

**BOARD OF ALDERMEN
ORDINANCE COMMITTEE MEETING and PUBLIC HEARING
NOVEMBER 9, 2017**

The Ordinance Committee of the Board of Aldermen held a meeting and public hearing on Monday, November 9, 2017. Chairman Smith called the meeting to order at 6:40 p.m.

MEMBERS PRESENT

F. Smith Chairman
M. Casey (6:40 p.m.)
A. Giannattasio
B. Anderson
E. Beatty

ALSO PRESENT

Mayor Benjamin G. Blake
J. Berchem, City Attorney
S. Fournier, Mayor's Assistant

Chairman Smith stated the Committee was here tonight to consider four (4) Ordinances. He stated the meeting was being held in accordance with the legal notice posted in the New Haven Register on November 3, 2017.

Mayor Blake announced members of the fire department were present tonight, Chief Edo, Assistant Chief Baker and Fire Marshal Fino.

Chairman Smith read the next three Ordinances that would be considered tonight. He noted DPLU Director Griffith was present, as well as Director Joseph and Laura Miller from the Health Department.

Chairman Smith opened the public hearing at 6:44 p.m.

1. An Ordinance Repealing Chapter 7, Fire Prevention and Protection, Article III, Oil-Burning Equipment and Adopting Article III, Fire Marshal Fee Schedule and Enforcement, Sections 7-31 through 7-34 of the City of Milford Code of Ordinances.

Speakers in Favor – None.
Speakers Opposed – None.

2. An Ordinance Amending Chapter 18, Article VII, Section 18-90 of the Code of Ordinances of the City of Milford (Planning and Zoning Board Application Fees).

Speakers in Favor – None.
Speakers Opposed – None.

3. An Ordinance Amending Chapter 18, Article VII, Section 18-91 of the Code of Ordinances of the City of Milford (Zoning Board of appeals Application Fees).

Speakers in Favor – None.
Speakers Opposed – None.

4. An Ordinance Amending Chapter 8, Food and Food Establishments of the Code of Ordinances of the City of Milford.

Speakers in Favor – None.

Speakers Opposed – None.

Chairman Smith closed the public hearing at 6:46 p.m.

Ald. Anderson and Ald. Beatty made and seconded a motion to forward to the full Board of Aldermen with a favorable recommendation An Ordinance Repealing Chapter 7, Fire Prevention and Protection, Article III, Oil-Burning Equipment and Adopting Article III, Fire Marshal Fee Schedule and Enforcement, Sections 7-31 through 7-34 of the City of Milford Code of Ordinances.

Chairman Smith explained this change repeals the existing language addressing oil burning equipment and the replacement of the schedule.

Ald. Giannattasio asked for clarification regarding the language changes. He asked if the red-line is old and the blue is new language being considered.

Attorney Berchem replied yes.

Ald. Giannattasio commented on the amount of language being removed from the proposed Ordinance.

Attorney Berchem explained the deleted language is outdated and not compliant with existing law.

Ald. Giannattasio asked about signage, specifically Section 7-52.

Deputy Fire Marshal Fino stated single and two-family homes are already governed by the building department and that the fire department has no statutory authority over single and two-family homes. He stated that is the largest change.

Chairman Smith asked about the fee schedule and how Milford compares with other municipalities.

Chief Fino stated the proposed fees would bring Milford to par with surrounding towns. He stated right now Milford does not charge fees.

Ald. Giannattasio asked when the fees would go into effect.

Attorney Berchem explained the fees would need to be published before going into effect.

Chairman Smith commented about possible revenue being generated from the fees.

Ald. Giannattasio asked why the specific fees were not in the Ordinance.

Chief Fino explained it came down to management of the fee schedule.

Attorney Berchem added it provides flexibility for the marshal so that any future changes would not require another public hearing, etc.

Ald. Giannattasio asked about providing notice to the public for future increases. He asked if changes would be made concurrent with the fiscal year.

Ald. Anderson asked about the range of fees that would be assessed and asked Chief Fino if he would provide examples.

Chief Fino explained the fees are broken down to permitting, inspection fees, etc. He stated as an example a small restaurant as compared to a large hospital or a large venue. He stated there would also be a third fee would be a permit fee i.e. fireworks (\$150), circus/carnival. Chief Fino explained the fees are broken down per square footage from approximately \$75-1,000.

Motion carried unanimously.

Ald. Anderson and Ald. Beatty made and seconded a motion to forward to the full Board of Aldermen with a favorable recommendation An Ordinance Amending Chapter 18, Article VII, Section 18-90 of the Code of Ordinances of the City of Milford (Planning and Zoning Board Application Fees).

Ald. Giannattasio asked about the proposed fees for this Ordinance.

Attorney Berchem stated the proposed change was on p. 2 of the Ordinance. He explained the fees are mainly for publication in the newspapers for the various hearings.

Chairman Smith recognized DPLU Director Joseph Griffith. Chairman Smith stated for clarification that the proposed fee schedule essentially puts Milford in parity with other municipalities and helps offset costs for items such as advertising for various hearings.

Mr. Griffith referenced fees in towns such as Branford, Norwalk, Stamford, etc. He stated the proposed fees are specific to applications that require a public hearing.

Attorney Berchem explained the purpose of the proposed Ordinance and fees is to offset the costs for advertising.

Motion carried unanimously.

Ald. Anderson and Ald. Beatty made and seconded a motion to forward to the full Board of Aldermen with a favorable recommendation An Ordinance Amending Chapter 18, Article VII, Section 18-91 of the Code of Ordinances of the City of Milford (Zoning Board of Appeals Application Fees).

Chairman Smith stated this request is similar to the circumstances of the previous Ordinance.

Mr. Griffith replied yes.

Motion carried unanimously.

Ald. Anderson and Ald. Giannattasio made and seconded a motion to forward to the full Board of Aldermen with a favorable recommendation An Ordinance Amending Chapter 8, Food and Food Establishments of the Code of Ordinances of the City of Milford.

Ald. Giannattasio requested a brief background on the proposed Ordinance.

Director Joseph explained the State of Connecticut adopted the US Federal Drug and Food Code. She stated the changes in the proposed Ordinance reflect this recent adoption.

Ald. Giannattasio asked if all of the sanitarians had been updated and briefed.

Director Joseph stated most of the sanitarians have been trained or are in the process of being trained. She stated the change goes into effect July 1, 2018.

Chairman Smith asked about the current fee process and how it compares with other cities and towns.

Director Joseph noted Milford's fees are much lower. She referred to Class 4 and the new fees.

Motion carried unanimously.

Being no further business, Ald. Anderson and Ald. Giannattasio made and seconded a motion to adjourn. Motion carried unanimously.

The Committee adjourned at 7:13 p.m

Respectfully submitted,

Kathleen A. Kennedy
Recording Secretary