

**BOARD OF ALDERMEN
REGULAR MEETING
DECEMBER 2, 2019**

The Board of Aldermen of the City of Milford held their Regular Meeting on Monday, December 2, 2019 in the Aldermanic chambers of City Hall. Chairman P. Vetro called the meeting to order at 7:31 p.m. Chairman Vetro asked those present to join in saluting our flag and reciting the Pledge of Allegiance.

1. Roll Call

Board Members Present

C. Gaynor
A. Giannattasio
M. Hardiman
G. Harla
M. Parente
F. Smith
W. Smith, III
A. Sutton
P. Vetro
R. Vitali
W. Willis

Also Present

Mayor Benjamin G. Blake
Karen Fortunati, City Clerk
Jonathan Berchem, City Attorney
Peter Erodici, Finance Director
Justin Rosen, Chief of Staff

Board Members Excused:

E. Beatty
J. Golden
J. Grant
J. Tranquilli

2. Public Statements

Public statements are limited to the legislative function of the Board of Aldermen. He stated only residents; taxpayers or electors may address the Board. The time limit granted to each speaker shall be three (3) minutes. He asked each speaker to adhere to the three-minute limit.

Winthrop Smith, 334 Edgefield Avenue, Milford stated he is against the ordinances raising fees. He stated a fee is in essence a tax. Mr. Smith stated this is not an adjustment to fees but the raising of taxes. He further stated he felt this was a bad policy and he does not feel Milford should raise fees because other surrounding communities have higher fees, it should be done because it is necessary. Mr. Smith urged the Board to vote against the amendment.

John Drapp, 41 Jackson Drive, Milford stated he is against the ordinances. He stated that a charge imposed by a public authority is a tax. Mr. Drapp stated that raising fees because other municipalities have done the same is not sufficient justification. He urged the Board to vote against the ordinance.

Walter Hagedorn, 61 Judith Drive, Milford stated he opposes both ordinances and feels this is a tax rather than a fee. He stated that if the justification for raising the fee is other municipalities are doing the same it is wrong and urged the Board to vote against the ordinance.

Richard Smith, 59 Sixth Avenue, Milford stated he was honored to be the master of ceremonies at the inauguration for the fifth year. He congratulated the Board members on their election and reminded everyone that they are working for the collective good. Mr. Smith reviewed the comments previously made. He stated that the ordinances are realigning fees with some going up slightly, some down and others eliminated. Mr. Smith stated that the administration is doing their job with the ordinances.

3. Consideration of the Minutes of the Regular Meeting of the Board of Aldermen held on November 7, 2019.

Ald. Sutton and Ald. Hardiman made and seconded a motion to approve the minutes of the Regular Meeting held on November 7, 2019.

Ald. Willis stated he would be recusing himself from the vote as he was not present at the October 7, 2019 meeting.

Motion carried 10 in favor (Gaynor, Giannattasio, Hardiman, Harla, Parente, F. Smith, W. Smith, Sutton, Vetro and Vitali), 1 recusal (Willis).

4. Consideration of the Minutes of the Special Meeting held on November 19, 2019.

Ald. Sutton and Ald. Hardiman made and seconded a motion to approve the minutes of the Special Meeting held on November 19, 2019.

Chairman Vetro noted the minutes should be corrected to reflect Ald. Harla as absent.

Ald. W. Smith commented on the Rules Committee had not yet met as discussed at the Special Meeting and questioned when such a meeting would be scheduled. Ald. Hardiman stated he had been out of state and would look to schedule a meeting.

Motion carried unanimously.

5. Chairman's Report and Communications.

Chairman Vetro congratulated Peter Erodici, Finance Director for his hard work and dedication and receiving the Award of Financial Reporting Achievement from the GFOA. He also welcomed the newly elected members to the first meeting of the Board of Aldermen.

6. Mayor's Report and Recommendations:

Mayor Blake requested the Board's action on agenda item 8a. He also congratulated the Peter Erodici and the Finance Department on a job well done.

7. Unfinished Business

8. New Business (from Mayor's Report Items 8a-8c)

(8a) Ald. Sutton and Ald. Hardiman made and seconded a motion to approve a Resolution establishing Milford Suffrage Centennial Committee.

Mayor Blake stated that 2020 signifies 100 years of women's right to vote. He stated the resolution came from Cindy Wolfe-Boynton and City Clerk, Karen Fortunati. Mayor Blake asked Ms. Wolfe-Boynton and Ms. Fortunati to say a few words regarding the proposed resolution. Karen Fortunati thanked the Board for taking the time to consider the resolution. She read the resolution into the record. Ms. Wolfe-Boynton stated she is a member of the state wide Centennial Committee. She further stated the Secretary of State has charged municipalities with creating their own committees. Ms. Wolfe-Boynton discussed the importance of community involvement and that she is looking forward to the events and getting citizens involve. Ald. Parente thanked Ms. Wolf-Boynton and Ms. Fortunati. Ald. F. Smith stated he was happy the City was involved.

