

## THESE MINUTES ARE SUBJECT TO APPROVAL BY THE SUSTAINABLE ENERGY COMMISSION

The Sustainable Energy Commission held a regular meeting Thursday, February 15, 2018 in shared meeting room 3 of the Municipal Center located at 3 Primrose Street, Newtown, CT 06470.

The meeting was called to order by Chairman, Kathy Quinn at 7:00p.m.

**Present:** Chairman Kathy Quinn, Allen Adriani, Graham Clifford, Mark Sievel, Tom Snayd

**Also Present:** Fred Hurley, Chuck Litty, two members of the public

**Absent:** George Brown, Jeff Jorgenson, Dave Stout, Barbara Toomey

**Communications:** Ms. Quinn shared a letter from the Conservation Commission relative to the proposed local ordinance to ban fracking waste (att.). On March 4 there will be an event at the Edmond Town Hall to learn more about recycling, garbage and organics. Mr. Hurley added that Jen Heaton-Jones, of HRRA, will also be there to discuss solid waste changes, what can be recycled and programs that are going on now (att.).

**Public Comments:** none.

**Acceptance of Minutes:** Mr. Clifford moved to accept the minutes of the regular meeting of Jan. 18, 2018. Mr. Adriani seconded. All in favor.

### Business

#### Discussion and possible action:

- a. **Status of Landfill Solar Project:** this will be turned on within 2-3 weeks.  
Interconnection is being done. Monitoring information has been sent to Mr. Clifford. The landfill project was sold to New Era Energy, which is an extension of Florida Power. Mr. Hurley said Florida Power is one of the largest utility companies in the U.S. All the PPA's and legal will stay exactly as they are. The transition is going smoothly.
- b. **New Project – Sandy Hook School Solar/Firehouses:** Still working on getting paperwork squared away with the state.
- c. **Solomon Solar project/Windham:** there has been another proposal put in for this year. Eversource had a conference on fuel cells; they are going to try one more time to get the last piece of Virtual Net Metering in; we should know by June. This is important because the high school has a fuel cell project and a virtual net metering project with a timeframe. Mr. Hurley is unsure of how likely the last piece of VNM going through will be. We have a fully permitted project for the high school, 2 megawatts, the problem is there is no virtual net metering credits.
- d. **MLS Group – Nunnawauk Meadows – solar:** no update.
- e. **Batchelder site – potential for solar:** Remediation will be going on through the summer.
- f. **Grant Funds:** The funds have been received and placed in an account for use.

Rec'd. for Record 2/20/2018  
Town Clerk of Newtown @ 10:21 am  
Debbie Aurelia Halstead

**g. Energy Savings program update:**

**Riverside Rd. Senior Center:** Mr. Hurley will chose a company to do an assessment for energy savings.

**Library:** Ms. Quinn will connect with someone for an update.

**New Construction projects:**

**Community Center:** no update.

**Police Dept.:** Kaestle Boos was selected for the design of the Police Department. Ms. Quinn stated she would like Mr. Adriani to be the official liaison with the Public Building & Site Commission once the project is turned over to them.

**General plan for schools:** no update.

**h. Microgrid feasibility study:** People were here looking at the feasibility of the fuel cell project at the high school. The Governor has proposed another microgrid effort over the next six months that will be funded.

**i. High School Sustainability Program – funding possibilities:** no update.

**j. Dashboard for website (API keys):** there is talk with Solar City for information.

**k. Sustainable CT resolution on BOS agenda 2/20/18:** This will be on the Board of Selectmen agenda for discussion and possible action on 2/20/18. Quarterly meetings will be required for Sustainable CT. Ms. Quinn asked the commission to pick an area of interest for discussion at the next meeting. Mr. Hurley suggested creating a matrix and list potential local organizations that might fit in under the categories; set up a workshop and invite the organizations. Brookfield has signed on to this.

