulk collection. A 15 cubic yard maximum for each resident would apply for each collection. Bulk material would not be required to be tied or bundled or placed in a cart; although use of the cart for twigs, small branches and clippings is encouraged. In addition, we will waive the definitional requirement that vegetative materials must have a diameter greater than four inches in order to be collected as bulk waste. Accordingly, we will collect as bulk waste those vegetative materials less than four inches in diameter providing the materials set out for collection otherwise complies with the definition of bulk waste set forth in our current agreement now.

In our agreement there are items including but limited to the prohibitions against contractor generated waste material, you'll find that in there at this point, land clearing debris, exempt waste. All bulk waste must be of a nature in size and composition to be able to be collected by a clam truck. We propose to provide a clam truck to pick up these materials, therefore, logs or stumps or branches of lengths and diameters that cannot be safely handled by a standard clam truck, will not be collected. This is essentially the offer of a proposal that we've been asked to respond to that coincides with the original provision of our RFP as an option item that was before you originally to be considered, and we're coming before you with that in reply to your request now.

Council reminded me of the price.

Mayor Truex: Okay

Mr. Spadaccia: There's a reduction in the rate that goes along with the monthly bulk collection rate. It's reduced by 40¢ per month which is the bid price of the RFP.

Mayor Truex: Okay, I'm sure the rest of the Council has some questions; let me start though. Tell me exactly what it is that the "clam shell" truck cannot pick up.

Mr. Spadaccia: Those materials which either are too large, you cannot bring a tree out. It needs to be cut into –

Mayor Truex: Right, but how big would it be. Like if somebody had a tree fall down during a hurricane and you trimmed it.

Mr. Spadaccia: You would have to cut it up in five or six-foot lengths and bring it out to the swale.

Mayor Truex: Okay, but as long as you weren't land clearing you could cut up a tree and take it out to the curb, and you would take that.

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- Mr. Spadaccia: That's correct. Not to exceed the 15 cubic yards in volume. Fifteen cubic yards in volume, by the way, is representative of an area that is probably 15-feet long and seven-feet wide, and probably four-feet in depth. It's probably the size of maybe six or eight large business desks, if you can imagine them lined up with each other, it's a considerable volume. If you see the construction dumpsters that are on construction sites, typically they're 15 or 20 cubic yards of volume in there.
- Mayor Truex: Okay, am I right that what is not being picked up then, would be those items you just talked about like hazardous waste, obviously, would not, would not cover. If it were clearing, and that would really only be clearing if it was above those limits, I guess.
- Mr. Spadaccia: Essentially what it does is void the requirement to put limbs and branches less than four inches in a cart. They would not be required being put in a cart going forward.
- Mayor Truex: Yes, because I think if we do make a change, I think we're going to have to – I would rather define what you don't pick up rather than define what you do pick up and the residents would be assured you're basically going to pick up everything except for these few things; but it sounds like very few items would not be picked up. So –
- Mr. Spadaccia: That's correct.
- Mayor Truex: Okay, can a – now still are private landscapers or yard people would still be permitted to take yard waste the same as they do now?
- Mr. Spadaccia: They are precluded from placing it at the curb for collection. You have a land clearing or you have landscaping or you have professional people coming in doing your work, they're required to take that debris and materials off the property with them.
- Mayor Truex: Okay. Now the regular bulk, chairs and beat up tables and stuff like that would be once a month, the same day, and the residents would know what you would be at a certain –
- Mr. Spadaccia: Yes. We provide a monthly schedule in advance so that you would know exactly when your monthly bulk pickup day was. We would work with staff to provide updated flyers and probational flyers that could be sent out to the residents advising them of the new program and what it entailed and the items that it didn't entail as well.
- Mayor Truex: Okay, now I understand that with this clam shell, because there was some discussion about that at these public hearings, that Waste is responsible for any damage that would be caused – we're not talking about ruffling grass – but if somebody has their lawn damaged from a clam shell, that's Waste's responsibility

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and they will be written where they have some reasonable period of time where they're going to be obliged and they must correct any damage done.

- Mr. Spadaccia: That's correct and as well, we encourage residents as well not to place the bulk around mailboxes, not to place it around trees where they present a safety hazard or present an opportunity for damage to those types of things – our trucks as well as the facilities of the homeowner. There's going to be items such as glass, which we have a tremendous concern about. Glass tables, glass mirrors, or glass items which we would ask to be placed into a rigid container. You can't place a glass table, for example, on top or between a bulk pile for the fear that when it's picked up it will shatter the glass and in fact, go all over the place. But those items we would simply ask to be placed to the side, and if we didn't pick it up with that collection period, our supervisor would come back later that day and pick it up so that he could manage it safely.
- Mayor Truex: Okay, now as far as the former special district that we had in District One –
- Mr. Spadaccia: That's correct -
- Mayor Truex: Am I correct that that is going to remain weekly for that District One, that special district only?
- V-M Hubert: No, no.
- Mayor Truex: No!
- Mr. Spadaccia: It's my understanding was that the choice was to be monthly across the Town.
- Mayor Truex: Okay. Alright, I understand that part then. Okay, that's all my questions for right now. Any other questions?
- C/M Paul: You know – why don't you let me go last.
- Mayor Truex: Okay, why don't we go in order, Ms. Hubert, then down the line.
- V-M Hubert: On the refrigerators, again because I know people are complaining – don't they have to call you first to take the Freon out before you come and pick it up.
- Mr. Spadaccia: Yes, white goods are handled separately, the Freon must be extracted from those in advance of that.
- V-M Hubert: They have to call you first, they take the Freon out, they put a sticker on it –
- Mr. Spadaccia: The City has a vendor that they provide, that they come out and do that
- V-M Hubert: And the door has to be off of it.
- Mr. Spadaccia: The door should be off absolutely.

