



***Committee on Economic &
Community Development,
Housing and Land Use***

Councilor Jesse M. Adams, Chair

Councilor Ryan R. O'Donnell

Councilor Gina-Louise Sciarra

Councilor Paul D. Spector

Kevin Lake, Conservation Commission liaison

Ann DeWitt Brooks, Planning Board liaison

***MEETING AGENDA for the
Public Hearing on the City's Proposed Plastic Bag
Ordinance and Penalties for Non-Compliance***

April 7, 2015

City Council Chambers, 212 Main Street

Wallace J. Puchalski Municipal Building

Northampton, MA

****Activate NCTV Camera to Record Meeting***

1. Meeting Called To Order
 - 1.A. Members Present/Absent
 - 1.B. Announcement Of Audio/Video Recording Of Meeting
2. Approval Of Minutes
 - 2.A. Minutes Of ECDHLU Meeting Of Dec. 17, 2014

Documents: [12-17-2014MINUTES-ECDHLU_.PDF](#)
3. Public Hearing
 - 3.A. Motion To Open The Public Hearing
 - 3.B. Review Of Ordinances Under Consideration By The City Council
14.229 & 14.245 Solid Waste Reduction Ordinances - Plastic Bag & Associated Non-Criminal Penalties / Enforcing Officers
 - 3.C. Public Comment

3.D. Motion To Close The Public Hearing

4. Adjourn

*Committee on Economic & Community Development,
Housing and Land Use*

*Councilor Jesse M. Adams, Chair
Councilor Ryan R. O'Donnell
Councilor Gina-Louise Sciarra
Councilor Paul D. Spector
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December 17, 2014 MEETING MINUTES

5:00 p.m

**City Council Chambers, 212 Main Street
Wallace J. Puchalski Municipal Building
Northampton, MA**

1. Meeting Called To Order

At 5:00pm Councilor Adams called the meeting to order.

1.A. Announcement Of Audio/Video Recording Of Meeting

Councilor Adams announced that the meeting would be video taped.

1.B. Members Present/Absent

Present: Councilors Adams, O'Donnell, Sciarra and Spector and Conservation Commission Liaison Kevin Lake.

Absent: Planning Board Liaison Ann DeWitt Brooks.

2. Public Comment

None

3. Approval Of Minutes

3.A. Minutes Of Oct. 7, 2014 Meeting

Councilor O'Donnell moved to accept the meeting minutes of Oct. 7, 2014; Councilor Sciarra seconded the motion. The minutes were approved on a voice vote of 3 Yes, 0 No, 1 Abstention (Councilor Spector).

4. 14.229 & 14.245 Ordinances Regarding Plastic Bag Reduction

Councilor Adams explained that as sponsors of the Ordinance, there were several changes that he and Councilor Spector would like to make. The changes include:

1. A revised title that more accurately describes the scope of the Document.

2. Sections 1.4 & 1.5 were modified to remove business size requirements which allowed an exemption to the Ordinance. By having business size specification in the Ordinance, the City would be required to inventory & track the businesses that were affected by the Ordinance. Removing the business size wording would mean

no such inventory would be required, and that the Ordinance would apply equally throughout the City.

3. The plastic bag reusable bag definition has gone from 3 mils to 1.5 mils to allow for more flexibility with bag substitutions. The change is also consistent with California state laws.

4. Attorney Seewald suggested a wording modification to section 3.1.

5. The scope of the Ordinance was narrowed to limit only certain thickness of plastic bags. As a result, Section 3.2 and 4.3 were eliminated. The styrofoam ban that was originally proposed is now deleted.

6. The implementation date of the ordinance has been moved up to Jan. 1, 2016 (see section 6.1).

7. In Section 7 which deals with Hardship deferments, any reference to "City" has been changed to "Board of Health" in an effort to keep the hardship deferment authorizing body the same throughout the section.

Discussion: The Key reason the styrofoam ban has been removed from the Ordinance is because in many other cities and towns the substitute has been shown to be more hazardous than styrofoam.

Councilor Spector described scenarios that might make it difficult for local establishments to meet the guidelines established in the Ordinance:

Cooper's Corner already uses clear containers to package their to-go foods. The clear packaging also serves as a marketing tool; consumers can see the items they are purchasing. While the packaging is not styrofoam, it would not meet the compostable requirements if the City were to establish such a requirement.

Some businesses are already operating "at the margins; imposing an alternative that is more costly would not be beneficial for some businesses.

Councilor Spector talked about some businesses are looking at ways of minimizing use of plastic bags by their consumers, including charging for the use of bags. Some businesses, for example charge 10 cents per bag. Councilor Spector indicated that there has been some attempt to reach out to stakeholders; Stop & Shop and Big Y have not returned calls; attempts to meet with stakeholders through the Chamber of Commerce have not been successful.

Kevin Lake provided a visual aid that is available to the residents of Seattle.

Councilor Adams provided some comparisons about plastic bags:

.5 mils is typically for a grocery Store Bag

.75 mils is typically for a dry cleaner bag

1.5 mils is typically for a bread bag

1.75 mils is typically for a freezer bag

2 mils is typically for a retail shopping bag

Councilor O'Donnell announced that South Hadley's Board of Health has banned the use of styrofoam. They are the first to ban styrofoam through the Board of Health. Councilor Spector indicated that it is not surprising that the BOH has made such a move given the amount of space taken up in landfills by discarded styrofoam and based on the hazardous gasses let off during styrofoam production.

Northampton's Board of Health raised a concern about the store size exemption. Councilor Adams noted that the point was well taken as a matter of fairness. The plastic bag ordinance should apply regardless of the size

of the store.

Councilor Adams noted that the role of BOH has been removed and changed to Department of Health who is the enforcement agency for the City.

Regarding a Public Hearing, Councilor Spector suggested that the Committee on Economic Development, Housing and Land Use be the sponsor for the Public Hearing. Councilor O'Donnell thought that this made sense. While the Public Hearing should be sponsored by the entire City Council, the Chair of the Comm. on ECDHLU would chair the Public Hearing.

Councilor Spector moved to return to City Council with a positive recommendation as amended; Councilor Sciarra seconded the motion. The motion was approved on a voice vote of 4 Yes, 0 No.

5. New Business

None

6. Adjourn

Councilor O'Donnell moved to adjourn the meeting at 5:45 pm; Councilor Spector seconded the motion. The motion was approved on a voice vote of 4 Yes, 0 No.

Minutes recorded by:

Pamela L. Powers

Clerk of the City Council