

March 23, 2016

The Special Meeting of Lansdale Borough Council was held on Wednesday, March 23, 2016 at Lansdale Municipal Complex, One Vine Street, Lansdale, PA and called to order at 7:05 pm by Council President Denton Burnell.

**ROLL CALL:**

- (X) Councilman Angelichio
- (X) President Burnell
- (X) Councilwoman Hawkins Charlton
- (X) Councilman DiGregorio
- (X) Vice President Fuller
- (X) Councilman Hansen
- (X) Councilman Malagari
- (X) Councilman Van Dame
- ( ) Councilman Work - absent
- (X) Mayor Szekely

**Borough Representatives:**

Borough Manager, Jake Ziegler  
Finance Director, Brian Shapiro  
Dir. Comm. Development, John Ernst  
Parks & Rec. Director, Carl Saldutti  
Electric Superintendent, Andy Krauss  
Public Works, Rick DeLong  
WWTP Superintendent, Dan Shinskie

Borough Solicitor, Sean Kilkenny  
Borough Engineer, Chris Fazio  
Police Chief, Bob McDyre  
Library Director, not present  
IT/GIS Coordinator, Bryan Poster  
Cust. Svc/Records Mgr., Pat Chapman

**Residents:**

**President Burnell** – This is an information meeting only and no action will be taken this evening. We want to show you some options and hear your opinions. Public comment will be restricted tonight to Borough residents only.

**Councilman Van Dame** – About four years ago a survey was sent out to residents and about a year ago we formed a small committee including myself, Councilman Angelichio, several members of Borough staff and our professionals to look into residential trash and recycling in the Borough. Part of our job as Council is to maintain and preserve infrastructure of our roads and that does not mean just paving roads. Trash trucks have been identified as one of the big items that causes wear and tear on our roads.

**Agenda Item #4 – Presentation:** Trash Hauling in the Borough, presented by Chris Fazio of Remington, Vernick & Beach and Natasha Taylor-Smith from Kilkenny Law Offices.

1. **Mr. Fazio** - Currently residents select their own their trash and recycling collectors. If you have ten different residences on any given street, then you potentially can have ten trash trucks on that street.
2. **Ms. Taylor-Smith** - There are three legislative authorities that will be outlined tonight.

- a) The Solid Waste Management Act establishes and maintains a state and local program for planning, technical and financial assistance for comprehensive solid waste management. It does so in an effort to protect the public health, safety and welfare of the residents of the Commonwealth. This is a state law that provides parameters for counties and municipalities when it comes to municipal waste collecting, hauling and disposal.
  - b) Municipal Waste Planning, Recycling and Waste Reduction Act provides that each municipality has the power and the duty to ensure the proper and adequate transportation, collection and storage of municipal waste that is generated and/or stored within its boundaries.
  - c) The Pennsylvania Borough Code basically grants the authority to the Borough to provide trash collection to its residents.
3. **Mr. Fazio** – There are three options for the Borough and they are as follows:
- 1) Single Hauler – A bid goes out and is awarded and then that single hauler provides trash pick-up for the entire Borough under one contract that the Borough holds.
  - 2) Borough Owned Trash Hauling – This one is similar to the first option but the Borough owns its own trucks and is responsible for picking up and disposing of the trash and recycling. There would be several employees and the Borough would collect trash through their own means.
  - 3) Leave the system the way it is and residents are responsible for their own trash hauler.
4. There are over 7,200 residential units and 1,000 commercial units within the Borough. If you go with Option #1 then there would be a three year contract and the price would stay the same for three years.
5. Both Remington and Mr. Kilkenny's office are aware of several contracts within the County and they both have a good feel of what the costs would be for a three year contract with several add-on years and there is consistency with those numbers.
6. The Borough does have the equipment to pick up white goods.
7. People may not realize that they currently pay a tipping fee which is the fee that it costs to dump your waste. The tipping fee for the Borough is just a little over \$500,000 per year.
8. **Option #1 Pros**
- a) Single contract for collection is cheaper than residents contracting individual haulers and the Borough does not have to buy its own trucks or hire additional personnel. All tipping fees and other fees are included in that price and they provide trash and recycling totes.
  - b) There would be a direct customer service hotline.
  - c) It will alleviate congestion and traffic on residential streets as well as noise.
  - d) The route and time of pick-up are controlled and emissions are also reduced.
- Option #1 Cons**
- a) This is a different way of doing things and there is a dedicated way to collect trash with very specific times that trash can be put out.

