

TOWN OF STONINGTON
SPECIAL TOWN MEETING
April 11, 2019

A Special Town Meeting of the Town of Stonington was called to order at 7:00 p.m. on April 11, 2019 at the Stonington High School auditorium by First Selectman Rob Simmons. Also, in attendance were Selectman John Prue and Selectwoman Jocelyn Kepple. Approximately 75 people attended.

First Selectman Simmons asked all to stand for the Pledge of Allegiance. First Selectman Simmons then asked for nominations for Moderator. Selectman John Prue nominated Mr. Eric Janney and, being properly seconded by Marsha Standish, Mr. Janney was unanimously elected Moderator of the meeting. Town Clerk, Cynthia Ladwig, served as Clerk.

The Moderator asked for a motion to dispense with the reading of the Call recorded immediately preceding this page. Hearing no objection, the Moderator asked for a resolution to waive the reading of the first item on the Call. Motion was made and seconded.

The Moderator read the following resolution:

BE IT HEREBY RESOLVED. That the Reading of the resolution to be presented to this Special Town Meeting under the first item of the Call be waived, and the full text of the Resolution, a copy of which has been made available to all those in attendance at this meeting, be incorporated into the text of this meeting.

To consider and vote on a resolution to rename the Town's "Permanent Committee to Study the Needs and Use of Town Public Buildings" to "Stonington Public Buildings Committee".

The Moderator recognized First Selectman Simmons to read the resolution on the first item on the Call.

BE IT HEREBY RESOLVED BY THE LEGAL VOTERS OF THE TOWN OF STONINGTON IN LAWFUL MEETING DULY ASSEMBLED:

To consider and vote on a resolution to rename the Town's "Permanent Committee to Study the Needs and Use of Town Public Buildings" to "Stonington Public Buildings Committee".

Being properly seconded, the Moderator opened the floor to discussion. Speaking on the resolution was Alisa Morrison, member of the Committee. She asked that the resolution be amended to change the name to "Stonington Facilities Committee". The Moderator asked for a motion to amend the resolution. The motion was made and seconded and unanimously voted to amend the resolution to change the name to "Stonington Facilities Committee". The Moderator asked for a vote on the resolution as amended. The resolution passed unanimously.

The Moderator asked for a resolution to waive the reading of the second item on the Call. Motion was made and seconded.

The Moderator read the following resolution:

BE IT HEREBY RESOLVED. That the reading of the resolution to be presented to this Special Town Meeting under the second item of the Call be waived, and the full text of the Resolution, a copy of which has been made available to all those in attendance at this meeting, be incorporated into the text of this meeting.

PLASTIC BAGS AND STRAWS ORDINANCE

1. BACKGROUND:

In July 2018 residents requested that the Stonington Board of Selectmen created a committee to best determine how to deal with the problem of plastic pollution in town waters. In response, the Board of Selectmen voted to create an ad-hoc committee to look into banning plastic bags used by retail stores and plastic straws. This Plastic Bags and Straws Ad Hoc Committee was established in August 2018 with the following mission statements:

- A. Consider banning the use of plastic carryout bags for retail checkout of goods;
- B. Consider banning the use of single-use plastic straws and single-use plastic carryout bags in restaurants and food service establishments;
- C. Encouraging the use of reusable bags and biodegradable straws;
- D. Consider any other recommendations aimed at reducing the number of single-use plastic carryout bags and single-use plastic straws that enter our environment; and
- E. Make recommendations for an ordinance or other action to this effect, as well as for enforcement mechanisms for non-compliance.

2. PURPOSE:

The intent of this ordinance is to improve the environment in and around Stonington by encouraging the use of reusable checkout bags and banning the use of single-use plastic carryout bags for retail checkout of purchased goods. Retail establishments are encouraged to make reusable bags available for sale.

3. JUSTIFICATION:

Single-use plastic carryout bags and single-use plastic straws often are discarded into the environment and end up polluting our waterways, clogging sewers, endangering marine life and causing unsightly litter. These bags last hundreds of years in landfills and are a potential source of harmful chemicals when they do break down.

4. DEFINITIONS:

The following words, terms and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this section:

SINGLE USE PLASTIC CARRYOUT BAG: A single use plastic carryout bag is a thin film plastic bag of a thickness less than 3 mil with handles provided to a customer by an establishment and is used to transport merchandise from the establishment. Single use plastic carryout bags do not include bags typically without handles used to contain dry cleaning, newspaper, small bags to contain fish, meats, produce or other products selected by the consumer to deliver items to the point of sale.