**l. Plastic Bag Reduction Resolution:** Vanessa Villamil and Lynn Hungaski were present to discuss efforts to create a plastic bag ban (att.). Westport currently is the only town in CT that has a plastic bag ban. Many local stores, such as CVS, TJMaxx and Stop & Shop have stores in other towns that have banned plastic bags. Big Y is very much in favor of a plastic bag ban. There would be a nine month phase in period. Representative Bolinsky is sponsoring a statewide bill. Mr. Sievel resolved to refer the plastic bag reduction ordinance to the Legislative Council (att.). Mr. Snayd seconded. All in favor.

**Additional Items for discussion:**

**1. Newtown Forward:** this group is basically defunct.

**2. Municipal Energy Plan:** no update.

**3. Energy Star Portfolio Manager:** Mr. Adrianni asked if the meters of the solar projects are in the portfolio. There is a separate ZREC meter. The solar could be figured if there was access to the ZREC meter.

**4. Web Site:** no update.

**5. Organic Recycling:** the program has over 630 households participating.

**6. Fracking Waste:** this has been send to the Ordinance Committee for review.

**Adjournment:** Having no other business the Sustainable Energy Commission adjourned their regular meeting at 7:51p.m.

The next regular meeting will be held on March 15, 2018.

Submitted, *Susan Marcinek*, clerk

Att: Conservation letter; March 4 What's In? What's Out?; Plastic Bag Reduction Ordinance



3 PRIMROSE STREET  
NEWTOWN, CT 06470  
TEL. (203) 270-4276  
FAX (203) 270-4278  
Email [www.newtown-ct.gov](http://www.newtown-ct.gov)



**TOWN OF NEWTOWN**  
**CONSERVATION COMMISSION**

January 25, 2018

Kathleen Quinn  
Chairman  
Sustainable Energy Commission  
Newtown Municipal Center  
3 Primrose Street  
Newtown, CT 06470

Re: Proposed Local Ordinance to Ban Fracking Waste

Dear Ms. Quinn,

The Conservation Commission has discussed the issue of toxic fracking waste and its potential for groundwater contamination. We believe our town has a responsibility to protect our reservoirs, the aquifer, and private wells.

Therefore, the Conservation Commission supports the Sustainable Energy Commission's proposal for a local ordinance prohibiting the storage, disposal or use of fracking waste in the Town of Newtown.

Sincerely,  
  
Holly Kocet, Chairman  
Newtown Conservation Commission

## REDDING

# Voters to decide on proposed fracking ban

*By Katrina Koerting*

REDDING — Voters will decide on a proposed ordinance to ban the use or storage of fracking waste in town, though some residents and officials worry its wording might not be strong enough to protect the community.

Residents will vote on the ordinance at a town meeting at 7 p.m. Feb. 13 at the Redding Community Center. The selectmen set the date Monday following a presentation on the proposed ordinance.

Under the draft ordinance, it would be illegal to store, sell, dispose or use waste from fracking operations for oil and gas in town.

Fracking is the process that uses a high-pressure mixture of water and chemicals to force oil or natural gas out of bedrock. Opponents of the practice, which is common in Pennsylvania and New York, said the technique contaminates groundwater and can harm the environment and public health.

“Contamination would affect not only the environment, but land values and property values in Redding,” First Selectman Julia Pemberton said. “We just have to make sure the language is appropriate.”

Although fracking is not used in Connecticut, the fear is that fracking waste can be brought in and used as fill at construction sites, on road projects, as well as mixed in with the soil, which was done at a playing field in Greenwich.

If the proposal is approved, Redding would join 34 other municipalities in the state with similar ordinances.

Protecting the area’s water supply was the chief reason residents gave Monday for supporting the ordinance.

“The number of people potentially affected by the leaching of chemicals into the watershed is significant,” said Planning Commission Chairman Toby Welles.

