



Legislative & Rules Committee – Board of Representatives

Benjamin Lee, Chair

Elise Coleman, Vice Chair

Committee Report

Date: Tuesday, September 17, 2019

Time: 7:00 p.m.

Place: Democratic Caucus Room, 4th Floor Government Center, 888 Washington Boulevard, Stamford, CT

The Legislative & Rules Committee met as indicated above. In attendance were Chair Lee and Committee Member Reps. Jacobson, Lion, Miller, Nabel and Zelinsky. Absent or excused were Reps. Fedeli and Pia. Also present were Rep. Sherwood; Kathryn Emmett and Mike Toma, Law Department; Dr. Tamu Lucero, Superintendent of Schools; Mike Handler, Director of Administration; Melissa Gates and Jack Egan, Surfrider Foundation; Mike Johnson, Sullivan & LaSane; and Brad Braddon, Tekni-Plex.

Chair Lee called the meeting to order at 7:04 p.m.

Item No.	Description	Committee Action
5. LR30.076	ORDINANCE <u>for publication</u> ; Prohibiting the Use and Application of Non-Organic or Synthetic Substances on City-Owned Properties. 07/09/19 – Submitted by Reps. Sherwood, Matherne, Stella, Cottrell, Zelinsky, Roqueta, Kolenberg, Aquila, Jacobson, Saftic, de la Cruz, Spadaccini and Figueroa 08/20/19 – Held by Committee 6-0-0	Held 5-0-0
The Committee first considered Item No. 5.		
Rep. Sherwood stated that she has been meeting with members of the Administration and that this ordinance is in process.		
A motion to hold Item No. 5 was made, seconded and approved by a vote of 5-0-0 (Reps. Lee, Jacobson, Lion, Miller and Nabel in favor).		
2. LR30.068	ORDINANCE <u>for final adoption</u> , Amending Chapter III of the City Code of Ordinances to Prohibit the Sale of Dogs and Cats in Pet Stores. 05/07/19 – Submitted by Reps. Kolenberg, Sherwood, Stella, Jacobson, Liebson and Giordano 5/13/19 – Moved to Pending 06/18/19 – Held by Committee 6-0-0 07/23/19 – Approved by Committee 6-0-0 08/20/19 – Public Hearing Held and Held by Committee 7-0-0	Held 5-0-1

The Committee then considered Item No. 2.

Ms. Emmett and Mr. Toma stated that as noted in their opinion, this proposed ordinance is preempted under State law. State statutes contemplate the sale of dogs and cats and this ordinance is in conflict with those statutes.

The Committee discussed this item with Ms. Emmett and Mr. Toma:

- The recommendation of the Law Department is that the Board not go forward with the Ordinance
- If the Board were to proceed against the advice of the Law Department, the Law Department would not be able to represent the Board of Representatives in any ensuing litigation
- There is the possibility that the State legislature will adopt some legislation enabling municipalities to enact this type of ordinance. As such, it would be sensible to put this item on the Pending Agenda rather than just voting down

A motion to hold Item No. 2 was made, seconded and approved by a vote of 5-0-1 (Reps. Lee, Jacobson, Lion, Miller and Nabel in favor; Rep. Zelinsky abstaining).

1. [LR30.078](#) RESOLUTION and public hearing; Approving a Lease **Approved 6-0-0**
between the City of Stamford and Waterfront Office
Building, L.P. for Lease of Space at 68 Southfield
Avenue for School Purposes.
08/20/19 – Submitted by Director Handler
09/10/19 – Approved by the [Planning Board](#)
09/12/19 – Approved by Board of Finance

As a Secondary Committee: Education

Chair Lee opened the public hearing on this item. There being no members of the public present wishing to speak, the public hearing was closed.

Dr. Lucero, Ms. Emmett and Mr. Handler discussed this item with the Committee as follows:

- This is a lease for 15,000 ft²
- The City is currently operating in the building under a license agreement that expires at the end of October
- This lease is the same as the Elmcroft lease except that the Landlord is responsible for maintenance and will charge back to the City
- The building will house the new “Anchor” program, which consists of the Trailblazers, Rise and Leap programs
- This need was unexpected and arose suddenly
- The building will accommodate up to 150 students; there are currently 120 students there
- The 3 programs are in 3 separate areas of the building
- The lease includes an outside area; it had been a preschool, so the jungle gym was removed and basketball courts were installed
- The buses are on different schedules than the Westover buses
- The Trailblazer teachers have moved over as have some teachers from Westhill

A motion to approve Item No. 1 was made, seconded and approved by a vote of 6-0-0 (Reps. Lee, Jacobson, Lion, Miller, Nabel and Zelinsky favor).