9. New Business not on the Agenda which may be introduced by a two-thirds (2/3) vote of those present and voting.

10. Budget Memo Transfers:

None.

11. Refunds:

a. Ald. Sutton and Ald. Hardiman made and seconded a motion to approve refunds in the amount of \$24,196.16. Motion carried unanimously.

12. Report of Standing Committees:

a. Ordinance Committee - Ald. Smith reported the Committee met earlier in the evening to consider two (2) ordinance and voted to forward the ordinance, to the full Board of Aldermen with a favorable recommendation.

1. Ald. Smith and Ald. Sutton made and seconded a motion to approve an Ordinance Amending Chapter 6, Buildings and Building Regulations, Article 1, In General; Demolition, Section 6-1 of the City of Milford Code of Ordinances (Permit Fees).

Mayor Blake thanked the Board for their consideration of the ordinance. He stated this ordinance was presented by the Joseph Griffith, DPLU Director who was present to answer questions. Mayor Blake stated that the permitting fees have not been adjusted since 2002 and it is appropriate for the fees to be reviewed periodically. Mayor Blake stated that he is proud of the changes in the Building Department which previously had a bad reputation. He stated that Mr. Griffith has done a great job on turning that around and the Milford is now recognized as one of the best places to build. Mayor Blake further stated that the past 18 years were reviewed and as well as fees from surrounding municipalities. He states some fees increased, some decrease and some were eliminated.

Ald. Sutton stated he reviewed the material provided and it appears that from 2002 to present fees for 1 to 2 family residential and commercial was \$15 for first \$1,000 increasing to \$20; residential 1 to 2 family \$12 to \$15 for each additional \$1,000 and commercial 1 to 2 family \$12 to \$18 for each additional \$1,000. Ald. Sutton also commented that outdoor assembly is remaining the same. He further stated that information had been provided showing other communities and Milford would still be one of the lowest. Mr. Griffith stated that is correct. Ald. F. Smith stated there had been adverse comments at the Ordinance Committee stating the fees are in essence a tax increase. He stated that fiscal strength is dependent on making good decision such as this and that some fees are increasing and some are decreasing. Ald. Smith stated that the fees help to offset costs of the Permitting Department and avoid tax increases. He further stated that Milford has become a popular destination for builders. Ald. Smith stated he was grateful that Mr. Griffith took the time to do research. Ald. W. Smith asked Mr. Griffith how long he had been with the City. Mr. Griffith stated he has been with the City since 2013. Ald. W. Smith asked that without the fee increase were there service the department could not provide. Mr. Griffith stated the level of service would continue with or without a fee increase. Ald. Gaynor asked where the fees collected go. Mr. Griffith stated the fees go to the General Fund. Ald. Giannattasio asked for a total of fees collected last year. Mr. Griffith stated the fees collected were approximately \$1.2 million. Ald. Giannattasio asked what the expectation of fees collected with the increases. Mr. Griffith stated approximately \$200,000 additional. Ald. Giannattasio asked if a portion of the fees come from contractors. Mr. Griffith stated a major portion of the permits are commercial. Ald. Vitali asked if there is a correlation between lower fees and more permits. Mr. Griffith did not believe that to be so. Ald. Vitali asked how many out of town, in town and private homeowners apply for permit. Mr. Griffith stated approximately 80% are residential. Ald. Vitali asked if fee increase would be a deter people from building. Mr. Griffith stated he did not think so. Ald. Giannattasio state he spoke with local contractors who are happy to see the reinspection fee eliminated.

Ald. Giannattassio asked for a 5 minute recess. Board recessed at 8:30 pm.

Board reconvened in public session at 8:46 p.m.

Chairman Vetro stated that he and his sons are contractors and that since Mr. Griffith has taken over the department customer service has increased 100% Ald. Harla stated that when he served on the Economic Development Commission Mr. Griffith would visit and provide updates which showed steady increases. He further stated that when looked at the information provided the increased fees are still lower than other communities.

Motion carried 7 in favor (Hardiman, Harla, Parente, F. Smith, Sutton, Vetro, Willis), 4 against (Gaynor, Giannattasio, W. Smith, Vitali).

2. Ald. Smith and Ald. Hardiman made and seconded a motion to approve an Ordinance Amending Chapter 23, Water, Sewers, and Sewage Disposal, Article II, Sewers and Sewage Disposal Division 1. Generally, Section 23-23 of the Code of Ordinances of the City of Milford (Disposal Method).

