

DRAFT pre-approval

Meeting of: Public Works Committee (PWC) of the Darien Representative Town Meeting
Meeting type: Regular Meeting
Date & time: Monday, March 11, 2019, 7:30pm
Location: Darien Mather Center Café Extension Room 113
Members attending: Monica McNally (chair), Frank Adelman, David Bayne, Arpita Muchhal, Jim Cameron, Richard Poli, Rolf Obin, Terry Duffy, Patrick Keane
Members absent: Elizabeth Bacon, Tom Moore, Lindsay Kelly
Others attending: 3 members of the public
Media / public access: No media attended. The meeting was recorded for channel 79.
Link: <https://vimeo.com/323269010>

Published Agenda:

1. Review and approve Minutes from regular meeting of 1/22/19.
2. Discussion of New Canaan Bag Ordinance
3. Update on Greenwich Bag Ordinance
4. Discussion of store interviews by committee members
5. Discussion of Public Health and Safety and TGS&A recommendations for proposed Bag Ordinance
6. Discussion of updates to Ordinance 2.1 including wording addressing smaller businesses
7. Discussion of Public Hearing on Ordinance
8. Other new business.
9. Adjournment

1. Minutes of Feb. 26, 2019 meeting were approved. Motion moved by Jim Cameron, seconded by David Bayne. Approved by vote of 7 in favor, 0 opposed, 1 abstention.

2. Discussion of New Canaan Bag ordinance: differs from proposed Darien draft in a few respects:

- Minimum thickness: Darien PWC proposes 12 mil, N.C. is 6 mil
- Small store exemption: Stores in NC that are under 10,000 sq ft are not required to impose the 10 cent charge on replacement paper bags and do not have restrictions on the composition of replacement paper bags. Darien PWC proposes to defer implementation of rules by 1 year (to 1/1/2021) for stores under 10,000 sq ft.
- NC permits distribution of small paper bags under 600 cubic inches. Darien PWC has no corresponding carve-out for small size bags.

Discussion focused on difference in minimum allowable plastic bag thickness (12 mil vs. 6 mil).

Darien PWC retained its existing language requiring a 12 mil thickness for plastic bags.

Discussion also focused on minimizing the incremental burden & cost to local retailers.

Sense of the meeting was not to create an exemption for small size bags.

3. Update on Greenwich Bag Ordinance: Provided by Lindsay through Monica. No issues reported from Greenwich Chamber of Commerce. Greenwich RTM may consider adding a 10 cent per replacement paper bag fee, which was omitted from Greenwich's original (i.e., current) bag ordinance.

4. Discussion of store interviews conducted by committee members:

Further review of conversations with local business owners / managers.

- Darien Sport Shop, Mama Leone's Restaurant, Fisherman's Net, Darien Cheese & Fine Foods, Wineport of Darien

Among local retailers, a wide range of levels of awareness about content of proposed ordinance.

5. Discussion of Public Health and Safety and TGS&A recommendations for proposed Bag Ordinance:

Monica led review of notes, minutes & feedback from other committees' meetings.

6. Discussion of updates to Ordinance 2.1 including wording addressing smaller businesses:

David led review of changes & edits in draft 2.1, reviewed tonight, vs. prior versions.

Changes identified in the red-line document distributed with meeting materials.

Discussion of several topics including the administration of 10 cent charge on replacement bags.

Discussion of Town Counsel's concerns regarding the 10 cent charge. A written opinion was requested to detail Counsel's specific concerns with reference to statutes, precedents & case law.

Sense of the meeting: 5 in favor of mandatory 10 cent charge as in current draft; 4 against.

7. Discussion of Public Hearing on Ordinance

Discussed logistics & timing of potential public hearing on this ordinance.

8. Other business: None

9. Adjournment: meeting was adjourned at approx. 9:00pm.

There were no votes taken at this meeting.

Respectfully submitted,
Frank Adelman, Rotating Clerk
April 3, 2019