

SHEPHERDSTOWN RECYCLING COMMITTEE – Special Meeting

AGENDA – February 21, 2024, 6:00pm – Town Hall

\*CALL TO ORDER:

\*APPROVAL OF MINUTES: July 21, 2023

\*VISITORS:

\*OLD BUSINESS:

A. Shepherdstown Sustainable Act – TC resolution

\*NEW BUSINESS

B. Glass recycling program review / Glass crusher

C. Carton recycling

D. Compositing program

\*ADJOURN: Next meeting?

## SHEPHERDSTOWN RECYLING COMMITTEE

### DRAFT MINUTES – July 21, 2023, 9:00am – Town Hall

\*CALL TO ORDER: 9am – Chris Stroeck (CS), Jim Auxer (JA), Jim King (JK), Leah Rumpy (LR); Staff – Frank Welch (FW), Stephanie Grove (SG)

\*APPROVAL OF MINUTES: June 15, 2023 – JA motioned, JK seconded, approved.

\*VISITORS: Bob Anderson (Ranson), Sheriff Tom Hansen, Mayor Steve Paradis (Bolivar), Pat Morse (Harpers Ferry), Steven Pearson (Observer), Peter Vila (JC Solid Waste Authority, Jane Tabb (County Commission)

#### \*OLD BUSINESS:

- A. Shepherdstown Sustainable Act – CS to draft resolution that can be presented to Council encouraging town businesses and outskirt businesses to comply with the SSA.

#### \*NEW BUSINESS

- B. Glass recycling program review – On-going
- C. Glass Crusher –

JK provided a summary of the glass crusher initiative, to include a description of the equipment and process. He also discussed available grant funding. Varying uses for the final product (sand) include utilities, parks and rec, landscaping and construction.

Discussion ensued regarding a crusher for county-wide use. Questions were raised as follows: 1) Is there space at the transfer station; 2) Resources to fund staff?; 3) Pick up or drop off locations?; 4) Use of final product (sand)?; 5) Crusher size and cost?

All agreed that a field trip to Winchester to observe its crusher would be helpful.



AN ORDINANCE TO ENACT  
CHAPTER 7, TITLE 11 OF THE CODE OF SHEPHERDSTOWN  
AS THE SUSTAINABLE SHEPHERDSTOWN ACT

THE SHEPHERDSTOWN TOWN COUNCIL ORDAINS:

Title 11 of the Code of Shepherdstown is hereby amended by adding Chapter 7, entitled the "Sustainable Shepherdstown Act," to establish that Shepherdstown desires to protect the natural environment and reduce litter by replacing the use of Polystyrene Foam, Plastic Bags and Straws with reusable, recyclable, Eco-Friendly and/or compostable alternatives. Accordingly, Chapter 7, Title 11 of the Code of Shepherdstown shall read as follows:

TITLE 11

Chapter 7 – Sustainable Shepherdstown Act

Section 11-701 – Definitions:

As used in this Chapter, the following terms have the following meanings:

- (a) "Eco-Friendly" means not harmful to the environment;
- (b) "Food Packager" means any person or business located within the Town of Shepherdstown who places meat, eggs, bakery products or other food items in packaging materials for the purpose of retail sale of those products;
- (c) "Plastic Bag" means any plastic t-shirt or grocery bag that is not Eco-Friendly. For the purposes herein, Plastic Bag does not include plastic sleeves, gift bags, or other boutique bags used by Retail Vendors;
- (d) "Straw" means any drinking straw that is not Eco-Friendly;
- (e) "Polystyrene Foam" means and includes blown polystyrene and expanded and extruded foams (sometimes incorrectly called Styrofoam®, a Dow Chemical Company trademarked form of polystyrene foam insulation) which are thermoplastic petrochemical materials 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, foam molding, and extrusion-blow molding (extruded foam polystyrene). Polystyrene Foam is

generally used to make cups, bowls, plates, trays, clamshell containers, meat trays and egg cartons. For the purposes of this Chapter, the term “polystyrene” shall not include clear polystyrene known as “oriented polystyrene”;

- (f) “Retail Vendor” means any person, restaurant, bar, store, shop, kiosk, sales outlet, street vendor or other establishment, including without limitation, a grocery store, convenience store or a delicatessen located within the Town of Shepherdstown, either on a permanent or temporary basis.

