

**TOWN OF MILLBURY
BOARD OF SELECTMEN MINUTES
SELECTMEN MEETING ROOM**

RECEIVED
TOWN CLERK
7:00 pm

November 28, 2017

17 DEC 20 AM 10:43

Selectmen Present: Chairman Francis B. King, Chairman Sandra Cristo, Mary Krumsiek, Scott Despres, Jon Adams, Acting Town Manager, Town Manager David Marciello
Steve Balistreri-*Millbury Sutton Chronicle*, Paul Rothier, Guy Hebert, and other concerned citizens

Town Planner; Laurie Connors- She is here to present three roads for acceptance at the 2018 Town Meeting. Jessica J was previously submitted but all waivers were not signed so it did not go through. The other two roads are Rollie Shepard Drive and Bill Graham Lane. Selectman Adams if when these roads are constructed are they not up to town specifications and that is why they are not accepted at the time of completion? No, what happened many years ago there was a period of time where the town went through 3 town planners in a short amount of time and some time that there was not a planner, so many of the performance bonds were left to expire. When she came aboard there was many things that needed to be done so what she did was to negotiate with the developer to get down what she thought was fair; install minimal amount of bounds, doing the as built plan and street acceptance plans, so the street trees and sidewalk repair were not addressed. Considering their age, they are not in bad shape. We have since put in some measures to make sure that this doesn't happen again. These are the last two subdivisions that fell through the cracks. Selectman Despres said that he has no problem with Rollie Shepard and Bill Graham but all he hears is complaints about Jessica J being in poor condition. With Jessica J Ext being built, is there any requirements to fix the pavement for Jessica J Drive? Ms. Connors said that she thinks the complains are grossly exaggerated; when Jessica J Ext was approved it was in 2004 and Jessica J was in tip top condition at that time. Selectman Despres asked what the benefit is of accepting the roads? Ms. Connors explained that she does this as a service to the residents as they have to pay for upkeep of the road until it is accepted; the town will receive Ch.90 money on that road if it is public.

Motion made by Selectman Krumsiek to begin the process of laying out Jessica J Drive, a way situated southeast of Herricks Lane located in the southern section of the Town of Millbury, in the County of Worcester. Said roadway is shown as Jessica J. Drive on a plan entitled "Plan of Acceptance of Jessica J Drive, Millbury, Massachusetts" prepared by LaVallee Brothers Inc, dated March 16, 2005. The roadway will be conveyed subject to and with the benefit of all easements shown on the plan, seconded by Selectman Cristo.

Motion carried unanimously.

Motion made by Selectman Krumsiek to begin the process of laying out Rollie Shepard Drive, situated northeast of Montgomery Drive in the northeastern section of the Town. Said roadway is shown on a plan entitled "Road Acceptance Plan of Rollie Shepard Drive & Bill Graham Lane in Millbury, MA Prepared for Town of Millbury" prepared by Andrews Survey & Engineering, Inc., dated December 3, 2015, seconded by Selectman Cristo.

Motion carried unanimously.

Motion made by Selectman Krumsiek to begin the process of laying out Bill Graham Lane, situated east of Rollie Shepard Drive in the northeastern section of the Town. Said roadway is shown on a plan entitled "Road Acceptance Plan of Rollie Shepard Drive & Bill Graham Lane in Millbury, MA Prepared for Town of Millbury" prepared by Andrews Survey & Engineering, Inc., dated December 3, 2015, seconded by Selectman Cristo.

Motion carried unanimously.

Motion made by Selectman Krumsiek to forward the petition to accept the proposed layout of Jessica J. Drive, Rollie Shepard Drive and Bill Graham Lane to the Millbury Planning Board for comment as to whether the roadways are ready for acceptance, seconded by Selectman Cristo.

Motion carried unanimously.

Motion made by Selectman Krumsiek to schedule a visit to view Jessica J. Drive, Rollie Shepard Drive and Bill Graham Lane at 9:00 am on January 6, 2018. The public meeting on the proposed acceptance of these roadways will occur at 7:15 pm on January 9, 2018, seconded by Selectman Cristo.

Motion carried unanimously.