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Mayor Truex: Is there a charge for that – to do the Freon.

Mr. Spadaccia: Yes

V-M Hubert: But you can't let it go in the air!

Mayor Truex: No, I know.

Mr. Spadaccia: It requires special handling and it's simply a matter of environmental safety that is necessary.

V-M Hubert: I just want to remind people of that too because I see them putting out refrigerators with the doors on – and they can't!

Mr. Spadaccia: Most of the time when people buy new refrigerators, they'll bring the new one and they take the old one away with them for a modest charge or so.

Mayor Truex: Okay, any other questions Ms. Hubert.

V-M Hubert: No that was it, I just wanted to clarify that.

Mayor Truex: Okay, Mr. Crowley.

C/M Crowley: Thank you Mayor. I think we still need some clarification on the size/lengths of branches. I know it's not in writing here, what's the length of a branch you would pick up on a clam shell –

Mr. Spadaccia: No, I'm saying a clam truck, you know it needs to be able to safely pick up these items.

C/M Crowley: Isn't it ten feet now?

C/M Paul: It's ten feet, yeah.

C/M Crowley: I think it was up to ten feet with the weekly, now you're reducing it down, what did he say, four feet.

C/M Paul: Five.

Mr. Spadaccia: Typically, ten feet is. If you're going to be chopping down one of your Australian Pines and it's going to be so huge and heavy, we won't be able to pick it up if it's ten feet and you've got a diameter –

C/M Crowley: Palm fronds are more than five feet!

Mr. Spadaccia: Palm fronds are not a problem. You could put out your 15-foot Palm fronds. That's not any question or debate.

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C/M Crowley: I'd like to see that in writing.

Mr. Spadaccia: Sure.

C/M Crowley: I'd like to see the size of the stump in writing. And also, I know the Mayor addressed the clam shell, you're going to be responsible for the damage of grass or anything like that? And if it's over 15 yards, say 17 yards, 20 yards, what is your plan – to pass it up like you do now.

Mr. Spadaccia: The same conditions and requirements will prevail as it does now, the residents would be required to either take away the balance or part pay for the difference in that yardage. And, we would take it all or we would take, uh, you know, but he has a responsibility.

C/M Crowley: If it's over 15 yards on that month, you would pass it up.

Mr. Spadaccia: That's right.

C/M Crowley: Which I feel –

Mr. Spadaccia: We provide a notice. The resident has to be able to give us an authorization to take the balance of it and pay for it.

C/M Crowley: I don't agree with that, I think you're responsible for 15 yards, I think you should pick it up. And that's what the problem is now.

Mr. Spadaccia: Right – the problem is – how could you ever verify once you pick it up and take it away.

C/M Crowley: The same way you do – you take pictures like you're doing now.

Mr. Spadaccia: Well, it was an item that we agreed upon in our current agreement and we were going to continue to at 15 cubic yards. It's a tremendous amount, I don't think we're going to have a problem with 15 or 16 or 14, again.

C/M Crowley: I dis –

Mayor Truex: That seems pretty reasonable – like if the homeowner mis-estimates, doesn't estimate exactly like you do, you could take away the 15 and that would give them the opportunity to add a couple of cartons to parcel it the next couple of weeks.

Mr. Spadaccia: Well, I suppose just because of better housekeeping, they could manage that initially at the first go-around. Because, unfortunately, what does happen is that we get called that we left something behind. We didn't pick it up, we didn't finish the schedule.

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Mayor Truex: You'd have to tag it or something. That's the only way to do –

Mr. Spadaccia: Well, that's why we tag it initially. We're just trying to educate the residents that it's a volume that exceeds the amount provided for in the agreement, and we'll come and take it all away.

C/M Crowley: Well, you're agreeing to pick up 15 yards –

Mr. Spadaccia: Sure –

C/M Crowley: And I believe, my feeling, that you should pick up 15 yards. If it exceeds 15 –

Mr. Spadaccia: Well, if we get the backing of the Council, we would be happy to do it that way. I mean if you back us on these types of things, and we go out and take that photo and we say we picked up the 15 cubic yards and what's left is overage –

Mayor Truex: Yeah, we'll back you on that –

C/M Crowley: Stated in your contract so it's not really –

Mr. Spadaccia: That's all, otherwise, we're just hanging out there. We don't want to get into the proverbial contest of – you know, just trying to be a fair deal both ways.

Mayor Truex: I think people understand.

C/M Crowley: And I feel you should pick up what you're agreeing to and that should be the 15 yards. That's my feeling on it anyway. And also, somewhere along the line here we have to discuss storm cleanup. I know it's not part of our Waste contract –

C/M Paul: It's on my list.

C/M Crowley: I know we had several situations like Dennis recently where it's a storm cleanup and a lot of houses did exceed the six yard limit, I think it was at the time. So somewhere in way I know it's not Waste's responsibility, I think it should be a joint between the Town and Waste Management.

Mr. Spadaccia: Sure. The City has under contract a debris cleanup contractor professional.

C/M Crowley: If we do it's under certain conditions of Federal emergency –

Mr. Spadaccia: Yeah

C/M Crowley: Or, we have these small storms where a lot of debris is down. I know it exceeds your requirements and –

Mr. Spadaccia: Correct, that's correct, we should make accommodations to provide for that collection because it's going to be over and above the scope of services. But we want to clean it up and take it away – so –

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C/M Crowley: I don't know if tonight is the time to talk about that, but we really need to address that also.

Mayor Truex: Well, I'll ask administration. Can I make a note of that, that we need to talk about that before we –

C/M Paul: Well, if I could just interject – originally

Starkey or Hubert Why don't we talk about it.

C/M Crowley: Well, I think that's all I have for now, but I should be back. Thank you

C/M Paul: Could I just respond to that.

Mayor Truex: Go ahead.

