

OFFICE OF THE
FIRST SELECTMAN

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TOWN HALL
238 Danbury Road
Wilton, CT 06897

**BOARD OF SELECTMEN
REGULAR MEETING
MONDAY, FEBRUARY 1, 2010
WILTON TOWN HALL, ROOM B**

PRESENT: First Selectman William Brennan, Second Selectman Susan Bruschi, Selectman Richard Creeth, Selectman Harold Clark, Selectman Ted Hoffstatter

GUESTS: CFO Sandra Dennies, Chief Michael Lombardo, Captain John Lynch, Steve Pierce, Christine Finkelstein, Jamie Van Acker, Kevin O'Brien, four members of the Westport RTM, Jan Andras

OTHERS: Joan Lounds (Bulletin), Christian Camarota (Patch.com), Kara O'Connor (Villager)

First Selectman Brennan called the meeting to order at 7:30 p.m.

A. Consent Agenda

A motion was made by Mr. Clark, seconded and unanimously carried, to approve the Consent Agenda as follows:

Minutes

- Board of Selectmen/Board of Finance Joint Meeting, January 6, 2010
- Board of Selectmen Budget Meeting, January 12, 2010
- Board of Selectmen Budget Meeting, January 14, 2010
- Board of Selectmen's Regular Meeting, January 19, 2010

Tax Refunds

- Real Estate, Personal Property and Motor Vehicle Tax Refunds as per Tax Collector Memorandum dated January 20, 2010

Gifts

- Contribution of \$50.00 from Mr. and Mrs. Charles King, Jr. to the Fire Department Gift Fund
- Contribution of \$800 from The Wilton Bank to the Senior Newsletter

The Board thanks Mr. and Mrs. King and The Wilton Bank for their generosity.

B. Discussion and/or Action

1. Presentation regarding Westport's experience with a Plastic Bag Ban Ordinance

Dr. Jonathan Cunitz, Liz Milwe, Jeff Weiser and Gene Seidman, Westport RTM members who sponsored the ordinance were present. Dr. Cunitz gave a history of the work done in Westport to establish this ordinance (copy attached). The group then answered questions.

Enforcement of the ordinance is handled by the Conservation Department. Non-compliance has been minimal, with no formal enforcement necessary. The Conservation Department does not go out to retail establishments to inspect for compliance but rather responds to complaints. They estimate that approximately a million plastic bags were prevented from distribution within Westport the first year.

The Selectmen expressed their gratitude for the presentation and for having the opportunity to benefit from the experience of the Westport RTM members present this evening.

2. Parks & Recreation Commission presentation of additional information relating to the request for a dog ban on playing fields

P&R Director Steve Pierce, Commission members Christine Finkelstein, Jamie Van Acker and Kevin O'Brien were present. The commission believes that dogs on the fields are both a safety and maintenance issue. Aerial photos were distributed depicting all playing fields, tennis courts and playgrounds and marking a 25' buffer around each. They recommend banning dogs from these buffers and from the entire high school athletic complex and Merwin Meadows.

After some discussion, it was suggested that dogs be banned from the stadium and Lily field as an interim step. In addition, a stronger education program should be considered outlining restrictions of dogs on other playing fields. The Parks & Recreation Commission will discuss this further and report back to the BOS.

3. Police Department – FY '11 Budget discussion

Police Chief Michael Lombardo, Captain John Lynch and Police Commission member Chris Weldon were present. The Chief advised that they had tried to keep the FY '11 Budget as flat as possible and had hoped to budget sworn personnel at 43 officers for one more year. However, it will be necessary to present a budget reflecting 44 officers. The Police Budget would be +2.5% vs. the previous year's budget. To operate as cost efficiently as possible, funds for the additional officer will not be expended during FY '11.

4. Reappointments

Mr. Brennan moved to reappoint Casey Healy and Gary Mecozzi to the Fire Commission; to reappoint Chris Weldon and Matt Mason to the Police Commission; to reappoint Henry Boucher to SWRPA; and to reappoint Jill Alibrandi to the Inland Wetlands Commission. Motion seconded and unanimously carried.