Ms. Connors did an update on her department; new building inspector has been hitting the ground running, he is very busy with inspections and permitting. He is also trying to get the new software up and running. Pam Bott started in our office in September as well and she is doing a great job. Patricia Arp started about a month ago as our energy manager and she is working on our Green Community's 2016 grant of \$247,000; all of our projects are complete with exception of the LED Streetlights installation, which is in the process of getting done and will be installed hopefully in January; there is approximately 500 streetlights being replaced. We will then submit another grant application for 2nd phase of the streetlights; HVAC work at the library and additional projects. She is also applying for \$250,000 for a solar carport at the DPW/Sewer plant; the energy will replace the Mitsubishi unit for the administrative office. WE received a \$25,000 grant to defray the costs of the Master Plan, we signed the contract with SC Group; kickoff meeting was November 15th; she gave them a pile of reports and we will be working on a townwide survey. We received \$19,800 from the Stanton Foundation for improvements at the dog park. We are working with the carpenter's school to do a pavilion; and are working on getting a guardrail installed. We would like to install granite steps in the large dog area. We also applied for the 319 grant for \$150,000 but we did not hear from them yet. There also is the Complete Streets grant for \$400,000. We need to do the engineering for the downtown improvement; if we do not we lose \$650,000 of construction money. Not only will this take care of the MSO4 project, raingardens, downspouts, sewer project and ADA project, it would be a crime not to take advantage of this.

Mr. Marciello said that he is very pleased with all of Laurie's progress. The positions that were hired in her department were all in the budget. Just having the Energy Manager in place has paid for itself.

Selectman Krumsiek asked what is going into the nursing home? It is a proposed detox center; people would go there from the emergency room. This would be for both drugs and alcohol. They are looking to start with 40 beds and possibly 2nd floor another 40 beds. They will be investing \$5million in rehab including the parking lot. This is a private pay or insurance facility. The facility picks them up directly. The patients do not go outside at all. This is one of 14 facilities that they have through the country; this is the first for Massachusetts. They are looking to open around June 1, 2018.

Drainlayer Renewal to lay drains in Millbury- Riccardi Brothers, Inc.

Motion to renew the license made by Selectman Krumsiek, seconded by Selectman Cristo.

Motion carried unanimously.

2nd Reading of the FMLA Policy-No additions/corrections requested

Town Manager Report: *attached

Stefan Strychar to the Historical Committee; Rachel Goclawski to the Youth Commission; Paul Concemi to the Public Safety Building Siting Committee.

Motion to concur with the appointments made by Selectman Krumsiek, seconded by Selectman Cristo.

Motion carried unanimously.

Mr. Marciello said that his 5 -year financial forecast is being done in conjunction with the budgets.

Mr. Marciello is putting Ch.40u on the back burner; he has to focus on recreational marijuana by-laws and zoning.

Mr. Marciello has started the certification process for managers; he has officially enrolled in the MA Certified Public Manager's program at Bridgewater State University.

Mr. Marciello believes that we will be \$150,000 under budget for the dam; final build was around \$2.8 million.

Chairman King asked for an update on the 158 Wheelock Ave property. Mr. Marciello said that DEP approved the plan today; they will be starting next week to hose it down to remove the debris. Julie from the Board of Health has been working closely with DEP to get this done. It got hung up because of all of the jurisdictions involved; there is the town, state and federal levels because the debris will be going to New Hampshire. Unfortunately, it takes a lot of time to get all of that coordinated.

Selectman Krumsiek asked what is going on with the Asa Waters liquor license? Mr. Marciello said that we met with the task force and they suggested going out to bid for bartending services. At this point we are not doing anything with the license. We will put it in a drawer and not do

anything with it. This liquor license is for the future; we are taking it step by step. We can turn the license back and then get a one-day liquor license if needed. Selectman Krumsiek said that as of right now we cannot issue a one-day liquor license. Mr. Marciello said that we would have them use our license. Selectman Krumsiek then said that people cannot bring in their own liquor to the mansion as well because of the license. She would like the license turned right back into the state. He would like to do an RFP for bartending services, this is Ch. 30b driven and that is his issue as it is administrative. Chairman King asked what is going to happen to any events that are already scheduled? Mr. Marciello said that they cannot give a one-day license at this time but we can let them use our liquor license and have them pay us a fee. If there are any out there between now and the 12th he will send the license back. This will be on the December 12th meeting for discussion. He asked the insurance company for a quote for liquor liability; low end was \$900 and up to \$1300. He thinks that money could be recuperated in a year's time. Mr. Marciello said that the director of the mansion told him that we could also partner with a distributor that consigns the liquor. Selectman Krumsiek said that that is not allowed in Massachusetts. Chairman King said to make sure that we will not have issues with this.