C/M Paul: Because I think originally, one of the reasons that the storm pre-pickup or whatever it was, was it included –

Mr. Cohen: ...hurricane pickup is no longer in effect but we already have this for contract **two** storm pickups that **Risk** will do. They've already done one prior to this, and we do have one left. So, all Council has to do is designate that specific storm.

Mayor Truex: Hum, I don't think people really knew that!

V-M Hubert: Hurricanes haven't got here yet!

Mr. Cohen: I understand that. I'm just saying, you do have storm pickup contractyou do have two storm pickups, one is already used in this contract and there's one remaining.

Mayor Truex: What does that include – storm pickup.

Mr. Cohen: Well, it's a localized event that is specific areas, it would be a town wide event.

C/M Crowley: And how come that didn't go into effect with Dennis.

Mr. Cohen: Well, again – we have one left, we could...

C/M Crowley: So, we go over the two, we still can go out and clean up.

Mr. Spadaccia: Councilmember Crowley, that's two per year. We'll be happy to work out something where we could set up a schedule of rates and services to accommodate that situation to you. So, should an event come through, as it does, but it's not an event where it's a FEMA reimbursed disaster –

C/M Crowley: No, it's a small one.

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- Mr. Spadaccia: But it does present a major problem and it's certainly over and above the scope of services that it's just an event, we need to have some accommodation or arrangement to be able to, in fact, take care of it, pick it up, take it away. And we can pre-post an accommodation to do that.
- C/M Crowley: We really need to negotiate something there.
- Mr. Spadaccia: We can outline some services and rates that you could exercise that option to come in and clean up.
- C/M Crowley: (inaudible) for now...
- Mayor Truex: Ms. Starkey.
- C/M Starkey: I just want to know, first of all we talked about it, when was the first storm event pickup done because I wasn't aware of it. And, what storm was it?
- Mr. Cohen: Actually I don't recall the name. We can get that information for you.
- C/M Starkey: We would want to know – that way we could notify the residents that they have pickup coming on their storm debris. And it would be, I think, important – because I know there was a lot of controversy with some storms we had
- Mr. Cohen: The only time we used this was when we had a recognized tornado that was called in by the County. The County says there was a tornado in our area, we respond to those (in audible) The last storm there was a lot of wind, a lot of stuff coming down, but you have that every year when we have wind storms. These were not the designation of wind storms (in audible) specific events where small portions of our community are very (in audible)
- C/M Starkey: Okay, I happen to know for a fact that the last storm, there was some type of tornado or, um, massive winds that came through 26th Street and knocked down trees.
- Mr. Cohen: Winds. Absolutely, but like I just said – it's when the County recognizes it – the County did not say it was a tornado (in audible)
- C/M Starkey: Yeah – we need to get a handle on these storms and when and who authorizes such a thing because, when the residences have such an isolated area, as when I saw from probably 26th Street all the way out to Hiatus and all the way out to, I guess 148th. And it just kind of cleared right through that area. There were a number of large trees that were taken down within that area – a big swath that went right through, whereas, the rest of the Town remained relatively, you know, clean. Having gone before, during, and after, touring the Town on the storm, you know, like we usually do – you can quite clearly see where those items came down. I know that Bruce saw them too. He pulled in many of them out of the

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road right-of-way in those areas and he did a great job with Public Works getting them out of the way right away.

In that area they were also putting out bags. They would fill up the tree debris with bags for bulk pickup day. I know that these would be tree debris, limbs, grass – and on bulk pickup day, since they do their own lawns or whatever maintenance in their yards, they would put those big yard bags out – and they were passed by. How are we going to address that in this new contract.

Mr. Spadaccia: In your current agreement it was required to be placed in a cart. Should you go to your monthly bulk collection program if you have before you, that requirement has been deleted and they'll be able to put it out in their monthly bulk collection.

Mayor Truex: Only monthly though, don't put it out every week.

Mr. Spadaccia: Yes, that's correct.

C/M Starkey: And it has to be clear that that's the yard debris that goes in these bags.

Mr. Spadaccia: Yes, no garbage.

C/M Starkey: Garbage needs to go in these cans because it's handled differently.

Mr. Spadaccia: Yes.

C/M Starkey: So I want to make sure if you're going to put that in the contract – somehow – some of these items, I think, need to be well defined as I've asked for it in the past. Bullet out, post it on our web site and really a consistent unified message to all the staff, Council, Waste, and the public on a clear concise message and say the same thing. I mean – I had a number of people telling me different things – and then I had residents who have been told different things. I think if we all speak the same, it might help. And I've asked for something that we can bullet out, post on the web site, and line item by line item, what this will exactly be or what it's not. And when it's not, then we need to have staff go out and talk to the resident, tell them what is permitted and what's not permitted and when. It may be that they just did not understand. It's not that they're being difficult, they may not have understood when they were supposed to have put certain items out. I think if we could kind of fix that as well in the communications, that might also help this.

Mr. Spadaccia: Yeah.

C/M Starkey: I've heard a number of suggestions here that seem to work. I'm still skeptical about the size and once a month. I don't know if that's going to be, in some areas, and I know Ms. Hubert, we had a special overlay district there that it was really required because of the number of bulk items.