4. [LR30.070](#) ORDINANCE for publication: Concerning Polystyrene and Retail Vendors. **Held 6-0-0**
06/05/19 – Submitted by Rep. Jacobson de la Cruz,
Kolenberg, Lion, Cottrell and Zelinsky
06/18/19 – Held by Committee 6-0-0
07/23/19 – Held by Committee 6-0-0
08/20/19 – Held by Committee 6-0-0

The Committee then considered Item No. 4.

The Committee discussed the proposed ordinance with Ms. Gates, Mr. Braddon and Mr. Johnson:

Mr. Braddon has a business which makes polystyrene trays for meat. He stated that these ordinances are based upon misunderstandings about polystyrene:

- It is safe; manufacturers must follow FDA standards and are audited to that standard
- In the current environment less is recyclable
- Recycled material is put into the trays
- Banning the trays will push packers into using more plastic
- Polystyrene compresses in landfills
- Egg cartons and meat trays are disposed of at home, rather than in litter
- These trays are part of the supply chain
- He knows of no business in Connecticut that makes polystyrene trays

Ms. Gates stated that Surfrider is dedicated to protecting oceans and beaches and is in support of this ban because:

- The WHO has classified Styrofoam as a carcinogen which leaches into acidic and hot products
- Food packaging with Styrofoam cannot be recycled
- Plastic pollution in the oceans will outweigh animal life by 2050
- Plastic breaks down into smaller pieces in the ocean, it does not degrade
- Food service foam is being landfilled
- There are cost-effective viable alternatives

Committee members discussed this ordinance with the invited guests:

- [HB 5384](#) passed the CT State House, but did not get to the floor in the Senate, probably because of adjournment of the session. There was support for the State bill
- The Maine Act was passed because of municipal ordinances
- How would this ordinance be enforced? New Hampshire is passing an ordinance without an enforcement mechanism
- The Committee needs to understand the alternatives and the costs

A motion to hold Item No. 4 was made, seconded and approved by a vote of 6-0-0 (Reps. Lee, Jacobson, Lion, Miller, Nabel and Zelinsky favor).

3. [LR30.065](#) ORDINANCE for publication, Concerning the Use of Single-Use Plastic Straws and Stirrers by Food or Beverage Establishments. **Held 6-0-0**
04/22/19 – Submitted by Reps. Jacobson, de la Cruz, Kolenberg, Stella. Cottrell and Zelinsky
05/21/19 – Held by Committee 5-0-0
06/18/19 – Held by Committee 6-0-0
07/23/19 – Held by Committee 6-0-0
08/20/19 – Held by Committee 6-0-0

The Committee then considered Item No. 3.

Rep. Jacobson noted that Norwalk has substantially changed its ordinance after input from the disabled community to a straw on demand form.

Ms. Gates noted that tonight is Norwalk's hearing and the Norwalk retained a ban on stirrers. Surfrider has not met with advocates for the disabled community in Stamford.

Ms. Gates stated that:

- Surfrider would like to see an “ask first” policy. An individual who asks for a straw would first receive a reusable/biodegradable straw. An individual could then ask for a plastic straw if necessary.
- The ordinance should specify that there is no prohibition on an individual bringing straws of their choosing
- There would be no ban on the sale of straws
- Surfrider would like to see a total ban, but a fall-back position could be a phase-out with an on demand position first
- Self-serve straw stations would be prohibited
- The onus should be on the customer, not the server
- Splash sticks should be banned

Committee members discussed inviting specific restaurants and retailers to address this.

A motion to hold Item No. 3 was made, seconded and approved by a vote of 6-0-0 (Reps. Lee, Jacobson, Lion, Miller, Nabel and Zelinsky favor).

Chair Lee adjourned the meeting at 8:35 p.m.

Respectfully submitted,
Benjamin Lee

This meeting is on [video](#).