Selectman Adams asked if this issue on 158 Wheelock could have been avoided if the building inspector or Board of Health came down on them years ago?

The building inspector and board of health did everything possible that they could do within the limits of the law. They would take them to court and the judge would give them time to fix things. This is where 40u comes in; the receiver would have been able to take over and if they don't get paid they could force the sale of the house. Selectman Adams would like to see the fee increased for violations.

Selectman Adams asked if Mr. Marciello is on target for his 5-year fiscal plan per the charter? Yes, he is working on that with the budget. Mr. Adams asked how Mr. Marciello is funding OPEB in FY19 because he is using money that is not there and may not be there. Mr. Marciello explained that it is a percentage of the money that will be coming in from the medical marijuana. So, when that starts coming in a percentage will go to OPEB.

Selectman Despres said that he drove through Jacques Park and it looks nice. Mr. Marciello said that what you see done was the original plan; there was no extra money spent or change order for that park-it was the wetland replacement for the Ramshorn Dam project.

Selectman Despres said that he got many calls about the Recycling Center being closed on the Friday after thanksgiving. Mr. Marciello apologized for the lack of communication from his staff; the HR Director advised the DPW Director that we could not treat the Recycling Center employees different than the others so they had to close on the holiday.

Selectman Despres said that there is a new pole on Carleton Road that is very close to the road, it needs to be looked at. He also asked about the bus stop in front of 95 Elm that we had a request from the tenants to have that moved because of the people smoking in it. Mr. Marciello replied that we are not going to remedy that situation because it is an internal issue; there is no smoking

allowed in the enclosure. It would interrupt the bus schedule and the ADA accommodations to move it.

Selectman Despres said that there should be a naming contest for the Ramshorn Dam; he suggests it being named after Roland LaChance because when you think of West Millbury you think of Mr. LaChance. Chairman King suggested opening it up to other names as well. Mr. Marciello said that we could put a non-binding question on the ballot or do a survey on the website.

Selectman Despres asked how Small Business Saturday went? Selectman Cristo thinks it went well and thanked everyone for getting out to support it.

Chairman King let the members know that Attorney D Moschos asked to be on the agenda for 6:00 pm to update us on executive session on December 12, 2017.

Chairman King asked to have the Public Safety Building Siting committee changed to a building committee with a charge of designing the building and coming up with a cost.

Selectman Despres asked if the land where the police station is looking to go is the same land where they are planning on putting the solar carport? The carport would be behind that land.

Mr. Marciello said that he is working on a large solar farm for town which will increase revenue to the town and possibly bring 3 phase electricity to the Recycling Center.

Previous minutes:

Motion to approve the minutes of the November 14, 2017 regular selectmen meeting made by Selectman Krumsiek, seconded by Selectman Cristo.

Motion carried 4-0-1 (Chairman King abstained)

Old Business

Remote participation: Mr. Marciello explained the law regarding remote participation.

Chairman King would like to see it used only in emergency. Selectman Krumsiek said that she would like to sit down with Chief Hamilton because he asked for it and work on a policy.

Selectman Cristo agreed that it should only be used in emergency.

Selectman Adams is meeting with the Finance Director and the Town Manager regarding the \$5 million debt exclusion for the roads on December 12, 2017. At the end of the meeting we will have good educated estimates to work with. Selectman Adams would like to get the verbiage from town counsel on the wording of the warrant article.

Recycling Education Committee: Selectman Despres spoke as the chairman of the committee; we were asked by an auburn selectman to consider a plastic bag ban. We are not talking about every plastic bag; only the ones that grocery stores, pizza shops and other small stores. The committee has meet a couple of times and they came up with the pros and cons of these bags. Chairman King said that he personally would not vote for a ban but anyone is welcome to put a citizens petition together for it.

Guy Hebert, a member of the committee and a driver for Pellegrino Trucking which does trash and recycling in Shrewsbury. He suggested educating people regarding the bags. Cassella has a great flyer. Something as simple as a sign or teaching the kids in school.

Chairman King thanked Mr. Despres and Hebert for all the work they put into this.

Motion to not have a plastic bag ban in Millbury and to have the Manager send a letter to Auburn made by Selectman Krumsiek, seconded by Selectman Cristo.

Motion carried.