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- V-M Hubert: And I've talked to people about it. We want to be uniform with the rest of the Town. We will try for once a month. We don't want to be singled out – we want to be uniform.
- Mr. Spadaccia: And you do have the opportunity for second subsequent carts for any supplemental services during the week. There is nothing stopping you from utilizing it as they were intended.
- C/M Starkey: Okay, so we can still purchase the additional carts.
- Mr. Spadaccia: Absolutely.
- C/M Starkey: We can still purchase the additional – up to five carts at \$1.25 a month. And additional recycling bins as well.
- Mr. Spadaccia: All of it's still available.
- V-M Hubert: Well the recycling bins are free.
- Mr. Spadaccia: Recycling bins are free, that's right.
- V-M Hubert: Those are free – you don't pay for them.
- Mayor Truex: Anything else Ms. Starkey.
- C/M Starkey: For now, thank you.
- Mayor Truex: Have we covered everything Ms. Paul.
- C/M Paul: Almost.
- Mayor Truex: Go ahead.
- C/M Paul: First of all, I agree with C/M Crowley – I want everything in writing. I want to make sure everything we cover tonight is specifically written down and included. I don't want any gray areas.
- Mr. Spadaccia: We don't either.
- C/M Paul: Okay. I'll just repeat some of the things and I want to hear a nice loud response. No shaking of heads on the recording.
- You've indicated the clam truck – ten-foot lengths, correct.
- Mr. Spadaccia: 15-foot Palms. Palms are unlimited - I don't have a problem with palms. If you're going to cut down a tree
- C/M Paul: That's next on my list – I was talking about trees.

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Mayor Truex: Palm fronds – you can't put unlimited palm trunks.

Mr. Spadaccia: We're not qualifying lengths of Palms.

C/M Paul: Well that was the next thing.

Mr. Spadaccia: Your Royal Palms that come down, we agreed the last time, we're going to pick those up.

C/M Paul: Alright – so the ten-foot length is only for trees.

Mr. Spadaccia: That's for trees. You know, it's just a matter of the ability to pick them up with the clam shell safely. If they're too long and too heavy, it's a problem.

C/M Paul: Okay.
There is no limit on the length of Palm fronds.

Mr. Spadaccia: That's correct.

C/M Paul: There is no limit on the number of plastic bags.

Mr. Spadaccia: As long as it doesn't exceed your –

C/M Paul: As long as it doesn't exceed the cubic yards.

C/M Crowley: 15

Mayor Truex: And as long as it's not garbage.

C/M Paul: And as long as it's not household garbage.

Mr. Spadaccia: It's not garbage – we need to be able to pick this stuff up and there's a practical side to the bags.

C/M Paul: Yeah – well, we had cases where people were putting pieces that they were throwing out of the garage – which was actually bulk And they were little pieces which they didn't want scattered all over the lawn – they put it in plastic bags. They didn't get picked up because the assumption was made that it was yard waste when it wasn't. So, you know, we're going to be able to use plastic bags as long as it doesn't exceed cubic yards and it's not household waste.

Mayor Truex: Are those items that she just listed – that would be bulk, wouldn't it if someone cleans out the garage.

Mr. Spadaccia: Yes, it would be bulk.

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- C/M Paul: Are you going to only be using a clam truck or are you also be using a back loaded truck.
- Mr. Spadaccia: Probably for the most part a clam truck because I just envision some significant piles that need to be managed with that piece of equipment and not by labor.
- C/M Paul: Okay, my concern was – and I saw that this week – when the backloader truck was coming around. A lot of people put out small items that would be more efficient to be picked up by hand as opposed to being picked up by the clam; and I was wondering how you were going to address that.
- Mr. Spadaccia: How we address that, probably will be a practical matter. If we see areas of the city where, you know, that don't really need a clam truck, we may want to consider replacing it with a ?????? truck with more operating efficiency and better collection abilities.
- C/M Paul: But would you send –
- Mr. Spadaccia: But then we have to get into these length and weight requirements – because now you want us to physically pick up, so we can't physically pick up, you know, a heavy stump and a long tree and –
- C/M Paul: No, that's not what I was saying. The example I was thinking of was – this week on my block people were moving and they were cleaning out the garage and it was just a row of little items. Little boxes with books in them and other little things that really – and you know the guys came and picked it up and it was much more efficient to imagine. And this was Oak Hill where you also have the issue of the larger vegetation too. So my question is - how will you address the items that, if the clam went to pick them up, they would probably just scatter around because they're too small. They would fall through.
- Mr. Spadaccia: If we come across an occasion where there is a problem, our supervisor will identify it and make arrangements to pick it up with something else. But, typically, the efficiency we need and the ability to pick up the bulk items remains with the bulk truck – with the clam truck.
- C/M Paul: Okay, so if the clam truck comes by and they look at ah-
- Mr. Spadaccia: We're not going to be leaving – I don't mean to interrupt you – but, we're not going to be leaving boxes or bags or things behind because they're of a modest amount. We'll be picking them up and they'll be going away with your bulk collection.
- C/M Paul: Well, will the clam truck have the ability to radio and say there's some items here?

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Mr. Spadaccia: The clam truck has a lot of ability with that small stuff. You'd be surprised what a good driver can literally come down and snatch up that bag, pick it up and put it in the truck.

C/M Paul: All right. So my question is – if some items are not picked up, is the resident then going to have to call Waste Management and say, today was our bulk day –

Mr. Spadaccia: No,

C/M Paul: - you passed me by.

Mr. Spadaccia: No, everything will be picked up.

Mayor Truex: It will be specified that everything has to be picked up that day.

Mr. Spadaccia: That's right. We're not going to be leaving. That day is bulk day and that material will be removed.

Mayor Truex: Otherwise it would be a violation. That will be spelled out.

Mr. Spadaccia: If the supervisor needs to come by with his pickup truck and throw it in, if it's of that nature and that small, he could just throw it in the back of his truck and move along.

C/M Paul: Okay, I would like to include that in writing as well.

Mr. Spadaccia: By-the-way, I want to introduce backup I brought along with me tonight. I have to even the playing field.

Mr. Albert: John Albert with Waste Management.