- b) There is expense to do this including putting a contract out to bid, reviewing the bids and awarding the bid; there is a cost for professional fees to do that.

**9. Option #2 Pros**

- a) There is a sense a pride in owning Borough trucks and creating jobs which adds diversity of services. The Borough collects the trash and ultimately has control over the collection.
- b) No bidding for services is necessary so money is saved on professional fees.
- c) Borough will provide trash and recycling totes.
- d) This option is cheaper than residential collection/Option #3 and is the cheapest of all the options for the residents.
- e) Direct customer service hotline.
- f) It will alleviate congestion and traffic on your streets as well as noise

**Option #2 Cons**

- a) Cost of buying trucks and totes.
- b) Additional cost of training and maintenance.
- c) Administrative and clerical work for Borough staff.
- d) Hire seven new employees, but this can also be considered a pro.
- e) Need for a facility to house the equipment and staff. The Borough has the land available, but no facility so that will have to be built.

**10. Option #3 Pros**

- a) It is the current collection system, if it isn't broke don't fix it.
- b) The ability to use the company of your choice and does not create any costs to the Borough.

**Option #3 Cons**

- a) Highest cost of all the options.
- b) Customers responsible for their own totes.
- c) No customer service hotline.
- d) There are numerous trash companies who collect in the Borough so it is more wear and tear on the roads and higher emissions.

11. The quality of service and life with Option #1 or Option #2 reduces the traffic and wear and tear on the roads which then reduces maintenance costs. The days and times of trash collection are controlled as well as reducing noise.

**12. Time frame**

- a) Option #1 – Three to four months to implement from creating the bid, advertising and awarding the bid.
- b) Option #2 – Twelve to eighteen months to build the facility to house the trucks, buy the trucks, hire the staff, write job descriptions and organize them.
- c) Option #3 – Maintain trash collection as it is.

**13. Legal Steps**

- a) Option #1 – Prepare a bid package and advertise in a newspaper of local circulation. Opening and closing dates of the bid and then awarding to the lowest responsible contractor at a public meeting. Create a contract and then monitoring of the services.

- b) Option #2 – Purchase trucks and build a facility which requires vendors and contractors. Personnel hired and personnel issues need to managed.
  - c) Option #3 – Requires nothing since there is no change.
- 14. Costs to residents**
- a) Option #3 – When the survey was done four years ago the average cost to a resident was \$21.00 to \$30.00 per month with some saying a little lower and some saying a little higher.
  - b) Option #1 - \$23.00 per month for a resident.
  - c) Option #2 - \$20.00 per month for a resident.
- See the chart at the end of the minutes for a full breakdown.*

**Council Comments:**

**Councilman Hansen** – The numbers seem pretty comparable for each option. Do these numbers include bulk pick-up? How many days a week for collection per household?

**Mr. Fazio** – Bulk pick-up is included. DEP mandates you provide trash, recycling, yard waste, bulk items and Christmas tree pick-up to be compliant with the State. Once per week for Option #1 and Option #2.

**Councilman Malagari** – In Option #3 you stated that trash and recycling totes are not provided by individual companies. In the past they weren't always provided by the hauler but he believes all companies do provide them now.

**Mayor Szekely** – In Option #3 you stated there are not customer service hotlines. If I have problems with my pick-up I call my hauler and they take care of the problem and have always been very accommodating.

**Councilwoman Hawkins Charlton** – How many times a week is pick-up based on the costs shown? This is just residential? No businesses included, but maybe at some point?

