

**REPRESENTATIVE TOWN MEETING  
BRANFORD, CONNECTICUT  
LEGAL NOTICE AND CALL  
REVISED 6/3/19 (Items 4 & 18 added)**

**RECEIVED**  
2019 JUN -4 A 9:05  
TOWN CLERK'S OFFICE  
BRANFORD, CONNECTICUT

The RTM will be convened on Wednesday, June 12, 2019 at 8:00 p.m. at Branford Fire Headquarters, 45 North Main Street, to consider and act upon the following matters:

1. Roll Call.
2. Approval of the minutes of the previous meeting.
3. Reception of communications, reports of committees, and citizen petitions.
4. To consider, and if appropriate, approve initiation of condemnation proceedings with respect to Crescent Bluff Avenue.
5. To consider, and if appropriate, adopt a uniform procedure for ordinance enforcement pursuant to Town Meeting Rules (A236-4.1 (d)).
6. To Review Branford's Town dock Ordinance and, if appropriate revise to Time Limits and Rights of Appeal.
7. To consider, and if appropriate, create an Ordinance re: Tree Warden & Public Tree Protection in Branford.
8. To consider, and if appropriate, create an Ordinance restricting the use of plastic bags.
9. To review and, if appropriate, propose changes to Chapter 189 of the Branford Town Code specifically regarding trash collection.
10. To consider, and if appropriate, approve a request from General Government Buildings (GGB) for the following FY19 budget transfer:

<b>From:</b>	70041170-579250-09304	Adult DC Condensing Unit	(\$2,410)
	70041170-544300-13318	Regional Energy Task Force	140
	70041170-579410-15313	BELC-Boiler Replacement	3,000
		Total	(\$5,550)
<b>To:</b>	70041170-544300-xxxx	Town Hall Counter Replacement	5,550

11. To consider, and if appropriate, approve a request from Human Services Director for the following budget transfer for FY19:

<b>From:</b>	21844010-555200	Property, Auto, Gen. Liability Ins.	(\$1,100)
<b>To:</b>	21844010-533650	Credit Card Processing Fees	1,100

12. To consider, and if appropriate, approve a request from ERACE/Branford Adult Education for the following FY19 budget transfer:

<b>From:</b>	25448100-511000	Salaries-Certified	(\$6,300)
	25448100-588200	Memberships, Conferences, Meetings	(310)
		Total	(\$6,610)
<b>To:</b>	25448100-555400	Advertising, Printing	5,670
	25448100-533500	Purchased Services	630
	25448100-51200	Salaries-Non Certified	310
		Total	\$6,610

13. To consider, and if appropriate, approve a request from the Board of Police Commissioners for the following FY19 budget transfer:

<b>From:</b>	10142010-566100	Office Supplies	(\$3,115)
	10142010-517000	Regular Wages & Salaries	(72,000)
	10142010-544130	Fuel	(\$35,000)
		Total	(\$110,115)
<b>To:</b>	10142010-579150	Technology	\$3,115
	10142010-518000	Overtime	50,000
	70042010-579350	Vehicles	35,000
	70042010-579250	Vehicle Equipment	22,000
		Total	\$110,115

14. To consider, and if appropriate, approve a request from the Department of Parks & Recreation for the following FY19 budget transfer:

<b>From:</b>	10145010-544100	Utilities-Water, Gas, Electric	(\$15,000)
<b>To:</b>	10145010-544300	Purchased Services, R&M	\$5,000
	10145010-544320	Grounds \$&M	10,000
		Total	\$15,000

15. To consider, and if appropriate, approve the following budget transfer for FY2019 pursuant to the collective bargaining agreement for the United Public Services Employees Union (Police), as approved by the RTM on May 14, 2019:

**Current year for various wage accounts**

<b>From:</b>			
	10149040-588802	Contingency	(\$229,663)
<b>To:</b>			
	10142010-517000	Wages & Salaries	\$199,656
	10142010-518000	Overtime	11,789
	10142040-518010	Overtime Public Events	3,576
	10142010-518050	Vacation	5,436
	10142010-518150	Holiday	5,899
	10142010-518200	Sick Pay	2,593
	10142010-518490	Shift Differential	744

**Current year for wages earned in previous fiscal years**

<u>From:</u>		
10149040-588802	Contingency	(\$129,259)
<u>To:</u>		
10142010-519070	Retroactive Wages	\$129,259

16. To consider, and if appropriate, approve a request from the Town Clerk for the following FY19 budget transfer:

<b>From:</b>	10141080-533300	Professional Development	(\$13)
	10141080-555400	Advertising Printing	(335)
		Total	(\$348)
<b>To:</b>	10141080-519025	Education Incentive	\$250
	10141080-579250	Equipment	98
		Total	\$348

17. To act on a request from the Finance Director to close out the School Ground Road Bridge project and approve the following resolution:

**RESOLUTION DECLARING SCHOOL GROUND ROAD BRIDGE PROJECT COMPLETE AND THE REMAINING BONDS AUTHORIZED TO BE ISSUED TO FINANCE SUCH PROJECTS WITHDRAWN.**

18. To approve and forward applications to the Department of Revenue Services pursuant to the 2019 Connecticut Neighborhood Assistance Act Program.

