

# Town of Washington Special Town Meeting

Bryan Memorial Town Hall, Washington Depot, CT

April 17, 2019 at 7:30 p.m.

Moderator: Hank Martin

Clerk: Angel Burton

## Special Town Meeting Vote Record

**Call to Order:** First Selectman started by requesting nominations for Moderator. Anthony Bedini nominated Hank Martin, seconded by Jay Hubelbank, and approved unanimously with no other nominations. Moderator called meeting to order.

**Warning:** Town of Washington, Warning, Special Town Meeting

The voters and electors of the Town of Washington are hereby warned that a Special Town Meeting will be held on Wednesday, April 17, 2019 at 7:30 p.m. at Bryan Memorial Town Hall, Washington Depot, CT to consider and act upon the following:

- To approve an Ordinance prohibiting the use of plastic checkout bags by businesses in the Town of Washington.
- To approve the use of LoCIP funds for the installation of an HVAC system at the Bee Brook Firehouse.

Dated at Washington the 4<sup>th</sup> day of April 2019

Mark E. Lyon, David Werkhoven, Jay Hubelbank – Board of Selectmen

**Motion #1:** Town of Washington shall enact an ordinance banning the use of single-use plastic checkout bags.

Motion by Mark Lyon; Second by Jillian Kauff

Discussion: Mark Lyon, Peter Tagley, Jay Hubelbank

**Call Motion:** By: Frank Colangelo  
Moderator: Ends discussion; not modifiable, requires two-thirds majority  
Vote: Passed with greater than two-thirds majority

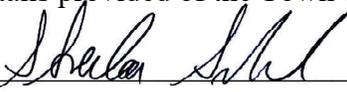
**Motion #1 (cont):** Moderator: Vote requires 50 plus 1 majority  
Vote: Motion passed.

**Motion #2:** Resolved: The Town of Washington shall use \$85,000 of state LoCIP funds to replace and modernize the HVAC system in the Bee Brook Firehouse.

Motion by Mark Lyon, Second by Jay Hubelbank  
Discussion: Mark Lyon, Peter Tagley  
Vote: Motion passed.

**Adjournment:** Motion by Hank Martin, Second by Jay Hubelbank, Passed

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I, Sheila Silvernail, certify to the best of my ability the foregoing is an accurate record based on details provided of the Town of Washington's Special Town Meeting on April 17, 2019.

 \_\_\_\_\_ Dated at Washington, CT this 19th day of April 2019

# Town of Washington Special Town Meeting

Bryan Memorial Town Hall, Washington Depot, CT

April 17, 2019 at 7:30 p.m.

Moderator: Hank Martin

Clerk: Angel Burton

## Special Town Meeting Minutes

First Selectman started by requesting nominations for Moderator. Anthony Bedini nominated Hank Martin, seconded by Jay Hubelbank, and approved unanimously with no other nominations.

Moderator: I'd like to call this Special Town Meeting of the Town of Washington to order and ask our clerk, Angel, if she would read the Warning please.

Clerk: Town of Washington, Warning, Special Town Meeting

The voters and electors of the Town of Washington are hereby warned that a Special Town Meeting will be held on Wednesday, April 17, 2019 at 7:30 p.m. at Bryan Memorial Town Hall, Washington Depot, CT to consider and act upon the following:

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Dated at Washington the 4<sup>th</sup> day of April 2019

Mark E. Lyon, David Werkhoven, Jay Hubelbank – Board of Selectmen

Moderator: Thank you, Angel. So what we're going to do tonight is what we always do at town meetings. For each item on the Warning which there are two, we will have a resolution. We will ask for a second to that resolution. We'll have a discussion about it and then we'll vote on it. In the discussion period after the resolution is explained usually by our First Selectman, you will have the opportunity to ask questions, make comments, either pro or con. Please raise your hand and I will recognize you. When you are recognized, please state your name and your street address. Even if you think we know you, please do so for the purposes of helping Angel who is preparing the transcript for this meeting. The discussion will continue until there's no more hands raised or until one of you make a motion to stop discussion which is called moving the motion or calling the motion. Any questions? Mark, would you explain the first item on the Warning?

M. Lyon: Resolved: Town of Washington shall enact an ordinance banning the use of single-use plastic checkout bags. There's the motion. Do we have a second?

Audience: Second [mixed voices]

M. Lyon: Second?

J. Kauff: Jillian Kauff, 239 Woodbury Road.

M. Lyon: Okay, this was brought to the Board of Selectmen by the Washington Environmental Council and the Sustainability Committee. It's been vetted by the town attorney and endorsed by the Selectmen. WEC [Washington Environmental Council] has surveyed town businesses and their business association. It will be effective May 1<sup>st</sup>, 2019 with a six-month grace period for businesses to clear out plastic bag stock and get in compliance at which point the enforcement will begin with no penalty for first time offences. What we'll do is begin the penalty enforcements January 1<sup>st</sup>, 2020. Basically I think it's pretty self-explanatory. I don't know if there's any questions.

Moderator: Are there any questions?

Audience: [silence]

Moderator: Are we ready to vote?

Audience: Yes [mixed voices]

Moderator: I see one question over there.

P. Tagley: Peter Tagley.

Moderator: Hold on for the microphone.

P. Tagley: What's the legal basis for this whole issue? How do you enforce it? What legal grounds do you have to enforce it?

M. Lyon: It's a town ordinance and I'm not sure what you mean by legal grounds? It's like not throwing cigarette butts out the window.

P. Tagley: Suppose someone in one of the stores doesn't want to comply?

M. Lyon: In the back of the ordinance, there's a whole list of enforcements and fines and then there's a citation hearing process. We'll try to find another volunteer to be the enforcement officer. Then there'll have to be a hearing

process and go on from there. There're also acceptable plastic bags that can be used.