Chairman King read Dates to Remember:

Thursday November 30 Millbury Police Association Senior Dinner- Senior Center 6 pm

Sunday December 3rd Our 19th Annual Chain of Lights!

Sunday December 3rd from 11 AM to 4 PM Look for the Destination Imagination Stop at this year's Millbury Chain of Lights

Tuesday December 12th at 6 PM The Friends of the Asa Waters Mansion host "An Old Fashioned Christmas Tea"

Saturday December 16th from 10 AM to 2 PM Destination Imagination Bake Sale and Tag Day outside of Goretti's Supermarket

On a Good Note:

Thank you to the Environmental Council for cleaning up Howe Ave & Howe Pond

Mail:

Toy Drive Challenge Fire & Police on December 9th at Ray's True Value

Letter from Laurie Connors regarding a donation from the Millbury Lions Foundation in the amount of \$531.63 for the Butler Farm Bark Park.

Motion to accept the donations made by Selectman Krumsiek, seconded by Selectman Cristo.

Motion carried unanimously.

Motion to adjourn by Selectman Krumsiek at 9:00 pm, seconded by Selectman Cristo.
Motion carried unanimously.

Respectfully submitted,

Tish Hayes, Secretary

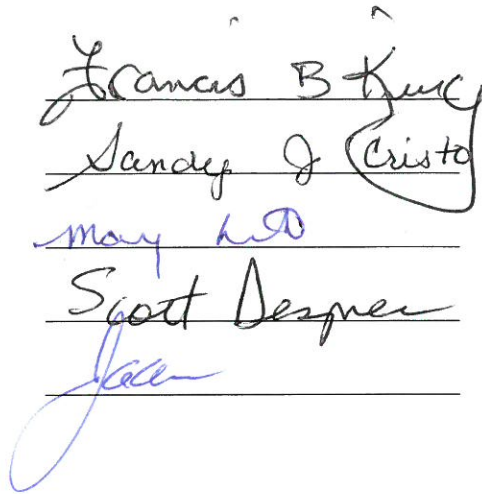
Francis B. King

Sandy J. Cristo

Mary Krumsiek

Scott Despres

Jon Adams

Handwritten signatures in blue ink on lined paper. The signatures are: Francis B. King, Sandy J. Cristo, Mary Krumsiek, Scott Despres, and Jon Adams.

Memorandum

To: BOS
From: DJM
Date: 11/24/17
RE: Town Manager's Report

Appointments:

- See Agenda for appointments

T.M. Goals and Objectives:

1) Vacancies / Hires: Completed 

2) Master Plan

Deadline

6/30/18

As of 11/22

Update– Kick-off meeting occurred on 11/15. Consultant is in the process of gathering data and scheduling a meeting with BSU to coordinate the compilation of the survey process.

3) Develop, Manage and Implement a 5 Year Financial Forecast for the Town including a Capital Improvement Plan

Deadline

6/30/18

As of 11/22

Update – The Finance Director and I are in the process of developing our budget. This is part and parcel to this process. A blueprint will spawn out of this process as we know more clearly where we currently stand. we can then ascertain what our strategies can be. I will apprise the Board when there is something noteworthy.

Town Manager's Report for the 11/28/17 BOS Meeting

4) Develop OPEB funding source and/or Plan

Deadline

5/30/18

As of 11/22

Update – The developments of last week's executive session continue. It is my intention to take a % of that funding source and earmark it for multiple stabilization accounts – OPEB being one - perhaps unfunded retirement payments could be another. I have the Finance Director working with DOR to ascertain the allowable methodology to undertake this process.

5) Phase 2 of Tip Project

Deadline

9/30/17

As of 11/10

No update – Awaiting VHB to notify us that they are ready to present their next stage

6) Fees Audit

Deadline

6/30/18

As of 11/10

Not yet undertaken

7) MS4 Funding Plan

Deadline

6/30/18

As of 11/22

Update – The developments of last week's executive session continue. It is my intention to take a % of that funding source and earmark it for multiple stabilization accounts – MS4 being one of them. I have the Finance Director working with DOR to ascertain the allowable methodology to undertake this process.