PLASTIC BARRIER BAG: A flexible container made of very thin plastic material with a single opening that is used to:

- A. Transport fruit, vegetables, nuts, grains.
- B. Contain or wrap fresh or frozen foods, meat, or fish, whether prepackaged or not.
- C. Contain or wrap flowers, potted plants, or other items where damage to a good or contamination of other goods placed together in the same bag may be a problem.
- D. Contain unwrapped prepared foods or bakery goods.
- E. Deliver newspapers.

REUSABLE BAG: A Reusable bag meets all of the following requirements: [1] Is made solely of or in a combination of natural cloths, synthetic fibers, other washable material; or of a non-toxic plastic as defined by applicable state and federal regulations that is no less than 3 mil thick and has the word "Reusable" or "Reuse" printed on the outside of the bag in a visible manner. [2] Is specifically designed for multiple reuse and has handles.

RECYCLABLE PAPER BAG: A paper bag that [1] is 100% recyclable and [2] contains at least 40% post-consumer recycled paper content (3) displays the words "Reusable" and "Recyclable" on the outside of the bag.

DOUBLE OPENING PLASTIC BAG: Any thin plastic bag with a double opening (top and bottom) to protect clothing or other items for transport.

ESTABLISHMENT: An Establishment means any business selling goods, articles, or personal services to the public, including restaurants.

RETAIL SALES: Means the transfer to a customer of goods in exchange for payment occurring in retail stores, sidewalk sales, farmers' markets, flea markets and restaurants. The

term "retail sales" does not include sales of goods at yard sales, tag sales, other sales by residents at their home, and sales by non-profit organizations.

SINGLE USE PLASTIC STRAW: A single use plastic straw means a single use, disposable tube made predominantly of plastic derived from either petroleum or a biologically based polymer, such as corn or other plant sources, used to transfer a beverage from a container to the mouth of the person drinking the beverage. Single use plastic straw does not include a straw made from non-plastic materials, including, but not limited to, paper, pasta, sugar cane, wood, or bamboo.

FULL SERVICE ESTABLISHMENT: Means an establishment with the primary business purpose of serving food, where food may be consumed on the premises, and where all of the following actions are taken by an employee of the establishment:

- A. The consumer is escorted or assigned to an assigned eating area. The employee may choose the assigned eating area or may seat the consumer according to the consumer's need for accommodation or other request.
- B. The consumer's food and beverage orders are taken after the consumer has been seated at the assigned seating area.
- C. The food and beverage orders are delivered directly to the consumer.
- D. Any requested items associated with the consumer's food or beverage order are brought to the consumer.
- E. The check is delivered directly to the consumer at the assigned eating area.

5. **PROHIBITED ACTS; REGULATIONS; RESTRICTIONS;**

- A. Any person engaged in retail sales shall provide only reusable bags and/or recyclable paper bags as checkout bags to customers.
- B. No retail sales establishment shall make available any single-use plastic carryout bags at the point-of-sale, not including plastic barrier bags or double opening plastic bags.
- C. Nothing in this section shall preclude persons engaged in retail sales from making reusable bags available for sale to customers.
- D. No business establishment shall provide or sell a single-use plastic carryout bag.
- E. A full-service establishment shall not provide a single-use plastic straw to a consumer unless requested by the consumer.

6. **EXEMPTIONS:**

The draft ordinance provides exemptions for:

- A. laundry dry cleaning bags
- B. door-hanger bags
- C. newspaper bags
- D. pet waste bags
- E. garbage bags
- F. yard waste bags
- G. prescription drug bags
- H. bags to carry fruits, meats or plants
- I. double-opening bags to protect clothing

Retailers that provide such bags must also provide onsite recycling receptacles.

7. **ENFORCEMENT:** The intent of this ordinance is to improve the environment in and around Stonington for residents, businesses and wildlife. Self-enforced ordinances banning single use plastic carryout bags and single use plastic straws appear to work well for

communities. Keeping a positive spin on this effort will benefit the community by creating a healthier environment.

- A. The Town will inform the general public about the initiatives encouraging the use of reusable checkout bags with a support program and education.
- B. From the date of enactment of these regulations, there will be a six-month period of public education and information. After the six-month period, those persons or establishments found to be in violation of these regulations for plastic bags and straws will be notified by the Town's Representative in writing and given 14 days to gain compliance.
- C. For each subsequent offense of the provisions of this ordinance, the Establishment shall be provided a written notice ordering cessation of the violation. Notice shall be given to the Establishment owner or manager or may be served to the establishment's agent for service and will be accompanied by a \$150.00 fine for each offense.
- D. These monies will be earmarked for further initiatives to create a culture of plastic waste reduction.
- E. The Town may not renew any municipally issued license to any Establishment found to be in violation of this ordinance.
- F. The Town hereby establishes a citation hearing procedure pursuant to General Statute Section 7-152c, as may be amended, to enforce any fines issued under this ordinance.

