

The March 16, 2021 meeting of the Ordinance Committee, a sub-committee of the Board of Selectmen was convened at 5:38 p.m. by Chairman Mica Cardozo via webex. A recording of the meeting may be accessed here: https://youtu.be/Gq_kf9_L-80

In accordance with Governor Lamont's Executive Order #7b, Section 1 which suspends the open meeting requirements of in-person participation, audio and video of this Ordinance Committee meeting will be simultaneously televised on Channel 79 and youtube@wgatv79 to allow the public to view and listen to the meeting.

Present: Chairman Mica Cardozo; First Selectman Beth Heller; Joseph S. Dey, III
Present for staff: Town Counsel Gerald Weiner; Mrs. Shaw, Clerk

REMARKS

Chairman Cardozo apologized to the several individuals that e-mailed remarks that they expected would be read into the record at Public Comment. He said that it was decided that since role of the Ordinance Committee is to prepare and present the ordinances to the Board of Selectmen to consider and evaluate. He said that to that end it did not seem prudent or productive to have the comments at this meeting only to have those same individuals repeat themselves when and if these ordinances are submitted to the Board of Selectmen which is this evening's discussion. He also noted that based on some of the input it may be appropriate for the Board of Selectmen to have a meeting dedicated to the proposed ordinance.

Mr. Cardozo said that this evening the Committee will discuss the potential for the ordinance and the language suggested. Following discussion it is planned that the Committee will vote on whether to move it forward to the Board of Selectmen. Mr. Cardozo stated that: *"As has been mentioned in the past, and as previously indicated, it is still the Committee's understanding that this will not impact on the turf field decision that was made. This is to establish an ordinance that would impact the installation of such materials going forward."*

REVIEW OF THE TWO PROPOSED ORDINANCES

SAMPLE ORDINANCE #1

AN ORDINANCE PROHIBITING THE USE OF ARTIFICIAL TURF CONTAINING SYNTHETIC INFILL IN THE TOWN OF WOODBRIDGE, CONNECTICUT

PURPOSE:

To protect the health, safety and general welfare of Woodbridge's children and all residents, ecosystems, and natural resources, the use of artificial turf containing synthetic infill manufactured from recycled or virgin materials including but not limited to ambient and cryogenic crumb rubber, coated crumb rubber, ethylene propylene diene monomer granules, thermoplastic elastomer granules, and recycled footwear, (categorized as "hazardous waste" and "special handling waste") is prohibited as follows:

A. DEFINITIONS:

- (1) Artificial Turf: Any man-made surface manufactured from synthetic materials which simulate the appearance of live turf, grass, sod, or lawn.
- (2) Synthetic Infill Material: Any man-made infill from recycled or virgin materials including but not limited to ambient and cryogenic crumb rubber, coated crumb rubber, ethylene propylene diene monomer granules, thermoplastic elastomer granules, and recycled footwear.
- (3) Organic Infill Material: Any material utilizing organic components such as cork, coconut husks, rice husks, silica sand, or acrylic coated sand.

B. REGULATIONS

- (1) The use of artificial turf containing synthetic infill materials shall be prohibited.
 - (2) The use of artificial turf containing organic infill materials or containing no infill material shall be permitted, provided that: (a) Such use is in compliance with all applicable environmental laws and regulations; and (b) Any infill is composed completely of organic materials; and (c) The use of artificial turf does not exceed the impervious coverage requirements.
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SAMPLE ORDINANCE #2

An Ordinance Prohibiting the Use of Artificial Turf, Synthetic and Organic Infill Materials in the Town of Woodbridge, Connecticut

Purpose:

To protect the health, safety and general welfare of Woodbridge's children and all residents, ecosystems, and natural resources, the use of artificial turf, all synthetic and organic infill manufactured from recycled or virgin materials including but not limited to ambient and cryogenic crumb rubber, coated crumb rubber, ethylene propylene diene monomer granules, thermoplastic elastomer granules, cork, recycled footwear (categorized as "hazardous waste" and "special handling waste"), cork, coconut husks, rice husks, silica sand, or acrylic coated sand is prohibited as follows:

Definitions.

- 1) **Artificial Turf.** Any man-made surface manufactured from synthetic materials which simulate the appearance of live turf, grass, sod, or lawn.
- 2) **Synthetic Infill Material.** Any man-made infill from recycled or virgin materials including but not limited to ambient and cryogenic crumb rubber, coated crumb rubber, ethylene propylene diene monomer granules, thermoplastic elastomer granules, and recycled footwear.
- 3) **Organic Infill Material.** Any material utilizing organic components such as cork, coconut husks, rice husks, silica sand, or acrylic coated sand.

Regulations.

- 1) The use of artificial turf and synthetic infill materials shall be prohibited.
- 2) The use of organic infill materials shall be prohibited.
- 3) The use of crumb rubber in any form shall be prohibited.

NOTE: Sample #1 allows organic infill material, and Sample #2 prohibits organic infill material.

Following discussion, the Committee agreed that the following items need to be clarified:

- Should such an ordinance apply to only municipal property or Town-wide, which would include private property, i.e. private residences and businesses
- Would such an ordinance be retro-active or only affect activity prospectively
- As an option consider a moratorium until the State makes a decision re prohibition of PFAS/total fluorine and heavy metals in new artificial materials
- Review the actual question put forth to the voters at the November 19, 2019 referendum
Did the voters approve “athletic field improvements” or was it clear that they were voting to install an artificial turf-field
- Review the FAQ sheet re “artificial turf” – Review Board of Selectmen and Town Plan and Zoning minutes to determine that it was very clear that the plan was to install “artificial turf”

ACTION

Mr. Cardozo proposed putting both versions of the ordinance forward to the Board of Selectmen.

Mr. Dey agreed to put forward without a recommendation.

The Committee **VOTED UNANIMOUSLY** (Heller – Dey) to send proposed Sample Ordinance #1 and #2 to the Board of Selectmen for its consideration.

ADJOURNMENT

On a non-debatable motion by Ms. Heller, seconded by Mr. Dey, the meeting adjourned at 6:05 p.m.

Respectfully submitted,
Geraldine S. Shaw, Clerk.