Kelly Harran, a resident leading the effort, said she decided to tackle the issue while thinking of the costs associated with cleanup of the old Gilbert and Bennett wire mill in Georgetown. She worried the town wouldn’t be able to afford another environmental cleanup and about the potential negative effects on health and the environment.

“This fracking issue is the Gilbert and Bennett of our time, and we’re being proactive,” she said.

Harran said a state fracking moratorium doesn’t fully protect localities, which is why many towns are adopting their own ordinances.

“The moratorium has too many loopholes,” she said, noting that while fracking waste is banned, waste from the drilling process isn’t, and that a hazardous materials facility in Bridgeport is permitted to accept the waste.

Many also warned that the U.S. Environmental Protection Agency is considering rolling back certain federal regulations.

“If our state government and federal government aren’t protecting us, then we need to have this Fort Knox language to protect us,” said resident Carrie Knoll.

The town law would forbid the application of natural gas waste or oil waste, even if it was approved by the state Department of Energy and Environmental Protection. It would also ban adding it to any wastewater or solid waste treatment facility in or operated by Redding. It would also require any bids for construction projects to state that fracking waste won’t be used in the process.

A violation could result in a \$250 fine and associated legal costs.

The ordinance does not apply to transportation of fracking waste or byproduct through town.

Several residents and officials at Monday’s meeting worried that the town is still vulnerable to a spill if the material is trucked

Voters to decide on proposed fracking ban - The News-Times, 2018-01-24 <http://digital.olivesoftware.com/Olive/ODN/DanburyNewsTimes/Prin...>

through town, especially because trucks would travel near several Redding reservoirs if Route 7 is closed. The ordinance would require the company bringing the material to remediate any spill.

"It would offer us protection because then they would be responsible," Pemberton said. [kkoerting@newstimes.com](mailto:kkoerting@newstimes.com); 203-731-3345



Edmond Town Hall, 45 Main St., Newtown  
Sunday, March 4th, 1pm

## What's In? What's Out?

What goes in your bin?  
What stays out?  
Why recycle?  
Where does it go?  
Can I really save money?



Come to this FREE fun family-friendly event at Edmond Town Hall to learn where our garbage and recycling really goes. Why is it important to recycle? What really should go in your bin? Learn about the NEW state recycling guide, *"What's In What's Out"* and other recycling programs available for paint, mattresses, thermostats and electronic waste.

You're guaranteed to learn something new!

Jennifer Heaton-Jones the Executive Director of the regional government solid waste management authority, HRRA, will give a one hour Trash Talk. Other recycling experts will be on hand and lots of fun free giveaways to inspire you to reduce, reuse and recycle.

*Go to [www.hrra.org](http://www.hrra.org) for more information about the event.*



HRRA serves 11 municipalities in Western CT including, Bethel, Bridgewater, Brookfield, Danbury, Kent, New Fairfield, New Milford, Newtown, Redding, Ridgefield, and Sherman.

Visit [www.hrra.org](http://www.hrra.org) to learn more about waste reduction, reuse, recycling *"What's In?, What's Out?"*, composting, & hazardous waste disposal for your town.

What's **IN?**  
What's **OUT?**

A Guide to Recycling



## Plastic Bag Reduction Ordinance

### Part II: General Ordinances - Health

#### Chapter XXX: Reusable Checkout Bag Initiative

##### Section 1: Purpose:

The purpose of this ordinance is to improve the environment in Newtown 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. Retail establishments are encouraged to make reusable carryout bags available for sale and the establishment of the Newtown Environmental Fund (NEF).

##### Section 2: Definitions:

- “Checkout bag” means a carryout bag that is provided to a customer at the point of sale.
- “Retail sales establishment” is any retail store that satisfies at least one of the following requirements: (A) a retail space of 1,500 square feet or larger or at least two (2) locations under the same name with the Town of Newtown that totals 1,500 square feet or more; or (b) retail pharmacy with at least two (2) locations under the same ownership within the Town of Newtown; or (c) a full-line self-service supermarket which sells a line of dry grocery, canned goods, or nonfood items and perishable items.
- “Recyclable paper bag” means a paper bag that should have the following characterizes:
  - (1) One-hundred (100) percent recyclable overall and contains a minimum of forty (40) percent post-consumer recycled content; and
  - (2) Displays the word “reusable” and “recyclable” on the outside of the bag.
- “Reusable bag” means a bag with handles that is specifically designed and manufactured for multiple reuse and is made of cloth or other fabric..

