

November 28, 2018

The Stonington Board of Selectmen and the Plastic Bags and Straws Ad Hoc Committee held a joint special meeting on this date at Stonington Police Department at 6:00 p.m. Present were First Selectman Rob Simmons, Selectman John Prue, Moira Deasy, Erika Lebling, Thaler Hefel, Farrah Kaeser, Don Kluberanz, Jason Hine, Stephanie Hayes-Houlihan and Stacey Wilbur. Selectwoman Kate Rotella arrived at 6:15 p.m. Also, present were members of the public. Beth Markowski-Roop was absent. There was no press present.

(1) Call to Order

Mr. Simmons and Ms. Deasy called the meeting to order at 6:01 p.m.

(2) Pledge of Allegiance

(3) Comments from the Public

Mr. Stuart Schwartzstein stated that he was delighted by the efforts of the Ad Hoc Committee and thanked them for their dedication and research.

(4) Correspondence

None

(5) New Business

Discussion – Review of the Proposed Ordinance

Ms. Deasy gave an overview of the committee's findings to include the following:

Methodology:

The committee met throughout its mandated ninety-day period and its methods included the following practices:

- Reviewed and Considered similar ordinances in nearby coastal communities.
- Met with officials and key stakeholders in nearby coastal communities to garner lessons learned and best practices for development, roll out and continuing support of said ordinances.
- Solicited feedback from local businesses.
- Reviewed and considered implications related to a potential ban that would impact those protected under the Americans with Disabilities Act (ADA).
- Conducted a Public Hearing to allow the public at large to share comments and concerns.

Primary Recommendations:

The consensus amongst the committee and its varying stakeholders, as well as the comments from the public have resulted in the following primary recommendations (additional details, including exemptions are available in the draft ordinance):

- The Town of Stonington create an ordinance that bans the use of plastic checkout bags at retail establishments.
- The ordinance shall also ban the use of plastic straws at full-service establishment unless requested by the customer.
- Businesses shall have six months from the enactment of the ordinance to comply.
- A town-wide campaign to create branding for the initiative such as logo's, a website and educational material should be conducted.
- The Ad-Hoc committee should become a permanent town committee that continues to address growing environmental concerns regarding the protection of our coastal community.

Considerations:

- The municipalities reviewed including, Barrington, Rhode Island (RI), Newport RI, Middletown RI, New Shoreham RI, South Kingstown RI and Westport, Connecticut (CT) had varying town departments responsible for the enforcement of their ordinances. In some instances, the Police

Department was responsible for enforcement. Some of the instances of police enforcement have resulted in constituent push back and general distaste from retailers of the ordinance. The Town of Stonington must be mindful in determining who “owns” enforcement.

- Municipalities with a long lead time for implementation, town-wide involvement, attention to education and a spirit of “self-policing” have experienced little to no push-back or incidences requiring enforcement of the ordinance or assessment of the requisite fines. Newport for example, has yet to issue a citation or fine to any retailer.
- Plastic straws, while not recyclable, are in fact a necessary part of life for many who’s protections are covered under the ADA. Allowing retail and full-service establishments to maintain a supply of plastic straws, available to clientele by request only, will both mitigate straws from ending up in our ocean waters and protect the rights of all citizens of Stonington and our visitors.
- An ordinance banning single use plastic carryout bags and deeply mitigating the distribution of single-use plastic straws, to date, would be the most progressive legislation in CT. Westport CT, where plastic bags were banned a decade ago is just now looking at the potential of banning single-use plastic straws.
- Creating a permanent town committee, tasked to continue to; assess and evaluate the ordinance, educate and include the public, consider additional restrictions on an ongoing basis would set the Town of Stonington at the forefront of ocean community protection and conservation. Having a permanent committee would also lesson the burden on town staff for implementation and compliance.

In discussion, the Board asked how self-policing would work. Ms. Deasy stated that in Newport the Town Council oversees the enforcement which holds a fine of up to \$1,000 however, they have never had to issue a fine. Ms. Deasy stated that it is due in part to having huge community involvement and support from the beginning. Mr. Simmons stated that he does not believe the Board of Selectmen would like to be the enforcers. Mrs. Rotella stated that she does not believe the committee can be the enforcers either and suggested that be run past the Town Attorney. Mrs. Rotella believes enforcement should be overseen by an employee of the Town.

Mr. Simmons asked if the committee had spoken with Mr. Michael McQuade as he had called him several times to speak in opposition of the bags being removed. Mr. Simmons encouraged him to reach out the committee and to attend the public hearing or one of the committee meetings. Ms. Deasy stated that Mr. McQuade had not attended any meetings or reached out to the committee.

Mr. Prue asked what the biggest challenge was for the committee. The committee members all agreed that how to define and oversee enforcement was a big challenge. Mr. Hefel stated that as the request to review these concerns came from citizens, it made their job much easier since citizens are behind the push to see these changes occur.

Ms. Rotella asked about ADA compliance and wanted to ensure that businesses understood that they will still have to stock (in small portions) plastic straws to ensure those who request and need to use a plastic straw are accommodated. Ms. Kaeser spoke regarding ADA compliance and finding a middle ground that suits all individuals.

Mrs. Rotella discussed giving out “Green Business Awards” to those businesses that are complying as an incentive. She added that the committee should look at rewarding those in compliance more than punishing those that are not.

A motion was made by Mr. Hine, seconded by Ms. Hayes-Houlihan and voted unanimously by the Ad Hoc Committee members to incorporate an incentive program into their rollout to include more of a rewards system versus a punishment enforcement system.

Discussion – Future Role of the Ad Hoc Committee

Ms. Deasy recommended becoming a permanent committee to oversee the compliance of the ordinance as well as to consider additional item restrictions in the future. The Board all agreed that making the committee permanent is not needed at this time however they did want to extend the committees term until July, 2019.

A motion was made by Mrs. Rotella, seconded by Mr. Prue and voted unanimously by the Board of Selectmen to extend the term of the Plastic Bags and Straws Ad Hoc Committee until July, 2019.

Mr. Simmons stated that the committee needs to begin their roll out process prior to the ordinance going to Town Meeting so that citizens are educated and prepared to vote on the item.

(6) Comments from the Public

- Mr. Stuart Schwartzstein stated that if grocery stores encouraged their cashiers to ask customers if they'd like to purchase a reusable bag instead of just asking if they want paper or plastic it would make a big difference.
- Ms. Jean Fiore stated that while living in Maryland they did something similar which was very well received although she does not believe there were fines involved.

(7) Comments from the Committee

Ms. Hayes-Houlihan stated that the public hearing was very well attended with about fifty people. She added that of those who spoke only two people opposed.

(8) Comments from the Selectmen

Mr. Simmons thanked the committee for their hard work and efficiency throughout the past ninety days. He added that he looks forward to continuing the process to come up with a product that will put the Town of Stonington on the map towards becoming more progressive about plastics.

(9) Adjourn

There being no further business to come before this Committee, the meeting adjourned at 6:59 p.m.



Stacey Haskell
Recording Secretary