

Town Hall –	
Replace carpet – last phase	\$36,000
Library – Exterior Stairs	\$20,000
Police Station – Replace Carpet	\$15,000
Central Fire Station – Generator	\$48,000
Public Works Garage-	
Install wash bay	\$105,000
Replace Overhead Doors Phase 1 of 2	\$24,000

Equipment:

DPW – Loader Year 3 of 5	\$34,605
DPW – Dump Truck with Plow Year 3 of 5	\$36,567
DPW – Dump Truck Year 2 of 5	\$35,108
DPW - Dump Truck Year 1 of 5	\$29,500
Fire – Replace Inspection Vehicle	\$50,000
Fire – Set aside for pumper replacement	\$99,000
Fire – Set aside for SCBA replacement	\$30,000
Police- Replace Firearms	\$20,000
Replace Radio Antennae	\$15,000
Security Camera System	\$15,000
Replace Animal Control Vehicle	\$25,000

Economic Development:

Wayfinding Signs Year 2 of 3	\$29,100
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And to see if the Town will vote to transfer from the Waterways Funds the sum of \$87,000 for the following purposes:

Waterways Fund:

Replace Pump-out Boat	\$25,000
Replace Work Boat Engine	\$15,000
Purchase 2 Fire Pumps for Public Safety Boats	\$12,000
Replace Pick-up Truck	\$35,000

And to see if the Town will vote to transfer from Free Cash the sum of \$35,000 to paint classrooms in the High School (phase 2 of 2),

Or to take any action relative thereto.

*Summary: A five year capital plan has been developed with the input from all town departments and the schools. The list above represents the highest priorities for the coming year. This requires a 2/3 majority vote to transfer funds to the Capital Stabilization Fund.*

*Recommended by the Board of Selectmen 5-0*

**ARTICLE 12 – Citizens Petition: Restrictions on plastic bags and expanded polystyrene containers**

Requested By: Lori Lafrance

To see if the Town will amend the General By-laws of the Town of Ipswich by adding a new chapter, entitled “Chapter XXIII. RESTRICTIONS ON PLASTIC BAGS AND EXPANDED POLYSTYRENE CONTAINERS,” said chapter to read as follows:

**SECTION 1: PLASTIC BAG RESTRICTION**

- (a) Purpose and Intent. The production and use of thin-film single-use plastic bags significantly impacts the marine and land environments of coastal communities. Their negative effects include but are not limited to the following: contributing to the death of marine animals through ingestion or entanglement; contributing to pollution of the land and sea; burdening our solid waste collection and recycling facility; clogging our storm drainage systems; and requiring the use of millions of barrels of crude oil for their manufacture. The purpose of this Section is to eliminate the usage of thin-film single-use plastic bags by all retail establishments in the Town of Ipswich.

(b) Definitions. For purposes of this Section the following definitions shall apply:

1. "Thin-film single-use bags" shall mean bags with integral handles and a thickness of 3.0 mils or fewer that are intended to transport products purchased in a retail establishment.
2. "Biodegradable bag" shall mean a bag that:
  - a. Contains no polymers derived from fossil fuels; and
  - b. Is intended for single-use and will decompose in a natural setting at a rate comparable to other biodegradable materials such as paper, leaves, and food waste.
3. "Reusable bag" shall mean a bag that is specifically designed for multiple uses and is made of thick plastic, cloth, fabric or other durable materials.
4. "Retail establishment" shall mean any business facility that sells goods directly to consumers including, but not limited to, grocery stores, pharmacies, liquor stores, "mini marts," or retail stores and vendors selling clothing, food, household or personal items.

(c) Use Regulations.

1. Thin-film single-use bags shall not be distributed or sold from any retail establishment within the Town of Ipswich.
2. Customers are encouraged to take their own reusable or biodegradable shopping bags to stores. Retail establishments may provide reusable or biodegradable, thick-plastic, paper, fabric, or other types of bags at no charge, or impose a fee for paper or other bags, as they so desire. Retail establishments are strongly encouraged to make reusable bags available for sale to customers at a reasonable price.
3. Thin-plastic bags used to contain dry cleaning, newspapers, produce, meat, bulk foods, wet items or similar merchandise, typically without handles, are exempt from the provisions of this Section.

(d) Education and Training

1. The Town shall send written notice detailing the restrictions imposed by this regulation to those retail establishments likely to be subject to this Section on or before December 31, 2016.

(e) Administration and Enforcement.

1. This Section shall be enforced by municipal designee of the Town Manager.

2. This Section may be enforced through any lawful means, including but not limited to non-criminal disposition pursuant to G.L. c. 40, § 21D. In the event of such disposition, and subject to the safeguards of § 21D, any retail establishment that violates any provision of this Section shall be subject to the following penalties:

- a. Upon the first violation, the Town Manager's designee shall provide the violator with written notice of such violation and issue a written warning that any subsequent violations shall result in the imposition of a fine. The violator will then be entitled to 30 days after receipt of such notice to cure the violation before imposition of the fine.
- b. After the 30-day period, if the violation has not been cured, the following fines shall apply:
  - i. A fine of \$50 for the first violation following receipt of the written notice referred to in subsection 2. a above; and
  - ii. A fine of \$100 for any further violation.
- c. Each day that a retail establishment continues to distribute thin-film single-use bags shall constitute a separate violation of this Section.
- d. Fines are cumulative and each day or portion thereof shall constitute a separate offense. If more than one violation occurs, each condition violated shall constitute a separate offense.
- e. Whoever violates any provision of this Section shall be penalized by a complaint brought by the Town in accordance with G.L. c. 40, § 21D.

