

Report on Legislative & Rules Committee Meeting of September 11, 2017 Meeting - V.1

TO: Members of L & R Committee

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On Monday evening, September 11, 2017, the Legislative & Rules Committee met jointly with the Land Use Committee and the Education Committee in the Cone Room at 8:00 PM to consider Item 8. After consideration of Item 8, the Education Committee departed, and the Legislative & Rules Committee continued the joint meeting with the Land Use Committee to consider Items 2, 3 and 4. After consideration of Items 2, 3 and 4, the Land Use Committee adjourned to another room and the Legislative & Rules Committee continued its meeting in the Cone Room. At its separate meeting, the Legislative & Rules Committee voted on the items before it. The votes are recorded under the discussion of each item.

At the meeting, all districts were represented except Districts 1, 5 and 10.

Item 8: Referral of Municipal Improvement PLPZ 2017 00048, Bruce Museum Expansion, which was referred to the RTM by Robert A. Simms under Section 100 of the Town Charter.

Please review the reports of the other committees that took up this Item; it is anticipated that a single report will be given on Monday night.

Item 2: Ordinance banning single-use plastic bags, encouraging reusable bags, and initiating a \$.25 fee for single-use paper bags.

This item is an ordinance proposed by a petition sponsored by BYO Greenwich. Eileen Vixon (sp?) gave a computer and video presentation. Members of BYO Greenwich spent ten months researching the effects of single use plastic bags and met with Town officials and the Chamber of Commerce. Their intent is to reduce the use of plastic bags by phasing them out. Currently only one town in Connecticut – Westport – bans the use of single use plastic bags (“SUPB”). Rye and Mamaroneck also have bans. She then discussed the reasons to be concerned about their use. SUPB’s are hard to recycle so in Greenwich they are incinerated and the toxins are scrubbed from the emissions but only some of the toxins can be removed. In Connecticut, 950 million SUPB’s are handed out each year. Using available statistics, BYO estimated that in Greenwich, a minimum of 7 bags per week and 364 per year are used per person. Greenwich has 23,000 households, and they estimate that 8,372, 000 SUPB’s are used each year.

Karen DeWahl then described the proposed ordinance. It would ban SUPB's 6 months after enactment of the ordinance, and there would be a 25-cent charge for single use paper bags. This would encourage residents to use reusable carry-out bags. Retailers in town are on board with the proposal (the retailers would retain the 25¢ charge). There followed questions and discussion. It was noted that store clerks often use more bags than are necessary to hold purchases, and the 25 cent charge would encourage clerks to increase the number of bags used to hold purchases. Reusable bags will need to be laundered. Paper bags leave a larger carbon footprint than do plastic bags.

Wayne Fox, Town Attorney, opined that the ordinance was not in legal order. For example, the agency to enforce the ordinance had not yet been identified. The ordinance requires more work. A motion was made and seconded to refer Item 2 to the Legislative & Rules and Land Use Committees for return to the RTM in December.

Items 3 & 4: Resolution to Amend Section 2-17 of the Code Regarding Flood And Erosion Control Board and Resolution Designating Positions of Members of Flood And Erosion Control Board.

John Eddy presented these items. The version of Item 3 that appeared in the Call was misformatted and will be replaced. The corrected version had been distributed by email and was on the RTM website and was considered by the committees.

Mr. Eddy stated that the proposal is entirely administrative and makes no substantive changes regarding the Flood And Erosion Control Board. All appointments now end March 31<sup>st</sup>, there were 36 appointments in the March 2017 Call, and the purpose of this change is to spread out appointments over March, June and October. In the Flood And Erosion Control Board, there are four members with four-year terms, and two end in 2020 and two end in 2021. There are none in 2018 or 2022. Half of the Board turns over in a single year. The change would spread out expirations so that more members of the Board would remain in office at the end of each term. This F&ECB resolution would serve as a template for other agencies. Agencies appointed by the RTM would need only Code revisions and would be considered in October, and agencies appointed by the BOS would need BOS approval and then RTM approval and would be revised in December.

There were some scrivener's errors that were identified.

The Land Use Committee then adjourned to another meeting room.

Item 8: At the separate meeting of the Legislative & Rules Committee, following further discussion of Item 8, the vote on the merits of Item 8 was as follows:

In favor: Districts 2, 3, 4, 6, 7, 8, 9, 11, 12

Opposed: 0

Absent: Districts 1, 5, 10

Item 2: On the motion to refer the plastic bag ordinance, the vote on the merits of Item 2 was as follows:

In favor: Districts 2, 3, 4, 6, 7, 8, 9, 11, 12

Opposed: 0

Absent: Districts 1, 5, 10

Items 3 & 4: On the motions to amend the Code provisions relating to the Flood and Erosion Control Board, the votes on the legal order and the merits of Item 3 as amended to correct the scrivener's errors and on Item 4 were as follows:

In favor: Districts 2, 3, 4, 6, 7, 8, 9, 11, 12

Opposed: 0

Absent: Districts 1, 5, 10

Meeting adjourned at approximately 10:30 PM.

Respectfully submitted,

Doug Wells and Kip Burgweger