**Mr. Fazio** – The costs are based on once a week pick-up. It is a blend depending on how you want the contract to be. Commercial is defined as two or more units so it depends on how you want the contract written. We included that in the presentation to show a more conservative number.

**Councilwoman Hawkins Charlton** – So duplexes, business, etc. would be included?

**Mr. Fazio** – Yes.

**Councilman DiGregorio** – With Option #1 my fear is if residents have problems with the contractor like trash thrown on lawns or they are not happy with the service how would we fix that problem? I don't know if other Townships or Boroughs have a problem if they form a committee or a designated person to deal with the customers to have a more personal service.

**Mr. Fazio** – The Borough would have a designated person to deal with complaints who would then work with the third party liaison to the contractor and then the

Borough designee would contact the resident back in regard to their complaint so the resident would speak to a Borough representative. This is the best way to do it so we can keep an internal record of the issues, if there are any.

**Councilman DiGregorio** – Would it be a yearly contract for Option #1?

**Mr. Fazio** – It would be a three-year contract with option years. If you are happy with the service, you can extend it up to two or three years. It is the option of the Borough how to do the contract.

**Councilman Hansen** – If we did Option #2 would we have a transfer station in the Borough or would we take the waste to another transfer station to then be disposed of? The building you mentioned would be a maintenance building?

**Mr. Fazio** – I would anticipate you would take it to another station. There are regional stations that will take it just like your current hauler does now. Yes, it is a maintenance building. You can outfit it to include a compost for tree trimmings and such for residents, but you don't have to. It is dedicated for maintenance and housing of trash trucks.

**Vice President Fuller** – The billing for Options #1 and #2, that would come through the Borough? Would it be a separate bill or attached to another bill?

**Mr. Shapiro** – There are two options. One is in-house which the Borough would provide the bills and collect the fees much like the electric/sewer bills or we can add the fee to the tax bill and collect for the entire year at one time. There is a better collection rate by adding it to the tax bill and other municipalities do it that way.

**Vice President Fuller** – If I have an issue with my trash collector, say that trash wasn't picked up, they would come out later that week to get it or I would insist on a refund. Is there a refund option for Option #1 if people aren't getting their trash picked-up?

**Mr. Fazio** – With Option #1 we would contact the hotline and they would have to come out and get the trash. With Option #2 they are Borough employees so they would do what you tell them to do.

**Councilman Van Dame** – If we have a single hauler then they are picking up trash at every house on the block not just a couple of houses on the block so they are less likely to miss a house.

**Vice President Fuller** – There are issues with weather and other things. Just thinking if there are contingencies in place. Commercial pick-up, what happens to the big dumpsters?

**Mr. Fazio** – In the contract you make a definition of what a commercial unit is. If you have four apartments in a large complex you can write the contract that residential is under four units. We can write the contract to be whatever the Borough wants it to be.

**President Burnell** – If I am adding this to my tax bill I am losing my flexibility as some people produce more or less trash than others. If we go to the tax bill route we can't give discounts for those who use less. If we bill in-house we have the flexibility to make changes as needed.

**Mayor Szekely** – Requested a further breakdown of the numbers shown on the last page of the presentation at some point.

**Councilman Malagari** – Will or can any money come back to the Borough if we go with Option #2 to assist with paving of roads and maintenance?

**Ms. Taylor-Smith** – The Borough won't be able to make a profit from trash hauling, but if wear and tear on the roads happens due in part to trash trucks then yes, some of those funds can be used to fix/maintain roads.

**Councilman Malagari** – If we choose not to do anything and go with Option #3 is there an ability to impose an impact fee to assist in those road repairs from the private trash contractors?

**Ms. Taylor-Smith** – That question is less clear and there is competing case law in regard to something like this. The Superior Court has said no, a fee can't be imposed but there may be ways around that. This is not a clear option.