(f) Severability and effective date.

1. If any provision of this Section is determined to be invalid for any reason, such determination shall not affect the remaining provisions of this Section.
2. This Section shall take effect one year after its approval by the Attorney General, subject to the posting and publishing requirements of G.L. c. 40, § 32, in order to allow retail establishments to comply with these restrictions.

## **SECTION 2. EXPANDED POLYSTYRENE CONTAINER PROHIBITION**

(a) Purpose and Intent. Expanded polystyrene food containers form a significant portion of the solid waste going into our landfills. Local landfills are running out of room; our future solid waste may need to be transported hundreds of miles to a landfill at a considerable cost. Expanded polystyrene containers are not biodegradable; once buried in a landfill they will remain there for centuries. Polystyrene contains dangerous substances which when heated release toxic chemicals that may be carcinogenic. Eliminating expanded polystyrene food and beverage containers is in the best interest of the health and welfare of the inhabitants of the Town of Ipswich.

(b) Definitions. For purposes of this Section the following definitions shall apply:

1. "Disposable food service container" shall mean single-use disposable containers for serving or transporting prepared, ready-to-eat food or beverages, including but not limited to, take-out foods or leftovers from partially-consumed meals prepared by a food establishment. This includes, but is not limited to, plates, cups, bowls, trays, hinged or lidded containers, but does not include single-use disposable packaging for unprepared foods.

2. "Food establishment" shall mean any operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption. Any establishment requiring a permit to operate in accordance with the Ipswich Board of Health shall be considered a food establishment.
3. "Prepared food" shall mean any food or beverage prepared for consumption on the food establishment's premises, using any cooking or food preparation technique. This does not include raw uncooked meat, fish or eggs unless provided for consumption without further food preparation.
4. "Expanded polystyrene" shall mean blown polystyrene (polystyrene which has been expanded or blown into a solid foam using a gaseous blowing agent) and expanded or extruded forms, which are thermoplastic petrochemical materials using a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, form molding, and extrusion-blown molding (extruded from polystyrene), sometimes called Styrofoam, a trademarked form of polystyrene foam.
5. "Restaurant" shall mean any establishment which serves food for consumption, whether on or off premises.
6. "Retail food establishment" shall mean any establishment which sells food for consumption off premises, including but not limited to grocery stores, theaters, and all other food service establishments not included in the definition of a "restaurant" above.
7. "Expanded Polystyrene" (EPS) shall mean any polystyrene that has been expanded or "blown" using a gaseous blowing agent into a solid foam.
8. "Polystyrene" shall mean any expanded polystyrene which is a thermoplastic petrochemical material utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, form molding, and extrusion-blow molding (extruded from polystyrene). The term "polystyrene" also includes clear or solid polystyrene which is known as "oriented polystyrene."

(c) Use Regulations.

1. Expanded polystyrene food or beverage disposable food service containers shall not be used to package or serve food or beverages by restaurants or retail food establishments within the Town of Ipswich. This Section shall not apply to the packaging of uncooked meat, poultry, or fish.

(d) Education and Training.

1. The Town shall send written notice detailing the restrictions imposed by this regulation to those retail establishments likely to be subject to this Section on or before December 31, 2016.

(e) Administration and Enforcement.

1. This Section shall be enforced by municipal designee of the Town Manager.
2. This Section may be enforced through any lawful means, including but not limited to non-criminal disposition pursuant to G.L. c. 40, § 21D. In the event of such disposition, and subject to the safeguards of § 21D, any retail establishment that violates any provision of this Section shall be subject to the following penalties:
  - a. Upon the first violation, the designee of the Ipswich Town Manager shall provide the violator with written notice of such violation and issue a warning that any subsequent violations shall result in the imposition of a monetary penalty. The violator will then be entitled to 30 days after receipt of such notice to cure the violation before receiving a penalty.
  - b. After the 30-day period, if the violation has not been cured, the following penalties shall apply:
    - i. A fine of \$50 for the first violations following the issuance of a written notice referred to in sub-section 2. a above; and
    - ii. A fine of \$100 for any further violation.
  - c. Each day that a retail establishment continues to distribute Expanded Polystyrene food or beverage disposable food service containers shall constitute an individual violation of this Section.
3. Fines are cumulative and each day or portion thereof shall constitute a separate offense. If more than one offense occurs, each condition violated shall constitute a separate offense.
4. Whoever violates any provision of this Section may be penalized by a complaint brought by the Town of Ipswich in the District Court Department of the Trial Court of the Commonwealth.

(f) Severability and effective date.

1. If any provision of this Section is determined to be invalid for any reason, such determination shall not affect the remaining provisions of this Section.
2. This Section shall take effect one year after its approval by the Attorney General, subject to the posting and publishing requirements of G.L. c. 40, § 32, in order to allow retail establishments to comply with these restrictions.

*Summary: This Article proposes a two-part by-law for the Town of Ipswich. It would become effective one year after approval by the Attorney General.*

*The first part would ban the use of thin-film single-use plastic bags and the second part would ban the use of certain Styrofoam containers.*

*Recommended by the Board of Selectmen 5-0*