Councilmember Paul, typically what we're going to do here is – we're going to quarter off the city in probably four different districts or areas. Because, one time a month will be in this area one week, that area one week, etcetera. We will have a supervisor on that Monday, drive around that area. Where he sees a big pile, he's going to send the clam truck. More than likely, there's a good chance we're going to use a rear loader for all the other stuff. Because, you don't want every time that truck stops, he has to put out the outriggers, swing the boom, it just takes a longer time. So from an efficiency standpoint, it's going to be routed, we would have a supervisor going ahead knowing what streets the big piles are on so we're not riding that clam shell up and down every street, stopping at every little pile. You're absolutely right. It takes longer to pick that up, if it's a small item. So it's easier just to throw that in the back of the truck

C/M Paul: So then, in writing, you're all going to indicate that both the clam truck and the rear load truck will be available for picking up appropriate bulk as long as it fits within the 15 cubic yard.

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- Mr. Albert: We will pick up –
- Mr. Spadaccia: We will provide you with the necessary equipment to provide you with a clean bulk collection-
- Mr. Albert: Exactly!
- C/M Paul: Am I going too fast?
- Mayor Truex: Yes, somebody better watch the tape again and make sure we don't leave anything out when we – from the Town's part.
- C/M Paul: I agree with Councilmember Crowley – if the truck comes around and the truck driver, in their infinite wisdom, decides that it's over the proper size and that they're going to pass it by, I think that's wrong. I think they need to pick up, and if you need to take a picture, fine. But, and the other issue was, and I know at the beginning when people were not well informed, that you were over charging people for removal of their debris. They were being charged for the entire amount plus a charge to have the truck come out. And that was never in the contract. I want to make sure that people understand that if they're paying for an overage, that it's over what the amount of the pickup is. So, if you have 20 yards out, you're only paying for five, in terms of it being over.
- Mr. Spadaccia: That's correct. There was never anything other than that.
- C/M Paul: Well, that's not what some residents have told me.
- Mr. Spadaccia: Well – it has never been brought to my attention.
- C/M Paul: That they were charged a \$75 charge to have a truck come out and pick it up – and then they were charged for the entire amount of pickup. They did not get a credit on the first six cubic yards. And, you know, I got calls on complaints about the amount of money that was being charged.
- Mr. Spadaccia: The very first I've heard about this.
- Mayor Truex: Well, I've heard it too; but, just on this one point as a follow up – Am I right, what you would do then, you're agreeing, you would like physically tag it so the homeowner knows the reason why. If they left two yards, they'll know why.
- Mr. Spadaccia: That's correct.
- Mayor Truex: And then, cuz –
- Mr. Spadaccia: Because now our agreement says, leave it, the entire amount, make arrangements with the customer for the overage (or the excess amount), and that's all he would pay for.

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Mayor Truex: Because then they'd have to wait a month.

Mr. Spadaccia: If it was 20 yards, then he would pay for that portion that's over the limit. We'll be happy to accommodate; but we have to have the support -\

Mayor Truex: We'll support ya.

C/M Paul: No – you got a majority of Council that wants that done now.

Mayor Truex: As long as you identify somehow with a tag, or however you do it, so the homeowner knows and they're not calling up and say, well the guy just got lazy. And they know it was identified what that was.

Mr. Spadaccia: Again, if we have your support, I look forward to it.

Mayor Truex: We'll support you.

V-M Hubert: Then what would they do, call them to have a truck come out the next day?

Mayor Truex: I think if it's a small amount, they would just parcel it out with their weekly trash.

C/M Paul: Or they would leave it there for a month until the next pickup. That's what I'm concerned about.

V-M Hubert: My neighbor across the street has over 20 yards of trash in front of her house right now for about a month. It's really five extra yards there until the next month's pickup. Shouldn't they have to call –

Mayor Truex: You're not going to be able to do that, and that's a code violation. With this, you're just going to have to – If you have more than what the limit is, if we do it this way, then, if you don't do it, it's going to be a code violation. You can't have people, I mean – we're going to hear from the public; but, we can't have stuff laying out in the streets for two months. That's what we're trying to resolve.

C/M Crowley: Right – and I, we're at the same point – she said 20-something yards, so I guess six yards a week, so in three to four weeks he'd be taking it up anyway.

V-M Hubert: What I'm saying is that they haven't. They haven't picked up any of it is what I'm saying.

C/M Crowley: Should have.

V-M Hubert: She put out over 20 yards. And they haven't picked up six yards each week. It's been out there and she keeps adding to it.

Mayor Truex: Well, that's what we want to get around. That's what we want to change.

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V-M Hubert: But what I'm saying is that if they come out and pick up the 15 yards and they're leaving five yards – does she call the next day and make arrangements for a truck to pick that up separately.

C/M Paul: Right.

V-M Hubert: And pay that \$75 fee that you just said.

C/M Paul: No – there's no \$75 fee. It's \$13 a cubic yard.

Mayor Truex: Or she would have to buy some extra carts, if she has that much, and try to put some of it in the extra carts. If we go with this, that's how that would have to be resolved.

V-M Hubert: I'm not understanding the leftover. They're going to tag and say you have five yards too much, we'll see you next month.

C/M Paul: No.

C/M Crowley: Ask Mr. Spadaccia – see what he says.

V-M Hubert: Okay, but what I'm asking – does the resident call the next day, and make a special pickup and just pay for that fee.

C/M Paul: Right.

V-M Hubert: They pay just for the extra five yards, but they also pay for the truck to come out.

C/M Crowley & Paul: No. That's not in the contract.

C/M Paul: They wanted to specify that there is no charge.

Mr. Cohen: Just a \$13 for a cubic yard going to get involved, obviously we wouldn't know unless Waste Management reported to us and that's what they will have to do – and that's what we'll look at when we sit down and talk about **9:16:21** If they're not picking stuff up if the people don't make that call and decide they want to leave it out there because they want it removed at the end of the month

Now the alternative would be, if they only put 15 yards out and they keep the other 15 yards in the yard, and bring it out next month, they don't have to pay for anything. That would be an option. But if they want to bring it around, they have got to get it all taken care of.