Section 11-702 - Findings; Purposes:

The Shepherdstown Town Council hereby finds as follows:

- (a) Polystyrene Foam is a petroleum-based, lightweight plastic material sometimes used as food service ware by Retail Vendors operating in Shepherdstown;
- (b) Plastic Bags are sometimes used as containers to carry goods purchased at Retail Vendors operating in Shepherdstown;
- (c) Straws are sometimes used as a more convenient way to consume beverages purchased at Retail Vendors in Shepherdstown;
- (d) Shepherdstown desires to protect the natural environment;
- (e) There is no economically feasible means of properly recycling Polystyrene Foam, Plastic Bags and Straws;
- (f) Polystyrene Foam food containers, Plastic Bags and Straws constitute a portion of the litter in Shepherdstown’s streets, parks and public places that increases Shepherdstown’s maintenance and waste management costs;
- (g) Polystyrene Foam, Plastic Bags and Straws are common pollutants that may fragment into smaller, non-biodegradable pieces and that are encountered by marine life and other wildlife thus harming or killing them;
- (h) Shepherdstown’s goal is to replace Polystyrene Foam, Plastic Bags and Straws with reusable, recyclable, Eco-Friendly and/or compostable alternatives.



**Section 11-703 – Prohibitions:**

- (a) Retail Vendors shall not serve, sell or provide prepared food or drink in Polystyrene Foam containers, and Food Packagers shall not package meat, eggs, bakery products or other food or drink in Polystyrene Foam containers;
- (b) Retail Vendors who sell tangible personal property shall not sell Polystyrene Foam food or beverage containers;
- (c) Retail Vendors who sell tangible personal property shall not package the products in Plastic Bags;
- (d) Retail Vendors who sell beverages shall not provide Straws to their customers without a specific request for a Straw from the customer. In the event of such a request, Retail Vendors are encouraged to use Eco-Friendly Straws;
- (e) Shepherdstown shall not use Polystyrene Foam food or beverage containers, Plastic Bags or Straws at any Town facility or Town-sponsored event or Town-approved event;
- (f) Shepherdstown departments and facilities shall not purchase, acquire or use Polystyrene Foam food or beverage containers, Plastic Bags or Straws;
- (g) All parties who contract with Shepherdstown shall be prohibited from using Polystyrene Foam food and beverage containers, Plastic Bags and Straws in Town facilities or on Town-funded, approved or sponsored projects.

**Section 11-704 – Exemptions:**

- (a) Receiving food or products in pre-packaged containers made from Polystyrene Foam or Plastic Bags;
- (b) Eco-Friendly bags or straws;
- (c) Straws with a diameter greater than 10 millimeters;

- (d) Hot beverage cups made of mixed materials, including Polystyrene Foam.  
Notwithstanding any other provision herein, this exemption shall expire one (1) year from the Effective Date of this Chapter;
- (e) Retail Vendors, Food Packagers, Town departments, Town facilities and contractors shall be exempt from the provisions of this Chapter, in a situation deemed by the Mayor to be an emergency for the immediate preservation of the public peace, health or safety.

Section 11-705 – Violations and Enforcement:

- (a) The Town Planning and Zoning Officer or his/her designee(s) shall have the primary responsibility for enforcement of this Chapter. If the Zoning Officer or his/her designee(s) determine(s) that a violation of this Chapter has occurred, he/she shall issue a written warning that a violation has occurred and that all such activity must immediately cease and desist;
- (b) Subsequent violations of this Chapter shall be punishable by fines as follows, as determined by the Town Planning and Zoning Officer:
  - (1) A fine not exceeding \$250.00 for the first violation;
  - (2) A fine not exceeding \$500.00 for the second and each subsequent violation.

Section 11-706 – Effective Date:

- (a) Except as otherwise set forth herein, this Chapter shall become effective one (1) year from the date of the enactment; however, Retail Vendors are encouraged to adhere to the provisions herein as soon as practicable.

Section 11-707 – Evaluation of Provisions:

- (a) The Shepherdstown Town Council or its assigns shall evaluate the effectiveness and enforcement of this Chapter every two (2) years, and may thereafter amend the Provisions herein as necessary.



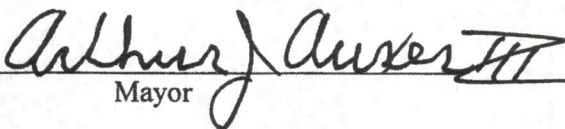
Section 11-707 – Severability:

- (a) If any part of provision of this Chapter or the application thereof to any person or circumstances is held invalid, the remainder of the Chapter, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Chapter are severable.

First Reading: May 14, 2019

Second Reading: June 11, 2019

Adopted: June 11, 2019

  
Mayor

  
Recorder

**Subject:** Re: idea: milk and juice box container recycling in Shepherdstown?  
**Date:** Friday, September 1, 2023 at 9:55:42 PM Eastern Daylight Time  
**From:** Christopher Stroeck  
**To:** Frank Welch, Jim Auxer  
**Attachments:** image001.png

I think we can refer this to the Recycling Committee for review?



