

**TOWN COUNCIL OF NEW CANAAN
SPECIAL MEETING
NOVEMBER 10, 2008
12:00 noon – Auditorium of Town Hall**

MEMBERS PRESENT:

Mark De Waele

Kenneth Campbell

Kathryn Devereaux

Chris Hussey

Elizabeth Jones

Tucker Murphy

Johnny Potts

Stephen Karl

MEMBERS ABSENT: Paul Foley, Thomas O’Dea, Richard White. Penny Young

ALSO PRESENT: George Maranis, Administrative Officer; John Howe, Superintendent of Parks and Tree Warden; Jeb Walker, First Selectman; Tom Stadler, successor Administrative Officer; Tiger Mann, Assistant Director of Public Works and Senior Engineer; Mike Lagas, Business Manager, New Canaan Public Schools (NCPS); Hans Otto, Facilities Manager, NCPS; David Abbey, Superintendent, NCPS; Diane Jorsey, Environmental Analyst, Department of Environmental Protection, State of Connecticut; three or four members of the public; representatives of the press.

Dr. DeWaele convened the meeting at 12:00 p.m. Mr. Campbell called the roll, noting the presence of all members except Mr. Foley, Ms. Hussey (arrived 12:10), Mr. Karl (arrived 12:13), Mr. O’Dea, Mr. White and Ms. Young. Ms. Hussey and Mr. Karl arrived after the roll was called.

Dr. De Waele read the Notice of Meeting: To hear a presentation from a representative the Connecticut Department of Environmental Protection regarding pesticide usage in Connecticut.

Ms. Murphy introduced Diane Jorsey, Environmental Analyst, State Department of Environmental Protection (DEP), Pesticide Management Program. Among Ms. Jorsey’s responsibilities is the integrated management of pesticide usage, including coordination and enforcement of regulations. She disclosed that she assumed the position 16 years ago, and described the genesis of the Integrated Pesticide Management (IPM) plan. .

Ms. Jorsey explained that the integrated pest control process applies pesticides on an as needed basis. Pesticides are used only when all other non-pesticide methods have been used without results. Least toxic products, such as baits, are used first, and specific areas of application are targeted. Accepted tolerance levels are determined, and pesticides are applied only when these levels are exceeded..

In 1999 the Pesticide Notification Law was passed, and placed under the jurisdiction of the State Department of Education. The DEP’s only involvement was to follow up on complaints and to determine incidents of misuse. The Department of Education was in

charge of enforcement. In 2007, environmental interest groups expressed dissatisfaction over enforcement and complained that the IPM was not working. Legislative changes were made and enforcement responsibility was turned over to the DEP.

Ms. Jorsey explained that there are many requirements in the school notification law with regard to pesticide usage. The BOE and the schools must develop a pest control policy, which can vary depending on elementary or high school levels. Different policies can be implemented for interior and exterior pest control. Most municipalities use an IPM policy as opposed to a traditional management policy. Once the policy is determined, notice of the policy and its provisions are sent home at the beginning of the school year. Parents are given the opportunity to register for notifications of applications.

The 2007 changes to the regulations require that if a school intends to apply pesticides for grades K-8, applications can be made to playgrounds and ball fields only in accordance with an IPM model similar to the one created by the DEP. The only pesticide products that can be applied to areas outside of playgrounds and ball fields are products that are exempt from EPA registration. As of July 1, 2009, no pesticides that are registered with the EPA are to be used on K-8 playgrounds and athletic fields; thereafter, only exempt products can be used (i.e., products with low levels of toxicity and derived from natural ingredients.) Schools above grade 8 will be allowed to use EPA registered products in accordance with an IPM plan or scheduled (traditional) applications.

In response to a question from Ms. Murphy as to the difference between requirements for K-8 and higher grades, Ms. Jorsey explained that the interest groups' greatest concern was for the youngest children. Ms. Jorsey did not know the scientific reason why the distinction was made. Dr. DeWaele asked Ms. Jorsey to get back to the Town Council as to why this distinction was made between K-8 and higher grades.

Ms. Jones inquired as to the type of pesticide that would be EPA exempt, and Ms. Dorsey provided a detailed explanation, including the requirements of the federal government for registration of pesticides.

Ms. Murphy asked for a brief explanation of other towns that claim to completely use organic products. Ms. Jorsey said that the DEP has not had enough time to evaluate programs that other towns have implemented. Many towns have made statements that they are using a non-pesticide approach, but Ms. Jorsey suspects that these towns are using EPA exempt products.

Ms. Jorsey explained that Connecticut is one of the leading states with respect to IPM and one of the first states requiring school notification.

Ms. Hussey asked how the DEP is sure each town is following the requirements, as there is no formal monitoring program in place. Ms. Jorsey admitted that monitoring and enforcement is a problem, given that there are budget restrictions and the fact that she is essentially a one-person department with only two or three inspectors.

Dr. De Waele asked if there was a scientific advisor or group that a town could look to for answers to concerns with regard to the safe use of pesticides. Ms. Jorsey responded that there were no groups at the State level, but at the federal level there may be information available on the EPA website.

Ms. Jorsey then answered questions from members of the public.

Bob Rogers inquired as to how the EPA determined what products were hazardous, noting also that fields to which pesticides have been applied generally have acceptable grass coverage, precluding dirt fields which are conducive to injury.

Lili Gruber made several points, including that there are many options to ensure healthy grass growth on a field before pesticides have to be applied. She also suggested that the Town contact a professor at Yale University for pesticide scientific data.

Meredith Moses said that the Town should obtain more information, and wanted to know if the chemicals being used in New Canaan were general (lower toxicity) or restricted (higher toxicity.) Mr. Howe responded that most applications in New Canaan are of a spot nature for which general application is adequate. There are restricted applications mentioned in the IPM, but these products would be used only after all other options were exhausted. If, for example, a bees' nest was reported, a spot application of product would be done and the nest removed. Notification of the application would go out that day, and the area would be off limits for a period of time determined to be adequate so as to avoid contact with any residual product.

Ms Jorsey noted that public school superintendents can declare the need for emergency application of pesticides, but that private schools need the approval of the DEP..

Ms. Murphy concluded that there were no clear cut answers to many questions, and that the next step would be to obtain more scientific information at the federal level, at Yale or at other reliable sources.

Ms Jorsey was thanked for her presentation and, there being no further business, the Council voted unanimously to adjourn at 1:10 p.m.

Respectfully submitted,

Kenneth Campbell, Acting Secretary