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8) 40 U Determination

Deadline	As of 11/10
2/1/18	No update

9) 2 New Viable Revenue Sources

Deadline	As of 11/24
6/30/18	

Update – The developments of last week's executive session continue and town counsel is in the process of drawing up that agreement. The outcome of that situation will produce indefinite future recurring Town revenues. Per statutory scheme, the first iteration of that arrangement will be for a 5 year term and then subsequently the Town will have to renegotiate. No one can predict what the statute will allow in the future, but whatever that may be, the Town will strive to get the maximum allowable amount – in the same way that we are now maxing out on the potential allowable dollar amount.

As you are aware, the statute created a unique situation in Millbury where Millbury was going to be mandated to comply with situations out of our control, yet they were potentially detrimental to our interest. (all without any say in the process) We were going to be forced to comply with certain mandates - incurring much responsibility and duty - without receiving any benefit or having any say.

By posing direct questions and conversations with the Attorney General's Office, the Cannabis Control Commission and multiple legal panels (including the Mass Municipal City/Town Solicitors Association regarding this particular unique situation that affected us, and no other Towns) I was able to gain insight and strategy into how to move our position forward instead of reacting to the situation being dictated to us.

I am not ashamed to put in this report that because of me and my staff's quick response to the situation, we were able to act in time to turn what was going to be a statutory mandate being dictated to us (with no measurable benefit coming to the Town) into a positive negotiation process that we actively participated in and which we will now benefit from significantly.

This arrangement is a new and distinct revenue source which is estimated to garner hundreds of thousands of recurring dollars into the

Town Manager's Report for the 11/28/17 BOS Meeting

Town's coffers. Moreover it was the result of me and my teams efforts; thus, one of the two agreed upon viable revenue sources will come to fruition by the 6/30/18 goal. That leaves one other viable revenue source to be identified and developed by 6/30/18 in order to meet this goal.

To this end, I, along with my team, am working on two other – separate and distinct - potential revenue sources. These other revenue sources are not at the same stage as the above referenced situation. However, as a foreshadowing of what could be on the horizon, assuming that either of the two other situations comes to fruition, the Town could be in a position to collect another large sum of recurring revenues for at least 20 years. Nonetheless, it is still far too premature to bank on this. The situations are developing and the landscape is very promising. I will keep the Board apprised of how these situations develop as the opportunities become more clearly flushed out.

10) Credentialed And Certified Manager

Deadline

No deadline

As of 11/22

Update

Nationally:

ICMA – I started the process at the conference and I continue to move along in the cue. I have begun the initial testing assessment which will give the review panel a score based on my knowledge in key areas of public administration procedure and methodology. (Believe it or not, public administration is a science and there are correct ways of doing things.)

From the results of the initial assessment, I will be directed by the team to focus on areas in which the ICMA recommends that I become more expert. A developmental plan will spawn from those discussions highlighting areas that the review panel deems I should focus my continuing education to advance my knowledge and improve upon. The idea is that a credentialed manager is one who is competent in numerous areas of public administration and any one area that the panel deems one should become more expert will be highlighted. One must master all of the core areas before the panel will credential a manager.

This is normal procedure prior to credentialing and it is expected that I, just like every other applicant, will be given a course of action that must be undertaken in order to receive full credentialing.

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The process that they follow is that the ICMA board of review will assess my initial test score, my education, my years of experience and my accomplishments. Once they have that overall score and the results of their assessment test, they will have me focus some attention into any area that they wish me to become more expert prior to credentialing me. However, it doesn't stop there. The ICMA requires that this level never stay constant:

Credentialing is voluntary. Less than 10% of all public administrators are credentialed. It is a vigorous process and one must make a commitment to never stop advancing. To achieve this, the review panel assures that one's individual credentialing standard never remains constant. The credentialed manager is made to always become more expert and more knowledgeable each year to maintain his credentialing: The bar never stays constant; it is always moved higher and higher each year.

Once I am credentialed, to maintain my credentialing I must consistently advance my professional expertise through education, outreach and professional development. Moreover, the ICMA goes on to mandate that I must likewise strive to similarly grow as an individual through constant courses, classes, seminars, volunteerism etc. Reviews / audits are conducted on an annual and 5 year basis to ensure that these standards are maintained or credentialing may be revoked.

As you can see this is a rigorous and daunting process from the start and it never gets easier, nor does it ever stop. That is why less than 10% of public administrators – worldwide, volunteer to go through this process.

