



# Finance Committee Report

## City of Newton In City Council

**Tuesday, February 19, 2019**

Present: Councilors Gentile (Chair) Cote, Rice, Noel, and Lappin

Also present: Councilor Danberg, Downs, and Leary

City staff present: Marie Lawlor (Assistant City Solicitor) and Jonathan Yeo (Chief Operating Officer)

**#63-19      Authorization to expend Byrne Memorial Justice Assistance Grant of \$19,741.60**

HER HONOR THE MAYOR requesting authorization to accept and expend the Edward J. Byrne Memorial Justice Assistance Grant in the amount of nineteen thousand seven hundred forty-one dollars and sixty cents \$19,741.60.

**Action:      Approved 5-0**

**Note:**      Police Chief David MacDonald explained that this is a recurring grant for local police departments to improve technology and equipment. The grant is provided through the Governor's Safer Communities Initiative. The funds will be used to improve tactical readiness by purchasing new ballistic helmets and plate carriers for the 14 frontline police cruisers. The new equipment is lighter and easier to adjust for fit. The total cost of the replacement equipment is expected to be \$21,375.90. The older equipment will be moved from the frontline cruisers to secondary police vehicles like school resource and detective cars.

A committee member asked how the Police Department determined what grants are available to them. Chief MacDonald responded that each division is responsible for researching grants. He added that often the State informs the department, or the police are already aware of grant opportunities because they are recurring grants. With that, Councilor Lappin moved approval, which carried by a vote of five in favor and none opposed.

### **Referred to Programs & Services and Finance Committees**

**#455-18      Ordinance amendments to the Plastic Bag Reduction Ordinance**

COUNCILORS LEARY, NORTON, AUCHINCLOSS, BROUSAL GLASER, DANBERG, KALIS, MARKIEWICZ proposing ordinance amendments to Chapter 12, Section 71 by revising the definition of "reusable bag", revising the definition for retailers to include establishments of less than 3,500 sq. ft., and adding a 10-cent fee for paper bags provided by the retailer.

**Programs & Services Approved as Amended 6-0 subject to second call on 02/06/19**

**Action:      Held 5-0**

**Note:** Councilor Leary joined the Committee and provided a summary of the requested amendments to the plastic bag ordinance. The first amendment would require retail establishments under 3,500 square feet to comply with the plastic bag ordinance within 1-year of the effective date of the ordinance. When the current plastic bag ordinance became effective in 2015, it exempted small retail establishments under 3,500 square feet from compliance.

The second amendments provide for a new definition of reusable bag that would essentially eliminate any use of plastic bags at the point of sale by retailers. Plastic bags would still be used for produce, meat, and packaging. Retailers have been using thicker plastic bags to get around the current ordinance. The thicker plastic bags can only be used for a limited amount of time before deteriorating. The point of the plastic bag ordinance is to encourage the use of bags that are reusable for the long-term.

The third amendment would require retail establishments to charge a minimum of 10 cents per paper bag at the point of sale. Paper has a carbon footprint which can be reduced by limiting its use. A fee will encourage consumers to bring reusable bags when shopping. Boston and Cambridge have both added language to their plastic bag ordinances to require retailers to charge a fee for paper bags. There is data available that suggests adding this fee encourages consumers to bring their own bags. In addition, Councilor Leary will be proposing an additional amendment to require larger retail establishments to implement the fee for paper bags and comply with the new definition for reusable bags within six months of the effective date of the ordinance.

Chief Operating Officer Jonathan Yeo stated that Councilor Leary worked with Commissioner of Health and Human Services Deborah Youngblood. Commissioner Youngblood asked for more time for small retail stores time to comply with the ordinance. It will give the City more time to educate small retail stores on the ordinance and why it is being implemented. The Commissioner is not supportive of providing any exemptions except for the Meals on Wheels Program. Exemptions create enforcement issues that need Health and Human Services staff resources to resolve.

Several questions were raised related to the proposed amendments. Committee members asked if all retail establishments were notified that they would be required to charge customers 10 cent fee per paper bag. In addition, the Committee would like to know if and what education has been done to provide retailers with why the City is changing the ordinance. It seems like the City should provide this education to stores so they can pass it along to their customers. Councilor Leary responded that at this point no education has been done, but City would have six months to do outreach and education. Councilor Leary is willing to work with the administration to send letters out to retailers to inform them of the changes in the ordinances. Councilor Leary also pointed out that Newton would be fifth city in Massachusetts to implement this requirement of businesses. When Councilor Leary spoke with the representatives from Cambridge and Boston suggested making sure that it is clear to consumers that it is the City requiring the fee and not the retailer.

There was a question regarding local grocery delivery services and how the City would ensure that they comply with the ordinance. If the delivery service purchases food outside of Newton, the ordinance would not apply. It could be assumed that if the delivery service is charged a fee for paper bags, they would pass that on to the consumer.

A Committee member would like to understand where the reusable plastic bag definition came from and who created it. Councilor Leary stated that the language is from the Wellesley plastic bag ordinance. It was stated that the definition should be an industry standard. There was also concern that large retail establishments generally order their plastic bags in bulk. Star Market provides customers with a thick plastic bag that falls within the current ordinance's requirements and they could end up with a large supply of plastic bags left over. Retailers generally go through their supply of plastic bags quickly and should not have a large supply left when the ordinance becomes effective.

It was re-emphasized that small business establishments need to be notified of the changes and that they are no longer exempt under the proposed amendments. If possible, the Council should hold a public comment meeting on the proposed changes. Councilor Leary stated that before approval of the current ordinance, she canvassed village centers and spoke with small retail shop owners. Many of the owners understood the reasons for the ordinance and most did not use targeted plastic bags. During the discussions of the original ordinance it was always clear that eventually the ordinance would include all retailers. It was also pointed out that there are 91 city and towns with plastic bag ordinances and only seven of those have exemptions for small businesses. In addition, the Newton/Needham Chamber of Commerce was notified of the proposed amendments.

Paula Parkis, owner of a C'est Privee on Washington Street commented that the City Council needs to consider small boutiques and ateliers. It is very hard to comply with reusable bag ordinance and she is not comfortable with charging customers for paper bags. Ms. Parkis needs to protect her products from the elements and paper bags do not provide protection. She added that she found out about the proposed changes and this meeting by reading the [Boston Globe](#).

The Chair asked for a motion to hold the item to consider the proposed amendments. He also needs to understand why the City is telling retail establishments that they must charge a minimum of 10 cents per bag. It seems like it would make sense to let the market dictate how much retailers charge for paper bags. Some retailers do not want to charge for bags. The Chair understands why the other amendments are being proposed. They are good changes that benefit everyone in the long run but has problem with dictating what retailers charge. Councilor Leary will provide information on why a fee for paper bags is effective in reducing paper bag use. A motion to hold the item was made and approved unanimously.

Respectfully submitted,

Leonard J. Gentile, Chair