##### Section 3: Restriction on Checkout Bags

- A. Any retail sales establishment engaged in retail sale shall provide to customers:
  - a. Reusable bags; and/or,
  - b. Recyclable paper bags
    - i. Each paper bag shall be assessed a ten-cent (10 ¢) user fee
    - ii. The Town of Newtown shall keep seven-cents (7¢) and the retail sales establishment who sold the paper bag shall keep three-cents (3¢).
- B. Any retail sales established is prohibited from distributing plastic bags.
- C. Nothing in this section shall preclude any establishment from making reusable checkout bags available for sale to customers or utilize recyclable paper bags as defined previously.
- D. Any customer who can provide evidence of being on a government assistance program is hereby exempt from any user-fees.

##### Section 4: Newtown Environmental Fund

- A. There will be a Newtown Environment Fund (NEF) established. The Legislative Council and Board of Selectmen shall have joint control of the NEF.
- B. Any revenue raised by user-fees from recyclable paper bags shall be deposited into the NEF.
- C. Any appropriation of funds from the NEF, shall be solely for environmental sustainability and/or infrastructure purposes, and must attain a two-thirds (⅔) favorable recommendation of both the Legislative Council and Board of Selectmen.
- D. The Legislative Council and Board of Selectmen may obtain a recommendation from the Conservation Commission and/or the Economic Development Commission on how to appropriate NEF funds.

## **Section 5: Operative Date.**

This ordinance shall become operative nine (9) months following its effective date to allow retail establishments to dispose of their existing inventory of non-compliant checkout bags and convert to alternative packaging materials.

## **Section 6: Enforcement:**

- A. This ordinance shall be implemented, administered and enforced by the Newtown Town Health Department or any other Town department or division designated by the First Selectman.
- B. Upon being made aware of a potential violation of this ordinance, the Newtown Town Health Department or other designee shall investigate and determine whether a violation has occurred.
- C. If the investigation confirms that a violation has occurred, then the Newtown Town Health Department or other designee shall give written notice to the owner of the property, the owner's agent, or the person performing such violation that the violation is occurring and must stop.
- D. Such notice shall be in writing and may be served upon a person to whom it is directed, either by delivering it personally to him or her or by posting same upon a conspicuous portion of the property and sending a copy of same by certified mail to the person to whom the notice is directed.
- E. The owner, the owner's agent, or the person performing the violation is responsible for confirming, in writing, that the violation has ceased to the Newtown Town Health Department or other designee within fourteen (14) days of receipt of the notice.
- F. A second violation after the fourteen-day response period of the first violation and within one year of the receipt of the confirmation that the violation had ceased shall incur a penalty of one hundred dollars (\$100).
- G. A third violation within one year of the second and any subsequent violations shall incur a penalty of five hundred dollars (\$500).
- H. Each occurrence of a violation after the first, and each day that such violation continues, shall constitute a separate violation and may be cited as such.
- I. If the Town of Newtown collects no monetary penalty within a thirty (30) day period, after such penalty shall be issue, there shall be a twenty-five (\$25.00) a day fine for noncompliance every thirty (30) days, until such penalty is paid.

## **Section 7: Non-Compliance**

In the event that compliance with the effective date of this ordinance is not feasible for a retail service establishment because of either unavailability of alternative checkout bags or economic hardship, the First Selectman may grant a waiver of not more than six (6) months upon application of the owner or owner's representative. The waiver may be extended for one (1) additional six-month period upon showing of continue infeasibility as set forth above.