8. EFFECTIVE DATE:

This ordinance shall become operative six months following its effective date to allow retail establishments to dispose of their existing inventory of single-use plastic carryout bags, single-use plastic straws and convert to alternative packaging materials.

Those establishments in compliance will be rewarded with a Stonington seal of approval as determined by the Plastic Bags and Straws Ad Hoc Committee.

The Moderator recognized First Selectman Simmons to read the resolution on the second item on the Call.

BE IT HEREBY RESOLVED BY THE LEGAL VOTERS OF THE TOWN OF STONINGTON IN LAWFUL MEETING DULY ASSEMBLED:

To consider and vote on a resolution to adopt an Ordinance of the Town of Stonington, Connecticut, banning and/or regulating the use of plastic bags and straws.

Being properly seconded, the Moderator opened the floor to discussion. Speaking in favor of the resolution were Moira Deasy, Farrah Kaeser, Jason Hine, Thaler Hefel, Erica Lebling, Don Kluberanz, Beth Markowski-Roop, Stephanie Hayes-Houlihan, Stacey Wilbur, Steven Guthrie, Suzanne Harle, Peggy Roberts and Julie Holland. Curtis Lynch spoke in favor also but thought non-biodegradable plastics should be included in the ordinance but no motion was made to amend the ordinance.

Hearing no further discussion, the Moderator called for a vote on the resolution. The resolution passed overwhelmingly with four no votes.

The Moderator asked for a resolution to waive the reading of the third item on the Call. Motion was made and seconded.

The Moderator read the following resolution:

BE IT HEREBY RESOLVED, That the reading of the resolution to be presented to this Special Town Meeting under the third item of the Call be waived, and the full text of the

Resolution, a copy of which has been made available to all those in attendance at this meeting, be incorporated into the text of this meeting.

We, the citizens of the Town of Stonington, hereby petition the Town to adopt, as an ordinance, Connecticut State General Statutes 12-91(b) and 12-91(c) concerning the exemption of equipment and buildings used in the practice of farming and worded as follows:

Pursuant to the authority G.S. Section 12-91(b), the Town of Stonington shall now hereby provide an additional exemption from property tax for all farm machinery qualified for exemption under G.S. Section 12-91(a) to the extent of an additional assessed value of one hundred thousand dollars (\$100,000). Any such exemption shall be subject to the same limitations as the exemptions provided under G.S. Section 12-91(a) and the application and qualification process provided in G.S. Section 12-91(d).

Pursuant to the authority of G.S. Section 12-91(c), the Town of Stonington shall now hereby provide an exemption from property taxes for any building used actually and exclusively in farming, as defined in G.S. Section 1-1, or for any building used to provide housing for seasonal employees of such farmer. The amount of such exemption for each eligible farm building shall be to the extent of the assessed value, but shall not exceed one hundred thousand dollars (\$100,000). Such exemption shall not apply to the residence of such farmer and shall be subject to the application and qualification process provided in G.S. Section 12-91(d).

The Moderator recognized First Selectman Simmons to read the resolution on the third item on the Call.

BE IT HEREBY RESOLVED BY THE LEGAL VOTERS OF THE TOWN OF STONINGTON IN LAWFUL MEETING DULY ASSEMBLED:


To consider and vote on a resolution to adopt an Ordinance of the Town of Stonington, Connecticut, providing for a tax exemption for equipment and buildings used in the practice of farming as set forth in a certain petition to the Town dated March 22, 2019.

First Selectman Simmons recused himself since his wife owns a farm in Stonington. Being properly seconded, the Moderator opened the floor to discussion. Speaking in favor of the resolution was Ward Smith and Thaler Hefel. Hearing no further discussion, the Moderator called for a vote on the resolution. The resolution passed overwhelmingly with First Selectman Simmons abstaining.

Since there was no further business on the Call, the Moderator asked for a motion to adjourn. The motion was made and seconded and the Moderator declared the meeting adjourned at 7:40 p.m.

/s/ Cynthia Ladwig
Clerk of the meeting

Received for record this 15th day of April, 2019.


Cynthia Ladwig
Town Clerk