Ald. Smith stated the amendment if for organizational purposes with some language corrections. He also stated it brings into parity the fees charged for septic disposal. Ald. Vitali ask if there were more commercial than private. Chris Saley, Public Works Director stated this is for anyone with a septic system. Ald. Vitali asked how may septic systems in the City. Mr. Saley stated he was not certain, but most of North Milford was still on septic. Ald. Vitali asked how it as determined to amend the fees and a what rate. Mr. Saley explained that most septic systems are pumped out every 3 to 5 years where the rest of the City properties are charged an annual sewer usage fee. He stated that with the increase fees it will still be less than the sewer user fee. Ald. Vitali asked how the fees were determined. Mr. Saley stated looking at other towns and being on par. He further stated it wastewater is a very expensive process. Ald. Vitali asked how long since the fees have been increased. Mr. Saley stated he was not certain but believes at least 60 years. He further stated that the Mayor had asked each department to look a where it can be more efficient and fiscally responsible. Ald. W. Smith asked if the funds are deposited into the general fund. Mr. Saley stated he was not certain and referred the question to Peter Erodici, Finance Director. Mr. Erodici stated the funds go to the general fund. Ald. W. Smith asked if the fee increase was for no other reason than town comparison. Mr. Saley stated the fees are being increased because he believes it is appropriate and the fees have not increases in many years. Ald. Harla asked if the fee is an annual fee for haulers. Mr. Saley stated that is correct. Ald Giannattasio asked if the commercial haulers are from out of town. Mr. Saley stated he is not certain, but believes the majority of the haulers are from out of town.

Motion carried 10 in favor (Gaynor, Giannattasio, Hardiman, Harla, Parente, F. Smith, Sutton, Vetro, Vitali, Willis), 1 against (W. Smith).

- b. Public Safety and Welfare Committee – no report.
- c. Public Works Committee – no report.
- d. Claims Committee – no report
- e. Rules Committee – no report.
- f. Personnel Committee – no report.

13. Report of Special Committees:

a. Liaison Sub-Committee – Board of Education – Ald. Vitali reported he attended the recent Board of Education meeting.

- b. Liaison Sub-Committee – Flood & Erosion Board – no report.
- c. Liaison Sub-Committee – Park, Beach & Recreation Comm. – no report
- d. Liaison Sub-Committee – Planning & Zoning Board – no report.
- e. Liaison Sub-Committee – Sewer Commission – no report.
- f. Liaison Sub-Committee – Harbor Management Commission – no report.
- g. Liaison – Council on Aging – no report.

- h. Permanent School Facility Building Committee – no report.
- i. Liaison Sub-Committee – Library Board – no report
- j. Liaison Sub-Committee – Fowler Memorial building – no report
- k. Liaison Sub-Committee – Milford Redevelopment & Housing Partnership – no report.
- l. Golf Course Commission – no report.
- m. Inland Wetlands Agency – no report.
- n. Liaison Health Department – no report.
- o. Devon Revitalization Committee – no report.
- p. Human Services Commission – no report
- q. Liaison Pension & Retirement Board – no report.
- r. Milford Government Access Television (MGAT) – no report.
- s. Liaison – Milford Progress, Inc. – no report.

14. Executive Session. A two-thirds (2/3) vote of those present and voting is required for any item to be considered in executive session. A two-thirds (2/3) vote of those present and voting is required to go into executive session.

The Chairman shall announce, in public session, those items to be covered in executive session and call for a vote to enter executive session. If a two-thirds (2/3) vote, to enter executive session, is obtained, the hall shall be cleared and executive session declared.

Chairman Vetro stated he would entertain a motion to adjourn to Executive Session on the following items:

(14a) Consideration of settlement of TKM Associates, LLC v. City of Milford, Re: 88 Noble Avenue.

(14b) Consideration of settlement of Robert Sousa, et al v. City of Milford, Re: 105 Fifth Avenue.

Ald. Sutton and Ald. Hardiman made and seconded a motion to enter into Executive Session. Motion carried unanimously.

Chairman Vetro stated that Benjamin Blake, Mayor and Jonathan Berchem, City Attorney, would be joining the Board in executive session. The Board adjourned to Executive Session at 9:05 p.m.

Chairman Vetro reconvened the meeting in public session at 9:16 p.m.

(14a) Ald. Sutton and Ald. Hardiman made and seconded a motion to approve the settlement of TKM Associates, LLC v. City of Milford, Re: 88 Noble Avenue. Motion carried unanimously.

(14b) Ald. Sutton and Ald. Hardiman made and seconded a motion to approve the settlement of settlement of Robert Sousa, et al v. City of Milford, Re: 105 Fifth Avenue. Motion carried unanimously.

Being no further business to discuss, Ald. Sutton and Ald. Hardiman made a motion to adjourn.
Motion carried unanimously.

The Board adjourned at 9:17 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Toni Jo Weeks", written over a horizontal line.

Toni Jo Weeks
Recording Secretary