5. Miscellaneous other business

Mr. Brennan advised that the Wilton Energy Commission is soliciting contributions for the upcoming "Wilton Go Green" Festival in May. Mr. Creeth moved to authorize the acceptance of all donations to the Wilton Energy Commission Gift Fund. Motion seconded and unanimously carried.

C. Public Comment – None noted

D. Reports

1. First Selectman

Moodys Investors Service – The Town has received a Aaa rating again and sold a \$12+ million dollar bond offering at 3.31% interest rate, over 20 years.

Grand List – The grand list has shown a .7091% increase, which is slightly lower than the year before.

DOT/Tilcon – As a part of the Route 7 project, a "Town of Wilton" sign will be installed at the intersection of Route 33 and Route 7, at no cost to Wilton.

FAA – The legal action against the Airspace Redesign will not be heard by the Supreme Court. The Alliance will continue to oppose the FAA's plans..

State Celebration – On February 10, there will be a meeting to kick-off the 375th Birthday of the State of CT. A member of the Historical Society will be chosen to represent the Town in the planning of this year-long celebration.

2. Selectmen Reports

Mr. Creeth – No report

Mr. Clark – No report

Mr. Hoffstatter – Wilton Commons will be meeting with Congressman Himes to discuss appropriations.

Ms. Bruschi – No report

D. Adjournment

Having no further business, the meeting was adjourned at 9:30 pm.

Jan Andras, Recording Secretary

attachment – Dr. Jonathan Cunitz presentation

WILTON BOARD OF SELECTMEN SPEECH

FEBRUARY 1, 2010

INTRODUCTION

Thank you for the opportunity to share my experience of developing Westport's Retail Checkout Bags ordinance. It truly was a grass roots environmental effort that was accomplished in only about nine months. An appropriate preamble to my further remarks is the statement of purpose at the start of the ordinance:

"The intent of this article is to improve the environment in Westport by encouraging the use of reusable checkout bags and banning the use of plastic bags for retail checkout of purchased goods."

The ordinance was environmentally driven and the concept is simple. By reducing the number of plastic bags given out by stores at checkout, we reduce the number of bags that end up in the environment. As shoppers change their habits to bring reusable bags to stores, everyone wins.

I would like to start by describing why residents in Westport believed there was a need for the ordinance and discuss many of the issues that arose while the ordinance was being prepared. I then will outline the process of preparing, modifying and presenting the ordinance to the RTM for a vote. Finally, I will describe the education campaign following its approval and the impact of the ordinance on the town.

NEED FOR AN ORDINANCE

A major theme of the Westport's Plan of Conservation & Development is "To Preserve Critical Environmental Areas." By now, everyone should be aware that plastic bags last forever once they get into the environment and then contaminate our land and water. Despite some efforts to recycle plastic bags, it is estimated that only 1-5% of the amount

produced are recovered. Neither voluntary nor mandatory recycling of plastic bags seems to have made any significant impact. There now is widespread support to restrict the use of plastic bags both worldwide and on a local level. Most importantly, banning plastic bags leads to the ultimate goal of changing consumer behavior to bring reusable bags to stores when shopping.

PLASTIC BAG USAGE

At least 1 TRILLION plastic bags now are used annually world-wide. According to The Wall Street Journal, 100 billion are used in the U.S. each year, equivalent to over 450 bags for each person age 20 and over. The U.S. Environmental Protection Agency reports that the amount of plastic discarded in Municipal Solid Waste grew from under 1% in 1960 to 17% in 2008. In the Northern Pacific Ocean, there is a great vortex of ocean currents that has captured a swirling mass of plastic trash that is greater than the size of Texas.

PLASTICS GENERATION & RECOVERY

The U.S. Environmental Protection Agency published a chart portraying the history of plastic production and recycling in the U.S. The chart shows almost no recycling for 20 years from 1960 to 1980. Although it shows that plastic recovery has increased in recent years, the total amount of plastic NOT recovered continues to grow at an alarming rate. The amount of **unrecovered** plastic grew from 3 million tons in 1970 to 30 million tons in 2008. The amount recovered in 2008 was only 2 million tons.