19. Any other business to come before the RTM.

20. Adjournment

Dated this 3rd day of June, 2019  
Dennis T. Flanigan, Moderator

**Town of Branford**  
**Ordinance to Reduce Plastic Trash**  
**By Prohibiting Any Plastic Bags Being Used for Retail Checkout**

Sections of the Document:

- Sec. 1-Purpose
- Sec. 2-Definitions
- Sec. 3-Restriction on Checkout Bags
- Sec. 4-Recyclable Paper Bag Fees
- Sec. 5-Operative Date
- Sec. 6-Penalty Amount
- Sec. 7-Enforcement Procedures

**Sec. 1- Purpose**

The purpose of this ordinance is to protect and improve the environment of Branford including its coastline and marine life, and the health, safety, and welfare of its residents by reducing the use of plastic and paper bags and encouraging the use of reusable carryout bags during the purchase of retail goods.

**Sec. 2- Definitions**

The following words terms and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section:

- a. *Checkout Bag* means a carryout bag that is provided to a customer.
- b. *Plastic Product Bag* means a flexible container made of very thin plastic material that is used to transport produce and meats to the point of sale, or transport small unpackaged products (i.e. beads & small hardware items), or clothing from a dry cleaner, or other items selected by customers to the point of sale.
- c. *Retail Sales* means the transfer to a customer of goods in exchange for payment occurring in entities engaged in retail sales, sidewalk sales, farmers' markets, flea markets, restaurants or other commercial or non-profit establishments which provide perishable or non-perishable goods.
- d. *Recyclable* means material that can be sorted, cleansed and reconstituted using available recycling collection programs for the purpose of using the altered form in the manufacture of a new product. Recycling does not include burning, incinerating, or otherwise thermally destroying solid waste.
- e. *Recyclable Paper Bag* means a paper bag that should have the following characteristics:
  1. Contains no old growth fiber, as indicated by a stamp on the bag by FSC (Forest Stewardship Council) or another similar certification organization.
  2. Is 100% recyclable overall and contains a minimum of 40% post-consumer recycled content as indicated by a stamp on the bag and displays the word "Recyclable" on the outside of the bag.
- f. *Reusable Checkout Bag* means a bag provided by the retail entity at the point of sale with handles that is specifically designed and manufactured for multiple reuses. Bags shall meet the following requirements:
  1. Is made of natural fibers.
  2. Has a minimum volume capacity of 15 liters
  3. Is machine washable
  4. Shall be capable of carrying 22 pounds over a distance of 175 feet for a minimum of 125 uses.
  5. Shall not be made of plastic film.
  6. It shall be sewn.
  7. It shall have a minimum fabric weight of at least 80 grams per square meter.
- g. *A First Violation* means engagement in any of the prohibited actions of this ordinance at any point or points within a one-week period by an entity engaged in retail sales.
- h. *A Subsequent Violation* - After an entity engaged in retail sales has been issued a citation for a First Violation, further engagement in any of the prohibited actions of this ordinance within a one-day period by the entity engaged in retail sales shall be considered a Subsequent Violation.

**Sec. 3- Restriction on Checkout Bags**

- a. Any entity engaged in retail sales may only provide Reusable Checkout Bags and/or Recyclable Paper Bags as checkout bags to customers, if any are provided. No entity engaged in retail sales shall provide plastic checkout bags to any customer.
- b. No distribution of any type of plastic bags shall be permitted at any town facility or any event held on town property.
- c. This restriction shall not preclude entities engaged in retail sales from providing Plastic Product Bags to customers for items as defined above.
- d. Nothing in this section shall preclude entities engaged in retail sales from making Reusable Checkout Bags available for sale to customers as long as those bags comply with Section 2.

#### **Sec. 4- Recyclable Paper Bag Fees**

- a. Entities engaged in retail sales may charge and retain a fee of \$0.10 for each Recyclable Paper Bag provided to a customer. This fee may increase by \$0.05 every five years, not to exceed a maximum fee of \$0.25.
- b. The fee for Recyclable Paper Bags shall not apply to customers making purchases using supplemental nutrition assistance program (SNAP), supplemental nutrition program for women, infants and children (WIC), "food stamps", or seniors 65 years or older. These customers will receive Recyclable Paper Bags free of charge.

#### **Sec. 5- Operative Date**

- a. This ordinance shall become operative 6 months after enactment of this ordinance.

#### **Sec. 6- Penalty Amount**

- a. A violation of this ordinance will be subject first to an Official Warning.
- b. A First Violation of this ordinance incurred after an Official Warning will be punishable by a civil fine of \$150.
- c. A reduced fine of \$50 for the First Violation can be paid in exchange for eight hours of community service to the Town of Branford to improve Branford's environment. The entity engaged in retail sales will coordinate this service through the Branford Conservation/Environmental Commission.
- d. A Subsequent Violation of this ordinance shall be punishable by a civil fine of \$150.

#### **Sec. 7- Enforcement Procedures**

- a. This Ordinance may be enforced by:
  1. Any Officer of the Branford Police Department.
  2. Any Enforcement Officer so designated by the Board of Selectmen.
- b. The procedures to be followed by any designated Enforcement Officer for issuance of warnings, issuance of citations and any requested hearings for violations of this ordinance shall follow the requirements of the Branford Town Code.

**Passed by R&O &  
Reviewd by Town Counsel**