Massachusetts:

I have officially enrolled in the Massachusetts **Certified** Public Manager's program at Bridgewater State University. (The official state certification) This too is a rigorous and involved process. For me to become certified by the state, I must have my MPA; (which I do) I must complete 300 hours of required certification courses and a Capstone project in this certification tract (which I am now enrolled) and I must have the requisite years of experience necessary to apply for the certification. (which I likewise do) Assuming that I can schedule all of the required courses around my work/personal schedule, I will be certified in the Fall of 2019. Thus, I will be part of the inaugural graduating class and one of only a handful of Massachusetts Certified Public Managers.

Moreover, I am hopeful that I will be **Credentialed** by then as well. Thus I believe it safe to say that I will be **the one and only** Massachusetts Certified Public Manager who holds a bachelors' in political science, a masters' in public administration, a Juris Doctorate and is credentialed through the ICMA.

Town Manager's Report for the 11/28/17 BOS Meeting

Logistics:

- **B/I Office**
Brian has applied 2 coats of color to the outside and finished the color on the door. He has some very small punch-list items to complete this office.
- **Treasurer/ Collector's Office**
No update
- **Roadway Policy and other Issues:**
The DPW Director is working on completing the road list. He is busy working with contractors to develop RFPs over the winter for spring start dates. The Finance Director is developing a report in regards to funding alternatives and implications. This will be discussed with the BOS member assigned to this project (Mr. Adams) at a meeting on December 12th.
 - **TIP Project – McKraken**
Continued from last report:
No update from the mall yet.
 - **MS4**
No relevant UPDATES

- **Dam Updates:**

For the most part, construction will be done next week. There will be small punch-list items to go over, but as of next week, construction will be basically 99.9% completed. That being the case, I am assuming that there will be punch-list items that have to wait until the spring due to weather. I have a site walk meeting with the engineer, the builder and the DPW director to go over these issues next week. Any necessity for a holdback of funds for punch-list items will be ascertained at this meeting.

Dolan Street is now open to traffic. There are jersey barriers on the sidewalk where planters will be installed. The details of the planters and when they will be installed will be discussed at the site walk .

To be completed in the next week:

- The streetlight shields need to be installed and the bulbs aimed.
- The hand railing on the upper part of the ramp needs to be installed
- A handrail return on the end of the dam attached to the fence needs to be installed.

Punch List items that may span into the spring- Timing TBD at the site walk meeting:

- Grass needs to be planted in the spring along the sidewalks and replanted along the downstream bank.
 - The contractor owns the grass for 1 year after completion of the dam/signoff- so sparseness, weeds, etc will not be acceptable.

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- There will be a holdback of some funding to assure this
- The handrails need to be painted in places where it was necessary to grind for welding purposes.
 - Weather permitting, touch-up painting could be completed or it could span into the spring
 - The contractor owns any defects, including paint, chips, etc
 - There will be a holdback of some funding for this

Cell Overlay

No update

- **Handicap Ramps and other Disability Committee Issues:**

I met with the BOH association on 11/15. Adding a regional social worker position was broached with the group. No vote was taken but it was decided to have the experts in the group gather benchmarking data and then a follow up meeting is going to be scheduled to further discuss this issue.

Grants:

There are various grants in the works and/or were already awarded: CONTINUING - ONGOING

- The 319 grant was applied for
- ADA -- awaiting the results of the 319 grant since this is for construction and the 319 grant is for design and engineering, we can't put the cart before the horse. If we don't get the 319 grant, we could not do the construction. And it would be worse to be awarded a grant and not spend the money. It puts you in a bad light the net time you apply.
- Complete Streets --applied for
- Natural Hazard Mitigation Grants -UPDATE
Finance Director, DPW Director and I all attended the FEMA funding certification course offered by MEMA

40U:

- No updates

Budgets / Financial:

Ongoing:

Regional inventory / collaborative efforts between towns

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"Open For Business" function at the Mansion in the spring.

