

**ARTICLE 7: PAYMENT OF TWO (2) PRIOR YEAR OUTSTANDING INVOICES (9/10's vote)**

To see if the Town will vote to transfer the sum of Fourteen Thousand Eight Hundred dollars and no cents (\$14,800.00) from Free Cash to the FY16 Assessor's Purchase of Service budget (01014152-520000) to pay two outstanding invoices from Paul S. Kapinos & Associates, Inc. for services rendered in FY 2013 (\$7,400.00) and FY 2014 (\$7,400.00); or to take any other action relative thereto. *Requested by the Town Administrator*

**Finance Committee Recommendation: 5-0-0**

**Board of Selectmen Recommendation: 5-0-0**

**Comment:**

*Kapinos and Associates provides annual software maintenance and support for the assessment system used in Truro. They also provide Web Hosting and Maintenance of the Assessors on-line data base. Due to a change in the billing structure for services provided to the Town, the support and maintenance invoices for two fiscal years were generated after the close of the associated fiscal periods. Town Meeting approval is required in order to pay for bills from prior years.*

**ARTICLE 8: AMEND GENERAL BYLAWS TO BAN SINGLE USE PLASTIC BAGS**

To see if the Town will vote to amend the General Bylaw by adding a new Chapter 3 Section 6 to the General Bylaws as follows:

**3-6 Truro Single-Use Plastic Bag Reduction Bylaw**

**3-6-1. Purpose and Intent**

The use and disposition of single-use plastic bags, including bags made of high density polyethylene, low-density polyethylene, "biodegradable," "compostable" or "oxo-biodegradable" materials, have significant impacts on the marine and terrestrial environment of all coastal communities, including but not limited to:

1. Contributing to the injury and potential death of marine and terrestrial animals through ingestion and entanglement;
2. Contributing to pollution and degradation of the terrestrial and coastal environment;
3. Clogging storm drainage systems; and
4. Creating mechanical and disposal burdens for solid waste collection and recycling facilities.

Studies have shown that even those plastic bags made from "biodegradable," "compostable" or "oxo-biodegradable" materials, which all require very specific and controlled environments to fulfill their claims, are for all intents and purposes identical to single-use high or low-density polyethylene plastic bags in their potential impacts to the environment as set forth above. Bags of these types are therefore also subject to the requirements herein.

The goal of this Bylaw is to protect, conserve and enhance the Town's unique natural beauty and irreplaceable natural resources through the elimination, within the retail sector, of certain single-use plastic bags and by encouraging the use of reusable bags within the retail and municipal sectors. Therefore the Town of Truro seeks to phase out the use of single-use plastic bags by March 31, 2016.

**3-6-2. Definitions**

An "Establishment" means any business in Truro selling goods, articles, food or personal services to the public, including but not limited to markets, restaurants, bars, take-out food purveyors, merchandise retailers, florists and galleries.

A "single-use plastic bag" for the purposes of this Bylaw is defined as a bag made of plastic, including but not

limited to bags made of high-density polyethylene, low-density polyethylene, “biodegradable,” “compostable” or “oxo-biodegradable” materials, with a thickness of less than 1.5 mils provided at the checkout stand, cash register, point of sale or other point of departure and that are intended for the purpose of transporting food or merchandise out of the Establishment.

Single-use plastic bags **do not include** plastic bags which are a maximum of 11 inches by 17 inches and are without handles provided to the customer:

1. To transport produce, bulk food, candy or meat from a department within a store to the point of sale;
2. To hold prescription medication dispensed from a pharmacy;
3. To segregate food or merchandise that could damage or contaminate other food or merchandise when placed together in a point-of-sale bag;
4. To distribute newspapers; or
5. To protect clothing in dry-cleaning establishment.

A “reusable bag” is defined as a bag with handles that is specifically designed and manufactured for multiple reuse and is either:

1. Made of cloth or other machine washable fabric;
2. Made of durable plastic that is at least 3.5 mils thick; or
3. Other durable material suitable for reuse.

### **3-6-3. Use Regulations**

Single-use plastic bags shall not be distributed or sold at any Establishment beginning June 1, 2016, by which date existing stock of single-use plastic bags shall be phased out; any stock remaining after that date shall be disposed of properly (e.g., recycled or returned to manufacturer) by the Establishment.

Customers are encouraged to bring their own reusable shopping bags to Establishments. Establishments may provide paper or reusable bags at no charge, or charge a fee which would be kept by the Establishment, as they so desire.

### **3-6-4. Administration and Enforcement**

This Bylaw may be enforced by any Town police officer, enforcement officer or agent of the Board of Health. This Bylaw may be enforced through any lawful means in law or in equity, including, but not limited to, non-criminal disposition pursuant to G.L. c. 40, §21D. If non-criminal disposition is elected, then any Establishment which violates any provision of this Bylaw shall be subject to the following penalties;

\$50.00 for first offense

\$100.00 for second offense

\$200.00 for third and subsequent offenses

Each day that such violation continues shall be considered a separate offense.

Or take any other action relative thereto. *Requested by the Board of Selectmen*

### **Board of Selectmen Recommendation: 5-0-0**

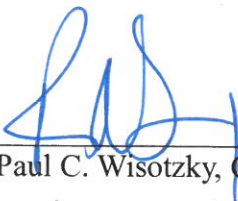
#### **Comment:**

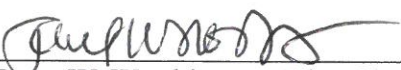
*In keeping with our neighboring communities and the Town’s commitment to Green Communities, this bylaw is proposed to prevent single use plastic bags from impacting the environment. The intent is to protect, conserve and enhance the Town’s unique natural beauty and irreplaceable natural resources. Single use plastic bags pose a risk to birds, wildlife and sea life when not disposed of properly. The ban on plastic bags has been implemented in other towns with no apparent negative impact on businesses.*

In conformity with Section 2.3.5 of the Truro Town Charter, you are hereby directed to serve these warrants, by posting duly-attested copies in Town Hall, the United States Post Offices, two other public places in Truro and two other public places in North Truro, fourteen days, at least, before the date of said meetings.

Hereto fail not and make due return of the warrants, together with your doings thereon, to the Town Clerk, at time and place of said meetings. Given unto our hands this 20<sup>th</sup> day of October in the Year of our Lord, Two Thousand and Fifteen.

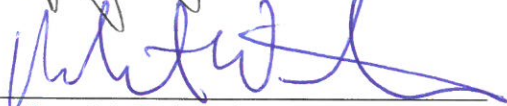
We, the members of the Board of Selectmen of the Town of Truro, have read the warrant for Special Town Meeting to be held at 6:00 p.m. on November 5, 2015, at the Truro Central School. Acting in capacity of the Board of Selectmen we do hereby grant approval of and permission for the above mentioned warrant.

  
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Paul C. Wisotzky, Chairman


  
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Janet W. Worthington, Vice Chairman

  
\_\_\_\_\_  
Jay Coburn

  
\_\_\_\_\_  
Maureen Burgess, Clerk

  
\_\_\_\_\_  
Robert M. Weinstein

A true copy, attest:

  
Cynthia A. Slade  
Town Clerk, Town of Truro

Sirs: I have served this warrant by posting duly attested copies thereof at the following places: Grozier's Garage, Lower Cape Auto & Truck Repair, Savory & Sweet Escape, Pamet Valley Liquors, Truro Post Office, N. Truro Post Office, Truro Public Safety Facility, Truro Public Library, Transfer Station, Truro Central School, Truro Community Center, and Truro Town Hall

10/20/2015  \_\_\_\_\_ Constable  
date