

**ORDINANCE COMMITTEE
MEETING AND PUBLIC HEARING
NOVEMBER 6, 2008**

The Ordinance Committee of the Board of Aldermen held a meeting and public hearing on Thursday, November 6, 2008. Chairman Patterson called the meeting to order at 6:31 p.m. He announced the following two ordinances would be removed from this agenda:

An Ordinance Establishing Chapter 20.5, Section 20.5-13 of the Milford Code of Ordinances of the City of Milford (Tax Exemption for Fuel-efficient vehicles) – matter to be revisited at a subsequent meeting to be held on 12/9.

An Ordinance Establishing Chapter 7, Article V, Sections 7-77 through 7-83 of the Milford Code of Ordinances of the City of Milford (Open Burning)

Chairman Patterson stated the meeting was being held in accordance with the City Charter, Article III, Section 7 and he read the public notice as posted in the New Haven Register and stated copies of the proposed ordinances are on file at the office of the City Clerk, the City Attorney's office and the Public Library and open for inspection by the public.

MEMBERS PRESENT

J. Patterson, Chairman
J. Blacketter, Vice Chairman
N. Veccharelli (7:44 p.m.)
V. Ditchkus
A. Gianattasio
B. Blake (until N. Veccharelli arrived)

ALSO PRESENT

Mayor Richetelli
M. Case, City Attorney

Chairman Patterson opened the public hearing of the Ordinance Committee at 6:33 p.m. regarding the following Ordinances:

1. An Ordinance Amending Chapter 18, Article XVII, Sections 18-200 through 18-209 of the Code of Ordinances of the City of Milford (Tree Commission and Tree Warden)

Chairman Patterson asked for a motion to waive the reading of the Ordinance in its entirety.

Ald. Ditchkus and Ald. Blacketter made and seconded a motion to waive the reading of the Ordinance in its entirety. Motion carried unanimously.

Speakers in Favor - none

Speakers Opposed - none

2. An Ordinance Amending Chapter 7, Section 7-70 of the Code of Ordinances of the City of Milford (same-Insurance prerequisite to issuance, required notice of insurance cancellation)

Chairman Patterson asked for a motion to waive the reading of the Ordinance in its entirety.

Ald. Ditchkus and Ald. Blacketter made and seconded a motion to waive the reading of the Ordinance in its entirety. Motion carried unanimously.

Speakers in Favor - none

Speakers Opposed – none

3. An Ordinance Amending Chapter 16, Sections 16.1-35, 16.1-39, 16.1-49, 16.1-55, 16.1-57, 16.1-58, 16.1-60, 16.1-61, 16.1-62, 16.1-65, 16.1-67, 16.1-67, 16.1-68, and 16.1-71 of the Code of Ordinances of the City of Milford (Harbor Management Plan)

Chairman Patterson asked for a motion to waive the reading of the Ordinance in its entirety.

Ald. Ditchkus and Ald. Blacketter made and seconded a motion to waive the reading of the Ordinance in its entirety. Motion carried unanimously.

Speakers in Favor - none

Speakers Opposed – none

4. An Ordinance Establishing Chapter 18, Article XX. Sections 18-215 through 18-217 of the Code of Ordinances of the City of Milford (Government Access Television Committee)

Chairman Patterson asked for a motion to waive the reading of the Ordinance in its entirety.

Ald. Gianattasio and Ald. Blacketter made and seconded a motion to waive the reading of the Ordinance in its entirety. Motion carried unanimously.

Speakers in Favor - none

Speakers Opposed – none

Chairman Patterson closed the Public Hearing at 6:38 p.m.

Ald. Blacketter and Ald. Ditchkus made and seconded a motion to forward to the full Board with a favorable recommendation An Ordinance Amending Chapter 7, Section 7-70 of the Code of Ordinances of the City of Milford (same-Insurance prerequisite to issuance, required notice of insurance cancellation)

Ald. Blacketter expressed her concern regarding the way this ordinance was noticed, specifically the referenced title and stated she felt the notice was not clear and this ordinance should be re-noticed to make it clearer for the public. She stated she was concerned with regard to the nomenclature.

Mayor Richetelli explained the posting had complied with all of the regulations and statutes regarding changes to ordinances. He added the notice stated anyone who wishes to examine the ordinance could do so by visiting the city clerk's office, city attorney's office or attend the public hearing. Further, he stated the city is in compliance with our insurance company and in conformance with the consultant the city had hired. He felt the notice was clear and there was no ambiguity.

By roll call vote, the motion carried 5 yes (Ald. Blake, Ditchkus, Giannattasio, Patterson) and 1 no (Ald. Blacketter)

Ald Blacketter and Ald. Ditchkus made and seconded a motion to forward to the full Board with a favorable recommendation An Ordinance Amending Chapter 18, Article XVII, Sections 18-200 through 18-209 of the Code of Ordinances of the City of Milford (Tree Commission and Tree Warden)

Ald Blacketter questioned the possibility of a tree overhanging someone else's property and the right of the property owner to trim tree or branches that are hanging over the property line.

Attorney Case explained the goal of this amended Ordinance was to attempt to regulate trees on municipal property and if a tree is hanging over on to private property, the property owner can trim that tree.

Ald. Ditchkus emphasized the point that if damage occurs by any trimming or removal done without authorization, the property owner conducting that trimming would be liable for damages and responsible to the city for any legal fees and costs that may incur.

Motion carried unanimously.

Ald. Blacketter and Ald. Ditchkus made and seconded a motion to forward to the full Board with a favorable recommendation An Ordinance Amending Chapter 16, Sections 16.1-35, 16.1-39, 16.1-49, 16.1-55, 16.1-57, 16.1-58, 16.1-60, 16.1-61, 16.1-62, 16.1-65, 16.1-67, 16.1-67, 16.1-68, and 16.1-71 of the Code of Ordinances of the City of Milford (Harbor Management Plan)

Ald. Veccharelli requested a five-minute recess and the committee recessed at 6:48 p.m.

Chairman Patterson reconvened the meeting at 6:53 p.m.

Motion carried unanimously.

Ald. Blacketter and Ald. Ditchkus made and seconded a motion to forward to the full Board with a favorable recommendation An Ordinance Establishing Chapter 18, Article XX. Sections 18-215 through 18-217 of the Code of Ordinances of the City of Milford (Government Access Television Committee)

Motion carried unanimously.

Ald. Ditchkus and Ald. Blacketter made and seconded a motion to adjourn. Motion carried unanimously.

The Committee adjourned at 6:55 p.m.

Respectfully submitted,

Diane Candido
Recording Secretary