Mayor Truex: Ms. Paul wasn't finished. Go ahead.

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C/M Paul: We talked about special rates and schedules for storm debris. Is it possible to take an area that has a lot of trees, specifically, and make that a special district in relationship to on call for storm debris.

Mr. Spadaccia: I'm not sure I follow you as far as –

Mayor Truex: That might be a legal question.

C/M Paul: It might be a legal question in relation to the contract.

Mr. Spadaccia: Like establish a special storm district or some –

C/M Paul: For instance – you know – with Oak Hill and the amount debris that was there after Dennis. Would the contract allow the residents of that area to make a separate contract with an agency to allow them to pick up storm debris?

Mr. Cohen: When we discussed this, we talked about special districts and, Andre could expand on this, but basically the statement was - since he didn't talk about special districts in the original proposal, we really can't address special districts now. As far as separate contract, I don't know you'd have to ask the Town Attorney.

Mayor Truex: But Ms. Paul, it seems like what we have to do this – I mean, it's not just Oak Hill, there are other areas of the Town that have a lot of trees. So it seems like the better solution is what Mr. Crowley brought up – if there is a storm event, we have to be equipped, some contingency for the whole Town.

C/M Paul: Oh I know that. I was basically going on a request from a resident who asked if that were feasible. We're going to give you an opportunity to speak. There was one other thing that I wanted to ask and then I'm going to hold off further comments because I think if the residents have an opportunity to speak, they may have some ideas because many of them are the ones that have had the concerns and the problem with the bulk pickup. And, hopefully, if you're going to speak, you're going to come up with a suggestion or a possible addition to the list of things that we are asking. We all know that there was a problem, and we know what it was. We had two meetings and Robbins. I don't think we need to reiterate all the horror stories – we have them and I imagine Council has the e-mails and the CRS reports. I have a whole stack of them here in my backup.

The one thing I was going to ask Mr. Spadaccia – When would you start picking up this debris. We've spoken a couple of times and you were asked a few times if you would at least pick it up in good faith, and, you know a lot of people are still waiting. I would venture to guess, in driving around today, I still see some piles that have greater than four-inch logs or branches in them, that should have been picked up but still haven't. And, I know the clam truck was in the neighborhood this week, and again just went up and down the streets and picked and chose what they were picking up. So my question is – when would you actually begin. Depending on what decision we make tonight, when you would begin.

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- Mr. Spadaccia: If you made that decision tonight, we would prepare to start Monday – and I would suggest that we do a Town-wide sweep of everything. Everything that is out there, take it away. Qualified – unqualified – whatever it is, we take it away and we get a fresh start and that's our first monthly bulk pickup.
- Mayor Truex: Just one other thing on that. In all fairness, there's one way to look at it and say they're being selective in what they're picking up, but the other side of that, I know from Waste's standpoint, they're picking up some stuff that they didn't feel like they had to in the contract. So, it is difficult, but I think they have made an effort to – they haven't picked up everything – but they have made an effort to pick up things that certainly they argue they don't have to pick up now. So, I want to say I appreciate that.
- C/M Paul: I'm going to reserve adding anything to the list after we hear from the residents.
- Mayor Truex: We'll go through the Council. Everybody will have a chance up here at this front table before we do anything. Mr. Kovanes, did you want to say something before we review the public.
- Mr. Kovanes: I just have one question for Mr. Spadaccia. With this 15 cubic yards you just described, you get to a residence – will you compact that so that's a true 15 yards. I know if there would be a large branch taken out for this bulk, that could easily, you mentioned this height, but will you make an attempt to compact that so that the removal is a true 15 cubic yards?
- Mr. Spadaccia: We don't have a compactor. The clam truck is not a compactor. We pick up by volume. It's an open volume truck, that's the point. It's non-compacted.
- Mayor Truex: You could cut it somewhat and you'd have to try to space it.
- C/M Paul: But there's a lot of space. If you put your branches out, there's a lot space between the limbs.
- Mr. Spadaccia: It's the homeowner's responsibility. They should cut it. Inaudible.
- C/M Crowley: It does get compacted. I know clam trucks. When you put it in there, you organize it, it packs down. So it is compacted somewhat.
- Mr. Spadaccia: Fifteen yards is very substantial. And we're not talking about picking up compacted yards. We're picking up loose yards, that's the program, that's the agreement, that's what the rates and everything are based on – are loose cubic yards. It's the same as compacting garbage.
- Mayor Truex: If you have a bunch of big open branches, you could cut them up, I guess, and tie them, if you didn't go over that 15 yards.
- Mr. Spadaccia: You have a responsibility to manage your property and make it as efficient as you can. If you need to spend a little bit of time in trimming and cutting as we

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suggest, you know, you may be able to get what could have been 30 yards into that 15 yard pile. But there needs to be some responsibility for managing your property efficiently as well.

Mr. Kovanes: I just brought the point up because I know our Public Works director. I see the employees out in the field often time lower down that front end when the grapple occurs, I guess you could call that – and I know just as a homeowner hauling a Live Oak branch, or just something of a very substantial size, would take up a tremendous amount of space. I just wanted to ask the question.

C/M Paul: Add that too?

Mayor Truex: Okay, let me just get an idea. Raise your hand if you want to speak up. Okay, we have a number of people. You folks in the front row want to speak. Okay, anybody in the second row. Come on up.

PUBLIC COMMENTS

Mayor Truex: Okay, you gonna go back through, Council what do you want to do with this?

V-M Hubert: I want to try it. I think it's a good idea. We do need to put it in again, what day the garbage will go out because we don't want it piled out there for a whole month. I think he's being very generous about doing a clean sweep in picking everything up...