**Councilman Angelichio** – We shouldn't forget that if we could assess a fee that fee would be passed onto the consumer by their trash hauler. They are in the business to make money and will price accordingly. There are a lot of questions. Do you have a pricing scale for those that use less or more trash? Other municipalities do that. These numbers are not hard and fast, but the numbers that are impact the roads. These are heavy, heavy trucks and they wear down the roads. If we can extend the life of our roads that is a good thing. What is the average life of a residential road? It is not a perfect plan and we have a long way to go. Residents, voice your concerns and support tonight.

#### Agenda Item #5 – Resident Comments

**Robert Willi**, 711 W. Fourth Street – He is more in favor with Option #2. Growing up he had municipal owned trash collection and it was better service than what he has now. With purchasing these trucks, you can use them to plow the streets too and may not need an independent contractor for snow plowing.

**Councilman Angelichio** – To piggyback on that, we could limit parking on collection day and have the street sweeper run through after the trash is picked up. Ambler does that now.

**Tom McGinnis**, 727 Derstine Avenue – He's concerned about the size of the container that would be provided. We own adjacent properties so we only have one trash service since our homes are next door to one another. Would it be required that each property have its own trash service? Are large items taken into consideration like refrigerators, etc? He is in favor of the Borough doing the trash but would like to keep the flexibility of having bulk trash picked up as often as needed.

**Mr. Fazio** – Yes, each property would have their own trash service and will be charged as such. Yes, both in Option #1 and Option #2 large bulk items would be picked up per contract or Borough policy.

**Robert Dunham**, 915 Walnut Street – In the past two weeks he has been woken up at 5:40am because of trash trucks. It would be nice to have that stop. He thinks it is a bit optimistic when it comes to the figures for the roads. Most of the major roads in the Borough are State roads and you can't do a thing about that. The damage he sees in his alley is from the trucks stopping, not going through the alley. The stopping and starting of a truck is what digs into the alley.

**Resident** (no name or address given) – Her family produces very little trash and they don't even put out a bag once a week. They pay per bag for pick-up. Likes Option #2 but is concerned about the cost to her and is concerned about the cost of maintaining trucks and have to buy new trucks in a few years since those trucks won't last 50 years.

**Mr. Fazio** – The maintenance and cost of turning over new trucks on a rotating basis is factored into the cost shown on the slide.

**Councilwoman Hawkins Charlton** – What about replacing a truck in fifteen years. Would that come from the cost?

**Mr. Fazio** – About \$3 per month of cost is for that initial outlay. The \$2.5 million is for the initial start-up and eventually that cost goes away but you wouldn't lower the cost. You keep it the same and then you begin the process again of cycling out trucks after five years. If you keep the trucks in good condition the resale value is higher, then you purchase new trucks and keep that rotation going to keep the maintenance costs down.

**Abram Moyer**, 921 Delaware Avenue – He pays his for his trash per year. How will you transition one method of payment to another? What if you make the change in six months and he is paid until the end of December 2016? How will he be reimbursed for what he has already paid?

**Mr. Fazio** – The cornerstone is education to the residents. We would give you the opportunity to break the contract or finish out your current contract before you would receive single hauler or Borough owned trash pick-up.

**Richard Strahm**, 600 Columbia Avenue – He sees six trucks, six days a week going down his alley and before 6:00am. The weight of these trucks on a consistent basis them coming down the alley and street puts a lot of wear and tear on them particularly when the alleys thaw or it rains a lot. That is when you get the big ruts. He likes Option #1 and thinks we can get good service as long as the contract is very service specific. Bulk trash is important. Option #1 is the best for the Borough, why reinvent the wheel. Option #2 he is worried about growth, cost overruns and where the facility would be located due to the extra traffic in that area as they come and go.

**Ray Liberto**, 220 S. Richardson Avenue – Was there any thought of a recycle center like Perkasio has? You purchase bags and use them to recycle and it

makes people think more about what they recycle instead of throwing items in their trash. The recycle center gets more than trash and it helps with the tipping cost that would be incurred by the Borough.

**Mr. Fazio** – It wasn't not considered but we were looking to compare apples to apples for the cost between the three options.

