

Board of Selectmen
First Selectman's Office
September 24, 2012
Special Meeting Minutes

Selectmen Present: Mark Walter, Emmett Lyman and John Blaschik
Also Present: D. Denette and L. Zemienieski

1. First Selectman Walter called the meeting to order at 10:50 am and the attendees said the Pledge of Allegiance.
2. Ordinance Review: The board revisited the purchasing ordinance discussion from last meeting. Mr. Walter noted that the current ordinance provided for two quotes to be provided for items with a cost of \$5,000 to \$7,500 and a sealed bid process for items \$7,500 and over. Mr. Walter proposed requiring quotes for items between \$10,000 to \$15,000 and sealed bids for items \$15,000 and over. Mr. Blaschik suggested quotes for items between \$7,500 to \$15,000 and sealed bids for items \$15,000 and over. The board decided to go with Mr. Blaschik's recommendation.

The board moved forward with review the rest of the code.

Part II General Legislation (continued)

Chapter 195 – Driveways and Excavation

Section 195-1 to 6: These sections appear to be generally sufficient as written.

Section 195-7 Penalties for offenses: General Code notes that this section provides for a penalty not to exceed \$50 for each day that the violation exists but the current statutory maximum is now \$250 and suggested the penalty be increased. The board agreed to change the penalty from \$50 to \$250.

Specifications: General Code asked the town to review the specifications included at the end of the chapter and asked if they were current and if they should be included in the Code. The board noted that the specifications should be retained without change. General Code further noted that if the specifications were to be retained, that there was text missing from the paragraph entitled "Insurance". The board agreed to revise the paragraph to include the following text: "certificates indicating the kinds and limits of coverage". Also in the second paragraph under "Protection Traffic Control" the word "unit" should be changed to "it". In subsection 1 under "Guidelines" there is an extraneous incomplete sentence. The sentence "However, this clause shall not be construed as pavement" should be removed. Under "Guidelines" to scans are referenced but were not included. If there are diagrams to be included they need to be provided to General Code. Town Clerk, Deb Denette, will investigate and provide "scan drawing" and "scan permit".

Chapter 205 – Fees

ARTICLE I – Land Use Applications

Section 205-1 Authorization and purpose: General Code suggested reviewing the reference to C.G.S. 22-a-44a(e) as they cannot find this reference in the current versions of the statutes. It was noted that the C.G.S. should be 22a-42a(e).

Section 205-2 Fees: General Code questioned if the fees were current in this section as they have not been amended since 2003. It was noted that Jim Ventres was reviewing alternate fee language.

Sections 205-3 to 5: Sections are sufficient as written.

Chapter 210 – Fire Lanes

Sections 210-1 to 4: These sections appear to be generally sufficient as written but the Town may wish to review the penalty in section 210-4. General Code questioned if \$25 was current. Deb Denette will verify the maximum amount allowed by law.

Chapter 215 – Food Service Establishments

Sections 215-1 to 11: General Code questioned various items in this chapter under sections 2, 3, 5, 6 & 10. Deb Denette will review this ordinance with Thad King for accuracy.

Chapter 226 – Historic Districts

Section 226-1 Purpose: This section is sufficient as written.

Section 226-2 Historic District Commission: General Code noted that the section references “5 alternates” but C.G.S. 7-147c subsection (d), states that historic district commissions shall consist of “five regular and three alternate members”. It was decided to change this section from “five alternates” to “three alternates to be consistent with statute. It was also suggested that language be included regarding reappointment of the Chairman.

Section 226-3 to 6: General Code questioned whether Historic Districts should be designated by Arabic or Roman numerals. It was determined that they should be Roman numerals I, II, III, IV.

Chapter 232 – Housing Standards

Section 232-1 to 13: General Code questioned if the provisions of this chapter were still enforced in the Town or have they been superseded by state law provisions. It was decided that this chapter would be reviewed at a later date.

Chapter 251 - Noise

Section 251-1 to 4: It was noted that the provisions of this chapter may now be superseded by state-wide noise control standards as established by C.G.S. 22a-67 et seq. (enacted in 1974). State law permits local ordinances, and C.G.S. 22a-73 sets forth guidelines on what local regulations may contain. The board debated on whether or not to delete this section and follow state-wide noise standards. It was decided to leave it in the code for now.

Chapter 258 – Parking

Section 258-1 Prohibitions: C.G.S. 7-149 cited in the lead in paragraph was repealed in 1982. It was agreed that this reference should be deleted from the code.

Section 258-2 Proof of vehicle ownership: This section is sufficient as written.

Section 258-3 Penalty: General Code questioned if the penalty of \$15 set forth in this section was current. It was determined that the penalty should be increased to \$25.