RENEWABLE & NON-RENEWABLE RESOURCES

Plastic bags are made mostly from natural gas but also from petroleum, both of which are non-renewable resources. Paper bags are manufactured from a renewable resource. The paper industry is committed to reforestation through its Sustainable Forest Initiative with over 200 program participants. More importantly, reusable bags eliminate the need for either plastic or paper bags. Neither resource is consumed when shoppers bring their own bags to stores.

RECYCLING

Paper bags can be recycled in Westport through home pickup. The American Forest & Paper Association claims that in 2007, 56% of the paper consumed in the U.S. was recovered through recycling. However, **plastic bags** CANNOT be recycled through Westport's residential pickup program. They are made from either low density polyethylene (Resin Code 4) or high density polyethylene (Resin Code 2). While residents are allowed to recycle plastic Codes 1 and 2 from their homes, they are not allowed to include plastic bags of any type. Although plastic bags can be brought to supermarket bins for recycling, there is no incentive to do so and few people bother.

Despite good intentions, experience has shown that recycling programs for plastic bags do not work very well. San Francisco tried to recycle plastic bags with poor results. The American Chemical Council has said that there is no way to accurately measure recycling rates for plastic bags. However, according to data published by the American Chemical Council on its own website, only 2% of plastic bags and film produced in the U.S. is recovered. Mandatory recycling is not the solution either. Mandatory recycling laws are only mandatory for stores and not for customers and do not work.

ENVIRONMENT

Wilton's environment is one of its most attractive features. The impact of plastic bags on the environment is cumulative since most do not go away. Plastic bags are aerodynamic and easily blow into our streams, the Norwalk River and Long Island Sound and stay there forever unless they are picked up one by one. Plastic bags create an environmental problem for generations to come.

WORLDWIDE SUPPORT FOR BANS

The need for bans on plastic bags has been recognized worldwide through actions by governments in many countries. Bans on plastic bags have been enacted in San Francisco and Malibu, California, Maui and Edmonds (Washington). Bans presently are being proposed in San Jose and Berkeley, with Governor Schwarzenegger favoring a statewide ban. Major cities such as Mumbai and New Delhi, India and Mexico City, and more than 25 countries, including China, either have passed bans on plastic bags or imposed taxes or fees on plastic bags that have resulted in a drastic reduction in their use.

ROLE OF GOVERNMENT

Wilton has dozens of separate ordinances that have been developed to meet the needs of the Town. Some citizens object to any government telling them what they can or cannot do. However, certain regulations are needed to meet objectives that cannot be reached effectively any other way. Similar situations gave rise to seatbelt laws, other mandated auto safety features, bans on smoking, recycling and cell phone usage while

driving. Laws such as these are needed because of the reluctance of individuals to change their attitudes and behavior on a voluntary basis.

ORIGIN OF THE ORDINANCE & RESEARCH

The development of the Westport ordinance began in late 2007 when a constituent in District 4 of the RTM came to his representatives with a proposal based on the San Francisco law that banned plastic checkout bags for supermarkets and drug stores. The four RTM members of District 4 then worked as a team researching:

1. The environmental problems caused by plastic bags.
2. Efforts in other countries and cities to ban plastic bags.
3. The extent of the environmental impact in Westport.
4. The attitudes of residents, store owners, elected officials, town employees and others about a proposed ordinance.

RTM COMMITTEE MEETINGS

The next step was to actually draft the ordinance and submit it to the RTM Ordinance and Environment Committees. Our Assistant Town Attorney checked with the Connecticut DEP and reviewed state laws to assure us that there was not any reason the town could not pass such an ordinance. A meeting with merchants was hosted by the Patagonia store to get their input and answer their questions.