**Mr. Liberto** – Phoenixville hauls their own trash and they purchased their trucks through a State grant but they are finding even now that it is more expensive to haul their own trash. Option #1 seems to be the best.

**Nancy Frei**, Cypress Street – speaking on behalf of Jean Fritz who couldn't attend the meeting tonight.

- Ms. Fritz says Lansdale looks like every day is trash day due to the amount of trucks going through the town and she thinks the trucks are putting too much wear and tear on the roads. She is in favor of Option #1. If Option #1 is selected, how many holidays are they off, is a Senior Citizen discount given and does recycling have to get separated or can they be comingled? She is not in favor of Borough owned trash collection because that would give the Borough the chance to charge a customer service charge like the electric and sewer does.

**Carol Zellers**, 101 Elm Drive – Fifteen years ago her and her neighbors on her street got together and surveyed trash companies and they all picked one company to go with, typically things like that don't happen anymore. She agrees a lot with what Richard Strahm said. She is not for having the government in her life any more than it is now so she is not in favor of Borough trash collection. Are the numbers shown based on 7,100 housing units per the Census? Only 55% of homes owned in Lansdale are owner occupied. Will that change the costs?

**Mr. Fazio** – No, that is based on the residents who returned the surveys.

**Mary Jones**, 212 E. Fifth Street – She hates Option #3 and her rates keep going up. She likes Option #2 over Option #1 because the Borough could have a quicker response time to citizen's concerns but she can understand why people go with Option #1.

**Charles Harris**, 18 W. Sixth Street – He thinks Option #2 is the best option as he is a former trash employee. There are a lot of Boroughs that collect trash in Montgomery County. We will improve trash service if we have our own employees. Trash drivers don't know the streets/alleys if the regular driver calls out.

**Gordon Hink**, 429 Franklin Street – Thank you Council for bringing this out to the public. He is interested in the study, is this available to the public and is there more expansion on the numbers? He is keeping an open mind out the options.

**Kevin Dunigan**, 731 Delaware Avenue – A lot of his concerns have been voiced already tonight such as Senior Citizen discount as many trash companies do now. Some senior citizens go to Florida for three months in the winter and they can get their trash service suspended while they are away. If it is part of the tax bill then there cannot be an interruption of service. He heard that there will be reduced

emissions and less wear and tear on the roads in turn making the roads better. That sounds great in a vacuum, but we don't live in a vacuum. This was done in Bridgeport where he has a duplex he rents with two one-bedroom apartments and for eighteen years they counted his duplex as one unit and now they are making him pay for trash for each unit with very little trash pick-up. He pays now for his home \$71 and in Bridgeport he pays \$73 per unit so it costs him more money, not less. He would like to see data from the Boroughs that actually do single hauler and get real numbers. As far as Option #2 is concerned, the \$2.5 million investment for four trucks with seven new employees and administrative staff doesn't seem to fit. If we can handle the administrative side with current staff, then maybe we have too much staff now and that should be looked at. He doesn't like government in his personal business and that is what you are going to do by making a change. He hopes that you look very, very hard at real costs. It will cost more than you think. Check with the Boroughs that actually have a single or municipal owned trash hauler.

**Matthew Hugg**, 318 Columbia Avenue – He sees the parade of trash trucks through his alley all the time. He is for Option #1 or Option #2. He grew up in Upper Dublin who has municipal collection and they do a good job. His concern with Option #2 is building the infrastructure and the expertise of doing this. With Option #1 there is time and money for the bidding of a single hauler or with Option #2 bidding for the trucks. He thinks it will be a tough process at first but once it gets going it might be good. He calls his alley Lake Lansdale because of the wear and tear of the trucks where water collects when it rains.

**Rich Lewis**, 326 Clear Spring Road – Thank you for having this meeting. He thinks that this should not be voted on by Council, but should go to a binding referendum so everyone can vote on it and majority rules.