C/M Paul: Everything

V-M Hubert: Everything. The 20 yards across the street from my house, okay. I think we should go with it and I don't think we should have special, now if somebody has...

Mr. Laystrom: No last minute weekend trips

V-M Hubert: Okay, okay, wait, here's a question though

Mayor Truex: This is not amnesty to put anything out and clear your two acre lots

V-M Hubert: Wait do people, do people

C/M Crowley: I can hear the chain saws now.

V-M Hubert: Do people have the option of, say they want to cut down a tree in their yard, like a palm tree, the tree's rotted and they want to cut it down, do they have the option of calling you for a special pick up direct?

Mr. Spadaccia: Anytime at all.

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Mayor Truex: And what's the cost of that? There was some question about that. Do you have to pay, is there a minimum \$75? What's that about?

Mr. Spadaccia: I don't know. I don't know what that is. If a customer, if a resident or anybody requires a special clean up or special project for his own special reason, I mean he can hire us to come in and take it away.

Mayor Truex: And what's it cost.

Mr. Spadaccia: We'll simply negotiate a rate with him and if likes it, we'll do it and if he doesn't then we won't.

Mayor Truex: So what, what would the rate be, does it go by the, how many, the yards?

Mr. Spadaccia: It goes by, it goes by the size of the pile and what's, what's required, he may need a construction dumpster out there as well.

V-M Hubert: Okay, well let's say they cut down a palm tree, a 10 foot palm tree. It got rotted and they cut it down, 'cause it was gonna be bad anyway.

Mr. Spadaccia: You could chop it up and put it on the bulk.

Mayor Truex: Yeah, yeah.

V-M Hubert: Okay, but they have the option of calling you if they want to do that.

Mr. Spadaccia: Yes, that's right. For any reason at all, if it's at any time of the week at all, if they want an additional service, they're, we're happy to come out an price if for them.

V-M Hubert: I think we should go forward with this.

Mayor Truex: Okay, Mr. Crowley?

C/M Crowley: Thank you Mayor. Just a couple additional questions. I think at a later date, we're gonna talk about the additional storm clean ups, maybe come back with, Mr. Kovanes, maybe come back with a report and see how we can address the additional clean ups outside of the contract itself.

Mr. Spadaccia: Maybe we could talk about equipment, and schedules, and rates, protocol to initiate, initiate that cleanup.

C/M Crowley: So you gonna meet with staff, and once again, I think we need to get everything in writing, we don't have anything in writing right now and all the comments that we made need to be addressed.

Mr. Spadaccia: I think we have in writing but we need to be clear on what it is...

C/M Crowley: Much clearer

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- Mr. Spadaccia: ...so we'll reiterate and we'll all be on the same page.
- C/M Crowley: Right. And also with the once a week bulk pick up, with that system, a lot of people purchased a lot of additional carts. Are you willing to, can they hand them back in and get credit for them? Based on the one week
- Mr. Spadaccia: I assume they, they're using them for garbage, they had the weekly bulk so it's just a matter of
- C/M Crowley: Right, they might not need them now if they're going to once a month with the new system, they might have 4 or 5 carts now to accommodate the weekly bulk pickup.
- Mr. Spadaccia: We'll give them a one time amnesty and give them their refund back.
- Mayor Truex: What's the, what's the usual rule with that if you have, like say you had 2 carts for a couple of years and you didn't need them...
- Mr. Spadaccia: It's per our contract, if you order a second cart, there is no refund. You know, you're allowed to turn the cart back in. It's an annual cost that's prorated from when you order. A dollar and a quarter per month, so if you had 2 months left on the year, it's \$2.50, you simply pay in advance.
- Mayor Truex: Oh, okay,
- C/M Crowley: Well, it does take up a lot of space.
- Mr. Spadaccia: Per the agreement, it's non-refundable
- Mayor Truex: You're only out a buck or 2 a month.
- Mr. Spadaccia: Exactly, you can cancel it at the end of the term.
- C/M Crowley: But it does, takes up a lot of space, a lot of residents have 4 or 5 and it just takes up a lot of space.
- Mr. Spadaccia: The agreement provides for that procedure now.
- Mayor Truex: Okay, we got, so you say there would be a one-time amnesty you could turn in your additional carts.
- Mr. Spadaccia: ...I'm voiding the contract by saying that but I will stick with that if that's a concern, let's give a period time, if it's a one week deal or something, you know there's got to be a specific time Councilmember (inaudible)

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C/M Crowley: If any, I'm not saying anybody's even gonna do that, but I'm assuming that they might have some extra carts going on to the once a month but how are we gonna handle the additional language. This will be back in front of us? Or...

C/M Paul: Yes

Mr. Cohen: This will be back in front. What we'll do is we'll make it in form of a resolution, ordinance, (inaudible) original contract, we'll do an ordinance, we'll get (inaudible) Waste Management, (inaudible) it back for the next meeting. We'll have 2 hearings.

Question from the audience: When are they gonna pick up the trash?

C/M Paul: Next week, he promised. He's still gonna...

C/M Crowley: Still gonna do that.

C/M Paul: ...still gonna pick it up.

Mr. Spadaccia: We're a team, we're a team.

Mr. Laystrom: Starting next Monday.

C/M Crowley: And also with the penalty, there's some provisions in there with penalties like what we've talked about earlier with a couple of the residents

Mr. Cohen: The penalties wouldn't change, they'd still, I mean obviously now it's monthly, larger, cubic yard that they can put out there but it would be the same guidelines as under the existing contract. We get a call, we go out and we feel it's valid, they will be cited

Mr. Spadaccia: We're responding to each and every one of those in writing.

C/M Crowley: And termination is, one of the penalties is termination, right?

Mr. Cohen: That is one of the penalties, yes, breach of contract

C/M Crowley: I'm glad we can resolve this. Hopefully, we can resolve it tonight. I have no objection to going once a month as long as we get it written and Waste continues to keep their word and clean up the, the Town.

