

SUBJECT TO APPROVAL

Board of Selectmen
Monday, August 22, 2022, 7:00 p.m.
Town Campus, Room A and Remotely via Zoom
Meeting Minutes

7:00 p.m. Regular Session

First Selectwoman Lyons called the Board of Selectmen Regular Session meeting of Monday, August 22, 2022 to order at 7:00 p.m. Also present: Selectwoman Kokoruda, Selectman Murphy and Selectman Wilson.

Others Present:

1. Pledge of Allegiance.

First Selectwoman Lyons led with the Pledge of Allegiance.

2. First Selectwoman’s Updates.

First Selectwoman Lyons provided a security update.

3. Liaison Reports/Selectmen Comments.

Selectwoman Kokoruda: American Rescue Plan Funding Advisory Committee

Selectman Wilson: Beach and Recreation Commission
Marijuana Legalization Advisory Committee Ad Hoc

4. Citizen comments.

Paul, 321 Horsepond Road, explained that his parents live by the beach and have had issues with large, transient groups renting homes in the neighborhood all summer and felt it is affecting the character of the neighborhood in a negative manor. He felt the current zoning regulations do not fall silent on this issue and Short Terms Rental are not listed, thus are not permitted.

BUSINESS

1. Consent Agenda:

MOVED by Selectman Wilson and seconded by Selectman Murphy to approve the items of the Consent agenda as follows:

- a. Minutes of July 25, 2022.
- b. Minutes of July 28, 2022 Special.
- c. Minutes of August 15, 2022 Special.
- d. Tax Abatements / Refunds.
- e. Appointments:

- i. Kim Brunstad to Coastal Resiliency Commission, Term End 1/1/2025.
- f. Resignations:
 - i. John Paulson, Bauer Park Advisory Board.
- g. Routine Line Item Transfers for FY 22-23 totaling \$4,132.50.
- h. Hiring of Molly Fahey to Social Services Coordinator, 35.5 hours/wk. Salary Grade 7, Step 3, \$53,755.02, budgeted.
- i. Hiring of Mathew Briggs to Truck Driver, 40 hours/wk. Salary Grade 3, \$27.37/hour, budgeted.
- j. Hiring of Adam Hornik to Landfill Gate Attendant, 28 hours/wk., Union, Step 3, \$20.36/hour, budgeted.
- k. Approve a recommendation from Director of Beach and Recreation to award the Feasibility Study for Exchange Fields to Tom Irwin Advisors and to authorize the First Selectwoman to sign all necessary contracts and documents to execute the award; project is budgeted and funding is in CIP
- l. Proclamations: Vistalife Graduates 2022.

VOTE: this motion was approved unanimously.

- 2. Discuss and take action to place the following questions regarding proposed amendments to the Town Charter on the ballot in conjunction with the November 8, 2022 Election:
 - a. Question 1: Shall the proposed Charter Amendment to Section 4.1 of the Town's Charter changing the term of the First Selectman and all other members of the Board of Selectmen to four (4) years, as set forth in the Charter Revision Commission's Final Report and accepted by the Board of Selectmen, be adopted? YES/NO
 - b. Question 2: Shall the remaining proposed Charter Amendments contained in the Charter Revision Commission's Final Report, which Report was accepted by the Board of Selectmen on July 28, 2022, be adopted? YES/NO

MOVED by Selectman Wilson and seconded by Selectman Murphy to place the following questions regarding proposed amendments to the Town Charter on the ballot in conjunction with the November 8, 2022 Election:

- c. Question 1: Shall the proposed Charter Amendment to Section 4.1 of the Town's Charter changing the term of the First Selectman and all other members of the Board of Selectmen to four (4) years, as set forth in the Charter Revision Commission's Final Report and accepted by the Board of Selectmen, be adopted? YES/NO
- d. Question 2: Shall the remaining proposed Charter Amendments contained in the Charter Revision Commission's Final Report, which Report was accepted by the Board of Selectmen on July 28, 2022, be adopted? YES/NO

VOTE: this motion was approved unanimously.

- 3. Discuss and take action to approve a recommendation from the New Elementary School Building Committee to award BVH Integrated Services, Inc., as the Commissioning Agent for a fee not to exceed \$120,000.

MOVED by Selectman Murphy and seconded by Selectman Wilson to approve a recommendation from the New Elementary School Building Committee to award BVH Integrated Services, Inc., as the Commissioning Agent for a fee not to exceed \$120,000.

Discussion:

The New Elementary School Building Committee interviewed three of the five firms for the commissioning agent services for the New PreK-5 Elementary School on Monday, August 8, 2022. A commissioning agent acts as an owner's consultant in the preconstruction, construction, and occupancy phases for both Mechanical, Electrical, Plumbing systems and the building envelope. During preconstruction, they perform reviews of the mechanical and envelope design to help ensure it aligns with the project/owner's requirements. During construction they identify and document the testing of the systems as installed to ensure they function properly. During occupancy, they review the performance of the systems and identify settings within the systems that should be changed, as well as assist with closeout documentation. The new Elementary School Building Committee unanimously voted to negotiate with BVH for said service for fee no greater than \$120,000 for the New PreK -5 project on August 8, 2022. The new Elementary School building committee recommends the Board of Selectman to award BVH as the commissioning agent for the above project not to exceed \$120,000.

VOTE: this motion was approved unanimously.