**Rich O'Neil**, 512 York Avenue – He is a private trash hauler for eight plus years in the Borough. His experience has been recently that the bigger the companies get, the less service you get especially customer service. Most of the trash companies in the area are national companies. Unfortunately, there are no small haulers left and is surprised the Mayor got through to customer service when he needed to. In his alley most of the time the totes are left upside down or sideways and blocking the alley. The misconception is that trash trucks are so expensive but not as expensive as what Kevin Dunigan said. Once the trucks are loaded they are heavier than what Mr. Fazio said. The numbers are a little outdated in the presentation, but we can get more realistic numbers as the process goes through. As for White Goods, refrigerators and air conditions have Freon in them and the Borough wouldn't want to get involved with that. There are professionals out there that take care of that.

**Bill Allen**, York Avenue – Are the tipping fees a negotiated cost and are they different for a large national company than what would be for the Borough? He wants to make sure we are not making an assumption of what the tipping fees would be for the Borough and the cost for that.

**Mr. Fazio** – The numbers are based on what other communities in the area are getting and based on a large haulers cost. They are not making assumptions regarding the tipping fees.

**Mr. Allen** – What about industrial properties if they have a dumpster or large roll off?

**Mr. Fazio** – They are not included in any of these options. They are a specific kind of pick-up. They are considered industrial waste.

**Mr. Allen** – So his business could still choose his own.

**Mr. Fazio** – Yes, you would have to select your own hauler.

**Mr. Allen** – He hears a lot through his customers when it comes to having bulk items picked up from a municipal owned hauler. His customers say that it is difficult to get them to pick up the bulk items and it costs a considerable amount to have the items picked up. He is also concerned with the start-up costs of Option #2. He is confused about how many trucks are needed; is it two or four trucks?

**Mr. Fazio** – Four trucks would be purchased and they would be rotated. As far as staff, you would have one administrative person (already on staff), one mechanic and then six people on the trucks to drive and collect.

**Mr. Allen** – It is great that you are hiring seven people, but then seven people from other companies are losing their jobs because the Borough has its own trash collection. Leon made the comment that people come to meetings when you are taking away their choice and that is what you are doing and for me with a family of six you are cutting my service in half because I need those two days each week of pick-up.

**Jeff Counst**, 231 E. Fifth Street – Doesn't feel like Option #3 was fairly represented. He doesn't see much difference except for the wear and tear on the roads. He is firmly against government taking away his choice and government putting their hands in more than what they already do. He feels the voting option mentioned earlier is the fairest way to do it so that each resident and business owner can vote. As far as bulk items only being picked up once a month if I don't have a place to store it, then my neighbors have to look at it for a month.

**Georgina Hawkins**, 608 Perkiomen Avenue – No matter who you pick for trash service there are always issues. She would prefer to have Option #1 and see how it works and if it doesn't work we would still have Option #2.

**Dan Meyer**, 403 Perkiomen Avenue – There is talk about senior citizens not generating a lot of trash so they should get a discount. He and his wife do not generate a lot of trash, one bag a week since they compost and recycle a lot. He would like to see some sort of incentivized program for those that really try to reduce their trash. He is open minded about these options.

**Mayor Szekely** – There are 35 people who came out tonight. He polled the audience by asking them to raise their hands for each option. Option #1 – 20, Option #2 – 5 and Option #3 – 10. Who would like to see this be a vote referendum – 30.

**Councilman DiGregorio** – How and would Council have time to do a referendum vote for the primary elections?

**Ms. Taylor-Smith** – You don't have time for the April primary. There are two ways to get it on a ballot. First is by petition and second is by referendum. You do have time for November elections.

**Councilman Hansen** – If we do have the referendum on the ballot you have to make sure all of your neighbors are registered to vote.

**Mr. Dunigan** – One more thing about Bridgeport Borough. Everything said tonight they said and the roads have not improved in Bridgeport.

**Vice President Fuller** – Thank you to everyone who came out tonight. Hope to see some of you on first and third Wednesdays when you can. You can email us if you have additional questions or comments. Our email addresses are on the Borough website.

*The meeting was adjourned at 8:55pm.*