

**MILFORD HISTORIC DISTRICT #2 - SOUTH OF THE GREEN
MINUTES OF MEETING HELD WEDNESDAY, DECEMBER 10, 2008
CONFERENCE ROOM B, PARSONS GOVERNMENT CENTER**

Chrmn. Smith called to order the regular meeting of the Milford Historic District #2, South of the Green at 7:10 P.M.

1. ROLL CALL

Members Present: Kevin DeMarco; Arthur Paulson; Carol Molloy Smith

Alternates Present: Walter Ortoleva (7:42 p.m.)

Also Present: Linda Stock, Secretary

Member Excused: T. J. Casey

Alternate Absent: Arthur W. Stowe

2. APPROVAL OF MINUTES OF NOVEMBER 12, 2008

Due to a lack of quorum from the November meeting, there was no motion for the minutes.

3. CHAIRMAN'S REPORT (INCLUDING CORRESPONDENCE)

Chrmn. Smith announced that Max Case is now the City Attorney, former City Attorney Marilyn Lipton retired in the summer.

Regarding 20 Pond Street, Chrmn. Smith noted that although she was not at the November meeting, she read in the minutes that a Commission member assured Ms. Huffman that more than likely, the subject of 20 Pond Street would not come up again. However, after some discussion with the City Attorney's office, she does not believe the item should be "off the table" until the property owners have complied with the Certificate of Appropriateness. After her discussions, Chrmn. Smith does not believe that she is acting inappropriately in this regard. This issue must be enforced by the Building official according to the Certificate of Appropriateness.

Vice Chrmn. DeMarco believed that Ms. Huffman is trying to open up the lines of communication; however, if the item is not noted on the agenda, she or her husband or their attorney would not be present at the meetings. Reference was made to a comment made by Mr. Stowe at the November meeting, in which he states that the Commission would have the authority to discuss whether or not their ruling has been enforced. Vice Chrmn. DeMarco added that the Commission is not in control of any enforcement.

Chrmn. Smith disagreed, noting that if the Certificate of Appropriateness has been violated and they have an inappropriate structure on their property, the Commission does have continuing interest in the Building Department's enforcement. She will get clarification from

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the City Attorney's office.

It was brought to the Commission's attention that §7-147H refers to the action by the commission to prevent illegal acts, such as putting up structures without a Certificate of Appropriateness, and how those issues should be enforced. The statute refers to both the Building Official and the Zoning Enforcement Officer. However, Ordinance 18a-155 clearly states that the Building Official is the enforcement avenue.

Discussion ensued as to what has to be done to make sure that the Building Official pursues this violation. Building Official, Tom Raucci, was to write an order according to the building code and issue a time frame in which the property owner must correct the violation.

Vice Chrmn. DeMarco, explained that at the November meeting, Ms. Huffman presented a letter to the Commission as to why she cannot comply with the Certificate of Appropriateness at this time. The letter is attached to those minutes for the record.

Chrmn. Smith continued, stating that she recently spoke with the Building Department and was told that the letter was written and ready to be signed. She will continue to remind Mr. Raucci to send out the order.

Regarding correspondence, Chrmn. Smith recognized Vice Chrmn. DeMarco, who received correspondence in her absence. Vice Chrmn. DeMarco stated he received a letter from Ms. Huffman dated December 4, 2008 in which it is clarified that there is no expiration date for their Certificate of Appropriateness. Vice Chrmn. DeMarco did note that there are expiration dates for both Planning & Zoning and Building permits. In her letter, Ms. Huffman also noted that the minutes from the June and July, 2008 meetings were not posted on the website. Vice Chrmn. DeMarco checked the website and noted that the following minutes were also not posted: 7/9/08; 7/16/08; 6/11/08; 5/14/08; 8/8/07 and 11/10/07. L. Stock will check to see why they were not posted and if she has them on her computer, she will forward them for posting.

4. CLERK/TREASURER'S REPORT

Chrmn. Smith noted there is a balance to date of \$477.36. There is an outstanding invoice of \$50 for Diane Candido for the November meeting.

5. UNFINISHED BUSINESS

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A. Update: Rules of Procedure mailing to district members with letter

Since all the documents are in place on the website, the Commission can begin distributing the letter that was written by T.J. Casey. The letter had previously been voted on and it can now be delivered to all the members of the district. Chrmn. Smith wondered if they should include the Rules of Procedure (which are only 5 pages) with the letter and the general consensus was affirmative. Vice Chrmn. DeMarco will get 175 copies (which will be double sided) ready for delivery. He will package the letters by street and will inform members when they are ready for hand delivery.

B. District Signage Update

W. Ortoleva noted that the signs were approved at the last meeting. He had his wife re-draw the signs and they were put on a CD; however, they were not ready for today.

Chrmn. Smith stated they must decide where to place the 3 signs (the 4th sign will be a spare). She asked that everyone think about it for the next meeting. A. Paulson suggested that perhaps one can be put in front of the Historical Society building. Vice Chrmn. DeMarco suggested they be placed in the following locations: Lafayette Street South; High Street South; Lafayette Street North; and High Street North.

C. Update on Internet Posting of Rules and Forms

It was noted that this had been completed.

7. NEW BUSINESS

A. Any additional items or issues

Chrmn. Smith noted that the minutes of November reflect that the budget proposal was over due. She believed it was early. Vice Chrmn. DeMarco did give it to T.J. Casey who questioned the date, time, etc. to present the budget. A. Paulson informed him that last year, he merely showed up at the budget hearing.

Vice Chrmn. DeMarco read from an e-mail received from T.J. Casey where they would round the figure up to \$800 next year, rather than the \$715 from last year. Chrmn. Smith will call T.J. Casey for an update on this item as Vice Chrmn. DeMarco felt that the budget has not as yet been turned in. Chrmn. Smith will also contact the Finance Director.

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Noting that there was now a quorum present that was at the November 12, 2008 meeting, Chrmn. Smith called for a motion to approve the minutes. Motion was so made by A. Paulson and seconded by Vice Chrmn. DeMarco.

DISCUSSION

Vice Chrmn. DeMarco noted that on page 1 under "*A. Rules of Procedure*" there needs to be clarification; the item should perhaps read: "**A. Rules of Procedure and Informative Letter,**" note that the Rules of Procedure were complete and accepted and then continue regarding the informative letter.

The minutes were further reviewed by Vice Chrmn. DeMarco and W. Ortoleva. There being no further discussion, the motion to approve the minutes carried with Chrmn. Smith abstaining from the vote as being absent.

There being no further business to discuss, A. Paulson moved to adjourn at 8:10 P.M. The motion was seconded by W. Ortoleva and carried unanimously.

Respectfully submitted,

Linda Stock, Secretary