Section 258-4 to 5: These sections are sufficient as written.

Chapter 263 – Peddling and Soliciting

Sections 263-1 to 10: Many items in this chapter were questioned by General Code. Deb Denette noted that she will be bringing forth a new ordinance to replace this chapter.

Chapter 274 – Scenic Roads

Sections 274-1 to 6: This chapter appears to be sufficient as written.

Chapter 279 – Solid Waste

ARTICLE I – Refuse Area

Section 279-1 to 3: The penalty amount in section 3 was questioned. The Town may wish to increase the penalty to \$250. The board agreed to revise penalty to “not more than \$250”. It was further noted that Section 279-2F was not current practice. It should say “Commercial refuse or waste collectors will not be permitted use of the Town refuse area unless he first registers his name and address with the Public Works Director.”

ARTICLE II – Solid Waste Facility

Section 279-4 to 11: It was suggested to increase the fees in 6B to \$250. The board chose to leave the permit fee at \$50 for commercial collectors. In section 8 C.G.S. permits municipalities to impose fees not exceeding \$1,000 for violations of certain solid waste disposal laws. The board agreed to increase the penalties to the maximum amount.

Chapter 285 – Streets and Sidewalks

ARTICLE I – Acceptance of Town Roads

Section 285-1 Required width: This article appears to be sufficient as written.

ARTICLE II – Ice and Snow on Sidewalks

Section 285-2 to 7: General Code suggested increasing the penalty in section 4. The board decided to keep the penalty at \$25. Section 7 also requires removal of some extra language (Remove the words “to remove the same”).

Chapter 290 – Taxation

ARTICLE I – Payment of Taxes in Installments

Section 290-1 to 2: This article appears to be sufficient as written.

ARTICLE II – Solar Energy Exemption

Section 290-3 to 5: The exemption for this article applied to buildings built between October 1, 1976 and October 1, 1991 and is valid for the first 15 years. As such it appears that the exemption would have expired in 2006. It was determined to remove this article from the code.

ARTICLE III – Tax Exemption for Blind Persons

Section 290-6 Amount of Exemption: State law was revised in 1987 to increase the exemption amount to \$3,000. The board agreed to revise this section to change \$2,000 to \$3,000.

ARTICLE IV – Tax Exemption for Veterans

Section 290-7 Amount of exemption: State law permits an amount up to \$10,000 and notes that the exemption should be extended to the surviving spouse of a veteran. The board agreed to increase per state law and extend extension to surviving spouse.

ARTICLE V – Waiver of Property Taxes

Section 290-8 Waiver authorized: C.G.S. provides that a municipality may waive “any property tax due in an amount less than \$25”. The board agreed to leave the waiver at \$3.

ARTICLE VI – Improvements on Property with Delinquent Taxes

Section 290-9 Permits not to issue: This article appears to be sufficient as written.

ARTICLE VII – Tax Incentive Program for Emergency Service Volunteers

Section 290-10 to 17: C.G.S. extends this exemption to include an active member of a volunteer canine search and rescue team and an ambulance driver. The board opted to make no changes to this article.

ARTICLE VIII – Delinquent Motor Vehicle Tax Fees

Section 290-18 to 19: This article appears to be sufficient as written.

ARTICLE IX – Exemption for Elderly and Disabled

Section 290-20 to 25: Effective dates should be changed to the dates recently adopted at town meeting. In section 21A C.G.S. extends the exemption to surviving spouses over the age of 60. The board agreed to change the surviving spouse age from 62 to 60. In section 24C the C.G.S. 12-129h cited in this section was repealed. The board agreed to remove reference to the statute from 24C. The dates to file the application are listed in both section 24 subsection E and H. The board agreed to remove the dates from subsection E.

ARTICLE X – Tax and Business Incentive Program

Section 290-26to 36: This article appears to be sufficient as written.

Chapter 296 – Tobacco Products

Section 296-1 to 4: The Town should review the penalty to ensure that it is current. C.G.S. permits penalties “not to exceed \$250”. The board agreed to revise penalty to “not more than \$250”.

Chapter 301 - Trailers

Section 301-1 to 11: General Code questioned if the \$50 fee for a trailer license was current. The board noted that it was current.

The board completed its first review of the code. Town Clerk, Deb Denette will provide changes discussed to General Code and work on the other tasks assigned as a result of the first review. In a couple of month the board will need to conduct another review.

3. Adjournment: There being no further business to discuss, a motion was made by Mr. Walter, seconded by Mr. Blaschik, to adjourn the meeting at 12:50 p.m.

Tape: None

Respectfully submitted,

Emmett Lyman, Secretary