PANHANDLE LEGAL

**Christopher P. Stroeck, Esq.**

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**From:** Frank Welch <[fwelch@shepherdstown.us](mailto:fwelch@shepherdstown.us)>

**Date:** Friday, September 1, 2023 at 1:41 PM

**To:** Christopher Stroeck <[CStroeck@panhandle-legal.com](mailto:CStroeck@panhandle-legal.com)>

**Subject:** FW: idea: milk and juice box container recycling in Shepherdstown?

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**From:** Linda Walker <[artemis\\_lk@yahoo.com](mailto:artemis_lk@yahoo.com)>

**Sent:** Friday, September 1, 2023 1:32 PM

**To:** [lahraven@comcast.net](mailto:lahraven@comcast.net); Frank Welch <[fwelch@shepherdstown.us](mailto:fwelch@shepherdstown.us)>; [jimauxer@yahoo.com](mailto:jimauxer@yahoo.com)

**Subject:** idea: milk and juice box container recycling in Shepherdstown?

Hi Mayor Auxer, Ms. Roberston and Mr. Welch,

I hope this finds you well and getting ready for a great Labor Day weekend!

I have a recycling question (feel free to direct me to someone else if another colleague



would be better able to respond). I understand that the town does not pick up milk cartons or shelf-stable cartons like for soy milk for recycling. The Shepherdstown recycling page that describes what is collected says "NO - Wax- or plastic-coated boxes, wood, plastic, or string. No leftover food. No boxes from wet foods, like ice cream, frozen foods, or take-out foods. No paper milk or juice cartons"

I think many people in town do not understand that these cartons are not collected, as I see quite a few milk cartons left out for recycling.

I also noticed that on this recycle cartons website, Shepherdstown is listed as having such recycling. <https://www.recyclecartons.com/consumer/carton-recycling-locator/?address=204+S+King+St%2C+Shepherdstown%2C+WV&x=11&y=11>.

We generate a lot of these containers in our home, and we hate to throw them all away, so we typically package mine up and send them to a facility in Chesapeake, VA, which costs us about \$50 every 6 months.

<https://www.recyclecartons.com/consumer/what-to-do-when-your-city-doesnt-recycle-cartons/>

Tidewater Fiber  
1958 Diamond Hill Road  
Chesapeake, VA 23324

Just wondering, two questions:

1. Is there any opportunity to explore a once a month pick up for such milk and shelf-stable cartons, like there is for glass containers, and sending them to a facility? I think that many other residents would be willing to put in small amounts of money that could add up to enough to keep all that trash out of the landfill. And I'd be happy to look into options for that or help spread the word in other ways!
2. Would this be something that the town council might consider discussing at a future meeting? If so and you could suggest who I should contact to start that discussion I'd appreciate it.

Thanks for any information and suggestions you can share! I can be reached at this email or 203-815-7626.

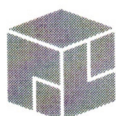
All the best,

Linda Walker  
204 S. King Street  
203-815-7626

**Subject:** Re: Composting in Shepherdstown  
**Date:** Wednesday, January 31, 2024 at 10:36:29 PM Eastern Standard Time  
**From:** Christopher Stroeck  
**To:** bakershenk@aol.com  
**Attachments:** image001.png

Good idea.

Would you like to come to our next meeting, scheduled for 2/21, at 6pm?



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**From:** "bakershenk@aol.com" <bakershenk@aol.com>

**Date:** Monday, January 29, 2024 at 9:54 PM

**To:** Christopher Stroeck <CStroeck@panhandle-legal.com>

**Subject:** Composting in Shepherdstown

Hi Chris

Leah Rampy suggested I connect with you as chair of the recycling task force to let you know of some initial conversations about implementing residential and commercial composting here in Shepherdstown, potentially to be located at Tabler Farm. So far I've talked with Dr. Brooke Comer (Shepherd University faculty in sustainable agriculture) and Madison Hale (Tabler Farm manager), briefly with Frank Welch and Mayor Jim Auxer (both of whom responded with great interest), and with various other interested advocates of composting. As I'm sure you are aware, such a program was described as a goal of the 2014 comp plan.

There are several new composting programs in nearby localities (eg. Frederick and Fairfax) as well as



highly successful programs in other major cities (eg. San Francisco and Seattle). Much for us to learn!

While this topic may not technically be part of your task force's focus, some of the overall goals obviously overlap. So this is a courtesy note to inform you of these conversations. Additionally, if your task force has an interest (and time!) to work together on this effort, we certainly could benefit from dialogue with you on issues, questions, options.

Thanks for all you do.  
Charlotte Baker-Shenk  
301-801-2793