

SUBJECT TO APPROVAL

MEETING DATE: MONDAY, SEPTEMBER 12, 2016
6:15 P.M.

MEETING PLACE: HAMMONASSET ROOM - TOWN CAMPUS

BOARD OF SELECTMEN PUBLIC HEARING MINUTES

6:00 p.m. Public Hearing

First Selectman Banisch called the Public Hearing of Monday, September 12, 2016 to order at 6:00 p.m. Present were First Selectman Banisch, Selectman Goldberg, Selectman Hale, and Selectman Wilson. The purpose of the Public Hearing was to hear comment on three proposed Town Ordinances.

Regarding an Ordinance pertaining to Building and Building Regulations, Chapter 6 Articles I-VIII, Building Inspector Vinny Garofalo stated that the last update was in 1971. These proposed changes bring the ordinance current and they have been reviewed by the Town attorney. The only unique change is language pertaining to construction hours as the Town has received many complaints from residents. First Selectman Banisch added that the fees are in line with similar towns' fees schedules.

Resident Jack Davis stated that there is a long history in Madison of trying to enhance the Town. He voiced concern that the ordinances tonight which propose increases in fees are not necessarily good as they put more stress on businesses, builders, etc. Mr. Davis stated that there were many great things about Madison but that there wasn't enough of a pull for young families to move into town. He stated that the Town needs new ideas and more cooperation between the officials and residents.

A resident of Neptune Avenue thanked the Board for revising the ordinance and also for limiting building hours. He asked if the work could instead start at 8:00 a.m. He asked if the \$200 penalty was per day, and if so, he suggested the fee should be per person. First Selectman Banisch stated that this Ordinance can be changed or adjusted in the future but that this Ordinance was a foundation. The resident thanked First Selectman Banisch for his comments and also suggested a possible noise ordinance could be included in the Town code. The resident also asked about regulations regarding stone work and if there was a mechanism to encourage business owners to protect their employees. Also, he questioned if there was a way to enforce parking on the streets around the sites. First Selectman Banisch stated that the Police Department should be called for this matter.

Another resident of Neptune Avenue stated that he noted the same issue with parking in the No Parking zone on the site. First Selectman Banisch stated that he and Selectman Goldberg would bring this to the Police Commission's attention.

Mr. Garofalo stated that most of the jobs for stone work does not fall into the building permit schedule as it is landscaping. Selectman Hale stated that OSHA should be contacted to report

hazardous work environments. Also it is very difficult to enforce a noise ordinance because the legal opinion is that the noise level must be measured and that is not always efficient.

Another resident of Neptune Avenue stated that the site itself has piles of dirt, dumpsters, port-a-potties, etc. and it the site infringes on the lives of the neighbors. She added that in the future regulations for the cleanliness and attractiveness for construction sites should be included in the Ordinance to set a standard for the aesthetics of the sites.

Resident Jerry Davis stated that he wanted to address that there is a mindset that Madison only wants to get even with surrounding towns. He stated that the mindset should be changed a little and that the fees would make permitting harder for commercial developers. He noted that a lower fee schedule would make it easier to invest in property in this Town.

Regarding an Ordinance pertaining to Health and Sanitation, Chapter 10 Articles IV, V and VI, Health Director Trent Joseph stated that this Ordinance was also very old and the Chapter has been updated by deleting obsolete items and adding in new items such as a fee schedule. He noted that the services in this Ordinance are essential and that the proposed fee schedules all around are a base to move from depending on the usage of these services. First Selectman Banisch stated that also if the Town had gone with a Health District, the Town would not have been able to change fee schedules and would have to follow the fees set forth by the District. Mr. Joseph added that for instance, for one service the East Shore Health District charges \$450 whereas the new schedule for the Town of Madison is only \$150.

Regarding an Ordinance pertaining to the Fire Prevention and Protection, Chapter 8, Article III, First Selectman Banisch stated that this, too, was an update to an old Ordinance based on current-day standards; and that the fee schedule updates were in line with the changes already noted. Selectman Goldberg also clarified language pertaining to brush fires and that residents would need a permit for brush fires on their property.

There being no objections, First Selectman Banisch adjourned the Public Hearing at 6:40 p.m.

Respectfully submitted,

Lauren Rhines
Executive Assistant

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BOARD OF SELECTMEN MEETING MINUTES

6:15 p.m. Special Session

First Selectman Banisch called the Special Session of Monday, September 12, 2016 to order at 6:41 p.m. Present were First Selectman Banisch, Selectman Goldberg, Selectman Hale, and Selectman Wilson.

SPECIAL BUSINESS

1. Public Comment.
2. Discuss and take action to approve an Ordinance pertaining to Building and Building Regulations, Chapter 6 Articles I-VIII.

DISCUSSION: The Board reviewed that the fee schedule had been revised in July. Also, Selectman Wilson stated that the Ordinance should be revised to include what Construction Activity meant in the ordinance and also the parking regulations at a construction site. Selectman Hale stated that the Ordinance could be revised also to clarify the \$200 violation fee and First Selectman Banisch responded that the fee was \$200 per day per site. Regarding parking, the Board discussed that the Police Department would need direction on what parking rules should be enforced. The Board discussed that the Ordinance should be updated again depending on review of these issues with Legal Counsel.

MOVED by Selectman Hale and seconded by Selectman Wilson to **APPROVE** an Ordinance pertaining to Building and Building Regulations, Chapter 6 Articles I-VIII.

VOTE: This motion was approved unanimously.

3. Discuss and take action to approve an Ordinance pertaining to the Fire Prevention and Protection, Chapter 8, Article III.

MOVED by Selectman Hale and seconded by Selectman Wilson to **APPROVE** an Ordinance pertaining to the Fire Prevention and Protection, Chapter 8, Article III.

VOTE: This motion was approved unanimously.

4. Discuss and take action to approve an Ordinance pertaining to Health and Sanitation, Chapter 10 Articles IV, V and VI.

DISCUSSION: Selectman Hale clarified the meaning of “Farmer’s Market” in the Ordinance and Mr. Joseph responded that the Department of Agriculture defines these as non-prep food markets and that he could clarify between this type of establishment the Farmer’s Market on the Green.

MOVED by Selectman Hale and seconded by Selectman Wilson to **APPROVE** an Ordinance pertaining to Health and Sanitation, Chapter 10 Articles IV, V and VI.

VOTE: This motion was approved unanimously.

5. Public Comment.
6. Adjourn.

There being no objections, First Selectman Banisch adjourned the meeting at 6:49 p.m.

Respectfully submitted,

Lauren Rhines
Executive Assistant