4. Discuss and take action to approve a recommendation from the Ad-Hoc ARP Funding Committee to fund Round 8 ARP Funding in the amount of \$34,940; pending Board of Finance approval.

MOVED by Selectman Murphy and seconded by Selectman Wilson to approve a recommendation from the Ad-Hoc ARP Funding Committee to fund Round 8 ARP Funding in the amount of \$34,940; pending Board of Finance approval.

VOTE: this motion was approved unanimously.

5. Discuss and take action to approve a charge for an Ad-Hoc Affordable Housing Committee.

MOVED by Selectman Murphy and seconded by Selectman Wilson to approve a charge for an Ad-Hoc Affordable Housing Committee.

Discussion: the Board agreed to further review the charge to ensure it is not too restricting. Selectman Wilson withdrew his motion.

MOVED by Selectman Wilson and seconded by Selectwoman Lyons to table the approval of a charge for an Ad-Hoc Affordable Housing Committee until the next meeting.

VOTE: this motion was approved unanimously.

6. Discuss regulatory options relating to short term rentals.

Erin Mannix, Town Planner, explained at the last meeting the Board acknowledged the need to fix/address disruptions caused by Short Term Rentals (STR) and to look for ways to identify various types of STR in town, including hosted vs. non-hosted units. The Board also would like to see if the town could buy or collect data from other sources to provide a greater understanding of the scope of Madison's STR. E. Mannix received and provided some preliminary data from Granicus. The goal of the registration process would be to gather additional information and be able to cross reference complaints with a verified list. This information could either substantiate the claims made against STR's or show that they have little effect on neighborhoods.

Community outreach was also discussed at the last meeting with the suggestion of sending out a survey to residents to gather feedback. Town staff has scheduled a follow-up meeting with Granicus on September 2nd to discuss options for community engagement through their outreach partner company, *Bang the Table*. If the outside consultants are cost prohibitive, staff can implement basic survey abilities through the town's webmaster.

Staff has consulted with land use counsel and met with Granicus, who provided a snapshot analysis of Madison's STR's for August 2022. Granicus identified 120 listings, representing 98 unique rental units (0.01% of Madison's housing stock). The number of STR listings has grown 17% in Madison over the last year and counting only unique rental units, Madison has been 18% growth since last year. 91% of listings are single family dwellings, 83% of listings are non-hosted and 10% are hosted rentals.

Selectman Wilson argued the concentration of rentals is in a much smaller area/one location in town, and the percentage should take that into account.

E. Mannix noted the town could look at other tools to handle nuisance complaints i.e., blight, noise, trash, parking. If the Board decides to regulate it would be enacted under Title 7 of CGS Municipal Powers. An ordinance requiring registration fees and potential fines could lead to additional expenses for property owners and could invite lawsuits. Land use counsel has informed the town there is little case law on STR's in Connecticut and counsel should work with the Board on drafting any regulations. Regulations could lead to additional town expenses, with a decision on whether or not enforcement and oversight be given to existing staff or outsourced for a monitoring company. E. Mannix reviewed the general criteria for a registration ordinance.

The Board discussed how to move forward with drafting an ordinance; including holding workshops with base information to present, which will help funnel the information to the Board. First Selectwoman Lyons noted drafting a Noise Ordinance is an additional step that the Board can take and the importance of the registration system. The Board discussed the safety of STR's for the renters, and including this information in the registration process.

7. Discuss request for Ordinance for Property tax exemption for Gold Star parents and spouses.

First Selectwoman Lyons discussed the request for Ordinance for Property tax exemption for Gold Star parents and spouses and explained other communities have adopted a similar ordinance. The Board agreed they are fully in support of moving forward with this. First Selectwoman Lyons will work with the Assessor and bring a draft ordinance to the Board to review.

8. Citizens comments.

Rosemary Harry, 19 Tuxis Road, thanked the board for their discussion on STR's but felt this is much more than a nuisance issue and argued the number of complaints does not equate the impact on the neighborhood. She also asked the board to look into the current regulation language during their workshops.

Linda Marino, 145 Middle Beach Road, thanked the Board for looking into STR's and noted having a STR in your neighborhood is similar to living next to a hotel or motel. She noted current town regulations and felt STR's are not allowed.

Paul, 321 Horsepond Road, objected to the 0.01% percent presented tonight and spoke about the zoning regulations.

William Griggs, 32 East Wharf Road, had positive experiences with STR's this summer, many of whom have family roots in Madison. He asked the Board to work with specific problem homes and collectively work to find ways to make those owners accountable without putting a broad restriction on STR's.

Kim Brunstad, 15 Tuxis Road, spoke about her experience with renters noting she has rented to professors, grandparents, friends of neighbors, etc., and has never experienced any issues. Before the Board drafts regulations, she asked that they identify if there is a problem and to also look into the noise ordinance, tracking confidential complaints, sending out surveys, collecting data, etc.

Jen Gordan, 34 Lenore Drive, spoke about issues with cellular and Wi-Fi service at the Surf Club, noting it is a safety concern and hoped improvements could be made.

Daniel Miller, 15 Sunset Road, was not opposed to an ordinance for STR but spoke against restrictions. He noted he has never had bad experiences with renters, although it does happen, he asked the Board to collect data/identify if there is a problem before moving forward.

9. Adjournment.

There being no objection the Board adjourned at 8:42 p.m.

Respectfully submitted,
Jaclyn Lehet