The ordinance language was modified during this process to reflect concerns and to make it easily workable. After two meetings of the Ordinance Committee and three meetings of the Environment Committee, the ordinance was approved unanimously by both. All of these meetings were open to all RTM members, members of the public and even the paid industry lobbyists who were able to speak.

RTM MEETINGS

The first reading of the ordinance was held at the July RTM meeting, with minimal discussion. The final reading was deferred to September 2nd so that summer vacations would not prevent interested parties from attending. A formal presentation with a slide show was made at that meeting, followed by public comments. The first response was from a group of Staples High School students who had their own slide show highlighting the impact of plastic bags on the environment. More than a dozen others spoke in favor of the ordinance, including many residents, town officials, our two state representatives (Joe Mioli and Kim Fawcett), representatives from environmental groups, and even a columnist from the NY Times (David Pogue) who resides in Westport. Although he could not attend the meeting, Congressman Jim Himes supported the ordinance. The only opponents of the ordinance were two paid industry lobbyists.

The ordinance had 9 sponsors and co-sponsors. Since RTM members do not run for office on party lines, the measure had absolutely no political implications and truly was non-partisan. It passed 26-5-1. The ordinance contained a six month period before it became operative, so that stores could use up their existing supply of plastic bags.

EDUCATION PROGRAM

The RTM members in District 4 committed in advance to an education campaign for the six months following passage of the ordinance. This included a town-wide design contest for Westport's own reusable bags, an extensive library exhibit of reusable bags, a merchant meeting (hosted by a bank) to present the ordinance and respond to questions about its implementation, an awards ceremony at Town Hall for winners of the bag design contest, car and store decals to remind shoppers to bring their reusable bags to stores, a store display of reusable bags and personal discussions with store owners..

We worked with our town website, two local newspapers, Channel 12 News, other state newspapers and NPR to generate articles and publicity. An editorial in the national edition of the New York Times congratulated our effort. The Westport-Weston Chamber of Commerce and the Westport Downtown Merchants Association prefunded production of 2,000 reusable bags with the Westport designs. Town Fair Tire donated a large sum to pay for the production of 1,000 school lunch bags with another Westport design. Westport school PTA groups used the Westport reusable bags as fundraisers and to promote use of the bags. **All of this occurred with zero cost to the town.**

COMPLIANCE & ENFORCEMENT

Enforcement of the ordinance is through the town Conservation Department. Non-compliance with the ordinance has been minimal, with just a few telephone calls to clear up problems. No formal enforcement actions have been needed. Extensions were granted to a few stores that could not use up their bags in time. Enforcement documents even were written by the District 4 members to spare the time of town employees. From the start, the head of the Conservation Department and her staff have fully supported the ordinance. The Conservation Department is not required to check stores for compliance with this ordinance, but will respond to any complaints.

Westport retail establishments have complied with the ordinance without any pushback. Many already had abandoned the use of plastic bags. The largest supermarket displayed signs congratulating the town on its environmental leadership and cut the price of its own reusable bags to 50 cents to encourage their use. Stores throughout the town now sell a wide variety of reusable bags from many sources and some even give away reusable bags with their own name for marketing purposes. Retailers have been encouraged to ask customers if they even want a bag for small purchases.

It was estimated by one RTM member that the switch to reusable bags and the elimination of just two plastic bags per week will save over one million bags in the first year, with the amount increasing year-by-year afterwards. I personally do not see any more plastic bags in our streets, parks and beach areas and observe more and more residents walking into stores with their reusable bags.

TIMING

In conclusion, the time to pass an ordinance is now. Delays only increase the cumulative damage to the environment. Wilton residents enjoy their parks and recreation facilities, and everything that is done in town to make it an attractive place to live. Passage of this ordinance will encourage other actions to improve Wilton's environment.

A REMINDER

Remember ... the objective of the ordinance is to promote the long-term safety of our environment. By adopting an ordinance, plastic bags will disappear at first and paper bags will disappear later. An ordinance is an effective and reasonable way to reach the goal of a cleaner environment. Thank you.

Jonathan A. Cunitz
Westport, CT RTM, District 4

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