P. Tagley: So you have a list of what can be and what can't be. Does that mean you go to the various store owners and say you can do this, and you can't do this. Is that basically what you're saying?

M. Lyon: Right, basically. The store owners are going to have to go to recyclable paper bags.

P. Tagley: And have you spoken to the store owners?

M. Lyon: I personally didn't. WEC [Washington Environmental Council] went around and they said they had, I don't know if it was 100 percent or 98 percent, support and they also have had support for the Washington Business Association.

P. Tagley: I don't know how you enforce the fact that there are so many different types of plastic bags. Does that mean you're telling the store owner you can't buy this type of plastic bag and use it? You have to buy that bag.

M. Lyon: Right, and I think it's describing by thickness, the mil, and so on.

P. Tagley: Right.

M. Lyon: It's that plastic bag you get at the market.

P. Tagley: Right.

M. Lyon: The plastic bag you get at the grocery store and it's very thin, flimsy. It's not reusable. It's a problem for recycling and it usually just ends up going into the trash.

P. Tagley: Are all the shop owners in town willing?

M. Lyon: So far that's what I've been told. I haven't talked to them personally.

P. Tagley: So you have someone that's going to enforce?

M. Lyon: We'll have to get someone.

P. Tagley: You'll have to hire someone?

M. Lyon: I'm not going to hire anybody. I will have to get one of our eager WEC [Washington Environmental Council] people to volunteer.

Moderator: Any other questions? Jay?

J. Hubelbank: Jay Hubelbank, 236 Woodbury Road. In terms of the enforcement, we're following the same pattern that we follow for any other enforcement that we do with any of our other ordinances. So it's nothing new that we haven't done before. And if you take the latest zoning case, we have appointed an individual. There's a process that people can be fined just like in a zoning case by the zoning enforcement officer. If they don't like that they've been fined or cited, they have a right to appeal. We'll set up that similar process. We're not looking to appoint anybody now and our hope is that when we talk to a business that doesn't comply, we can talk to work out a way to make it work for them. So that's the item.

Moderator: Standing in the middle?

F. Colangelo: Frank Colangelo, 72 New Milford Turnpike. Motion to end discussion and continue to vote.

Moderator: Okay, we have a motion to call the question which means to end debate. The motion is not modifiable and there's no debate on it. The next thing we will do is vote on that sub-motion to the overall motion regarding the ordinance. In order for the sub-motion to call the question to prevail requires a two-thirds majority. So if you all think you've heard enough and ready to vote then you would vote for that motion. If you want more discussion to continue, then you vote against it. All in favor of calling the question and ending discussion please say aye. Raise your hand.

Audience: Aye.

Moderator: Okay, any against that? Thank you, looks like it's 99 percent, way more than two-thirds so the motion carries. Now that that's happened, we must go straight to voting on the motion to approve this ordinance. That requires only 50 plus one, 50 percent plus one majority. Let me just read the item in the Warning.

This is a resolution to approve an Ordinance prohibiting the use of plastic checkout bags by businesses in the Town of Washington. I hope you've all seen a copy of the complete ordinance which is four pages long that was out back as you walked in or have access to it now. All in favor of approving that ordinance and approving this motion, please raise your hand and say aye.

Audience: Aye.

Moderator: Those opposed do the same.

Audience: [silence]

Moderator: Okay, the motion carries. Thank you very much.

Audience: [applause]

Moderator: Okay we're on to Item Number Two, the second item on our Warning. Mark, would you please introduce that resolution and make whatever comments after it's seconded.

M. Lyon: Resolved: The Town of Washington shall use \$85,000 of state LoCIP funds to replace and modernize the HVAC system in the Bee Brook Firehouse.

J. Hubelbank: Second.

M. Lyon: Second by Jay Hubelbank. This has been in the works for about six months, I think. The boiler in the firehouse is now little over twenty-five years old and it needed to be replaced. When we started looking different boilers it was decided to include a central air system. The building is used in the summer for classes, but also as primary emergency operation center as well as shelter site. The Buildings and Property Committee hired a firm to design a heating and AC system. It went out for bid. We had the bids back, but we didn't have the money. The LoCIP money is local capital improvement funds that is set aside for every municipality in the state in an account that is managed by OPM. It accumulates until it's use is requested by the municipality. We had put in an application to OPM to use the funds and it was approved as a capital improvement project for the Town of Washington.

Moderator: Questions? I see no hands. Are we ready to vote on this?

Male: What's the amount?

M. Lyon: \$85,000.

Male: What is currently there?

M. Lyon: Just hot water heat and window air conditioning.

Moderator: Other questions? Are we ready to vote?

Audience: Yes.

Moderator: Let me read the resolution one more time.

Resolved to approve the use of LoCIP funds for the installation of an HVAC system at the Bee Brook Firehouse. All in favor of that motion please raise your hand and say aye.

Audience: Aye.

Moderator: Any opposed?

Audience: [silence]

Moderator: Motion carries.

Audience: [applause]

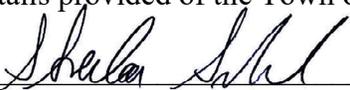
Moderator: There being no other items on the agenda, I will entertain a motion to adjourn.

Jay Hubelbank: So moved.

Moderator: Thank you. We have adjourned, thank you.

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I, Sheila Silvernail, certify to the best of my ability the foregoing is an accurate record based on details provided of the Town of Washington's Special Town Meeting on April 17, 2019.



Dated at Washington, CT this 19th day of April 2019