Mayor Truex: Anything else?

C/M Crowley: That's all.

Mayor Truex: Mrs. Starkey?

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- C/M Starkey: I agree with a lot of the things that have been said tonight. The thing I was concerned about is, you know, also with, you know, we're talking about, it goes the other way and I'm concerned about some of the residents now having Code violations going out right away and being cited. Is there a time, a point in time where we can start talking with them on an individual basis and not fining them right away so that they get use to the new program by somebody actually going out there and telling them that, you know, this isn't how we handle this particular, you know, bulk, you have too much, you have too little, or your putting it out too soon, instead of holding them in Code violations when these things occur. I mean, I know we want them to clean it up and we want the Town to be clean, that was the whole purpose, but is there a way we can work with them by actually going out an explaining it a little better to them and not fining them?
- Mr. Cohen: First, I don't think there'll be an issue initially because Waste Management is going to pick everything up that's out there so that'll clean up the streets initially. Had we had this discussion at the last Council meeting, we have put together an information sheet, which obviously now will have to be modified but we'll be forwarding that to Council for their review and approval. You sign off on it and that'll be the information that will go in the (inaudible) updates. We do, the administrator has put together a good enforcement program that we're gonna be using that all of these people on the enforcement team will have these information pieces, if anybody looks like they're having a problem, they go ahead and make sure to give you the new information with the phone number that they can call to go ahead and ask any questions. That's how we'll (inaudible) to give the information out.
- C/M Starkey: Right, because I know with this clean sweep of going through, which is wonderful, they may get a mixed message, many of the people who haven't been a part of this and then all of a sudden everything's cleaned and gone, and they're gonna say, "oh, good, they've resolved the new contract," they read a brief in the paper about how it's been resolved and they assume that they can put it out all the time and then we're gonna have an issue again.
- Mr. Cohen: Right.
- C/M Starkey: So, I was hoping that, you know, if in the event we can start working with those residents who don't completely understand it when it goes out and not just fining them right away.
- Mr. Cohen: We imagine that in the first 30 days of the new program, we are going to have those issues. We will not be fining anybody, we will be warning people and giving out all the information so that they know exactly what the status is and it gets picked up the following month, it will be 60 days before we will be (inaudible) and even then, initially it will be warnings, explain the situation, they have an opportunity to rectify it before any fines or Code Enforcement (inaudible).

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- C/M Starkey: Okay, and then also, I like the idea of trying to come up with an area where we can all drop off bulk in between times or taking loads to a, an area in case there's a lot of tree trimmings that are done by, you know, residents who have multiple, you know 20 or 30 trees sometimes on their property and they're trying to, you know, get ready for the storm season, they're trimming them off, there needs to be a place where they can, you know, drop something like this off for a small nominal fee in the area.
- Mr. Cohen: We do have some suggestions we'll be discussing with Waste Management...
- C/M Starkey: County, whatever
- Mr. Cohen: ...we'll also bring that back to you all
- C/M Starkey: I mean, that, those are kind of things that I think are important for some folks who have a large number of trees on their properties, a place to take it.
- Mr. Cohen: We agree. We'll couple that into our storm, how we want to handle storm debris and like I say, we'll be bringing that to you all (inaudible).
- Mayor Truex: Okay.
- C/M Starkey: All right and I thank Waste Management for working with the Town. I know it's been a little difficult for all of us but I think the end result is that the residents and everyone is gonna work together trying to resolve it. I think this is a good step.
- Mayor Truex: Okay, Mrs. Paul?
- C/M Paul: I'm gonna reserve my, my comment on whether it's a good step until after we see how it works. I know that this was an issue that I asked, you know, for support of when we were initially looking at the contract, so it's hard to tell whether this is going to solve the problem. Hopefully, it will. Most of the residents that I've spoken to with the exception of 1 gentlemen tonight and 1 or 2 e-mails that I've received out of maybe 30 or 40, that said that once a month wasn't enough but the majority of the people seem to feel that 15, although I tried to squeeze a few more cubic yards out of, I wanted to go to 18, but their original number was 12 and they compromised and went to 15. I hope this will solve the problem. I'm anxious, you know, to make sure and I've very carefully taken my notes too and we'll make sure that everything is included in writing. But, hopefully, we can move forward and get the neighborhoods cleaned up and you know, I'm just so tired of being on garbage patrol. I mean the amount of time that I have spent driving up and down the streets, talking to residents and taking pictures and trying to get this settled and that solved, and this picked up and that not picked up. It was an inordinate amount of time on everybody's part, time that could have been spent on so many more valuable things and hopefully this will put this to rest.
- Mayor Truex: Okay.

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C/M Paul: I would like to say in addition to the idea that Mr. Joseph had about a transfer station, you know, a drop off center, I've had a number of people speak to me about the mulching center, I think they do it in Plantation and some other towns and that was where, you know, people could drop off waste, it is mulched and then it's bagged, people could bring bags, pick it up and then use it, you know, in their, on their yards and I think that that's, in the communities where it has worked, it's worked very well. With the amount of vegetation that we generate in this Town, that, that might be something that we might want to look into as well, at a future date.

Mayor Truex: Okay, anything else Mr. Kovanes you want to add?

Mr. Kovanes: No.

Mayor Truex: Okay, so is there anything else that we need to do tonight? I think we're

Mr. Kovanes: No, I'm sorry, we'll go back to the tape, make sure the language is very specific, bring it back. This will be amendment to a franchise so it'll be a 2 reading just as the first initial franchise was issued. Do that immediately.

Mayor Truex: Okay, Mr., anybody from Waste, that you want to add?

Mr. Laystrom: We just, we'll start the pickup on Monday.

C/M Paul: Hallelujah.

Mayor Truex: Okay, thank you.

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