Meetings of Note:

- 11/28 9-9:30 MEET WITH PARE AND BUILDER AT DAM re update, punch list end of project wrap up
- 11/28 10-11 29 North Main St Technical Meeting re reuse of building
- 11/29 MSMS DEP Meeting 12:30-3:00
- 12/5 Dentist Apt be in by 10ish
- 12/13 CMRPC 930-2:30
- 12/20 Meet the Manager COA 9:30-10:30
- 12/27 12-2 Monthly regional manager's meeting
- 1-4, 1-5 SICK DAYS – scheduled medical procedure

On the Radar:

Nothing of note

Organizational And/ Or Operations Restructuring

- **Master Plan Intern and Capstone class project**
ongoing
- **Capital Plan and Revenue Generation:**
Call for volunteers for a revenue generation committee. how we can raise funds for the Town?
- **Organizational Chart – Org changes:**
This issue is not yet ripe to be brought to the Board, but it is an ongoing assessment. NO UPDATES

Pros

Can hold a lot

Can be reused for many things

Cheaper than other bags

In with trash at Wheelabrator

Saves trees/less paper

Cons

People put them in recycling bins and they shouldn't

They become roadside trash – hazard to wildlife

Big waste stream hassle – potential increase disposal cost

Can not hold as much as paper

We are not talking about the little blue dog waste bags or trash bags only the bags used by stores for products leaving the store.

thereto, with an effective date of July 1, 2017, a copy of which is on file with the Town Clerk, or take any other action relative thereto.

Submitted by: Board of Selectmen

ARTICLE 37. CITIZENS PETITION – PLASTIC BAG BYLAW

To see if the Town will vote to amend the General Bylaws by adopting a bylaw entitled "Plastic Bag Reduction" as follows:

Section 1. – Definitions

SINGLE-USE CARRYOUT BAG

A single-use carryout bag is made of plastic, paper or other material that is provided to a customer by an establishment and is used to transport merchandise from the establishment. Single-use carryout bags do not include recycled paper bags or a re-usable grocery bag. Single-use carryout bags do not include bags typically without handles used to contain dry cleaning, newspapers, small bags to contain fish, meats, produce and other products selected by the consumer to deliver items to the point of sale or checkout area of the store.

REUSABLE CARRYOUT BAG:

- 1) Is made solely of or in a combination of natural cloths, synthetic fibers, other washable material or of non-toxic plastic.
- 2) Is specifically designed for multiple reuse and has handles.

RECYCLABLE PAPER BAG

A paper bag that is 100% recyclable and contains at least 40% post-consumer recycled paper content.

ESTABLISHMENT

An establishment means any business selling goods, articles, or personal services to the public, including restaurants with a gross interior space of 3000 square feet or larger; or business having at least 2 locations under the same ownership or brand name within the Town of Grafton.

Section 2. PLASTIC BAG REDUCTION

Thin-film single use plastic carryout bags shall not be distributed, used, or sold for checkout at Retail Establishments within the Town of Grafton. Customers are encouraged to bring their own reusable shopping bags to stores. Retail or grocery stores are to make reusable checkout bags available for sale to customers at a reasonable price. Thin-film plastic bags used to contain dry cleaning, newspapers, produce, meat, bulk foods, wet items and other similar merchandise, typically without handles, are still permissible. Retail establishments may use Recyclable Paper Bags, with or without handles, at the point of sale.

SECTION 3. ENFORCEMENT

This Bylaw may be enforced by the Board of Health or by the Town Administrator.

All the requirements set forth in this bylaw shall take effect July 1, 2018.

Submitted by: Ellen Goguen

Auburn is not too far along in the process. One of the first things I did was reach out to neighboring communities. I have been doing some research on the effects of these bans on the towns that implement them. I've also reached out to selectmen/town officials in communities that already have them to get their thoughts and I have a bylaw draft written. Assuming the other members of the board support the idea, I'm hoping to bring a bylaw to the spring town meeting.

In the bylaw I defined plastic bags as: "Single-Use Plastic Bag(s): All bags, typically with handles, that are provided by a store to a customer at the point of sale and made of high-density polyethylene, low-density polyethylene, linear low density polyethylene, polyvinyl chloride, polyethylene terephthalate, polypropylene (other than woven and non-woven polypropylene fabric) and which do not meet ASTM D6400 or ASTM D7081 specifications." I looked to other towns current bylaws to write up the definition. Hamilton, Truro, Shrewsbury, and a few others were my main sources.

The ban would only target those that are provided by retailers to carry products. Things like trash bags, ziplock bags, and dog bags wouldn't be effected. Plastic bags inside grocery stores for produce, meats, and fish would also not be affected.

The ban would apply to all retailers in auburn, not just the grocery stores. This would effect resterants and shops throughout the town, though several already only use paper. Some towns have made it so that only retailers above a certain size are effected by the ban. This is not written in Auburn's draft right now but may come up later.

I hope this helps. Please let me know if you have anymore questions!

Best,

Tristan