

**MINUTES OF THE CHESHIRE TOWN COUNCIL ORDINANCE REVIEW COMMITTEE
MEETING HELD ON WEDNESDAY, MAY 18, 2016 AT 7:00 P.M. IN ROOM 207,
TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410**

Present:

Patti Flynn-Harris, Chairman; Paul Bowman and Tim Slocum

Staff: Michael Milone, Town Manager; Lou Zullo, Personnel Director/Assistant Town Manager

Others Present:

Ramona Burkey, Director Cheshire Public Library; Al Smith, Murtha Cullina

1. ROLL CALL

The Clerk called the roll and a quorum was determined.

2. PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

3. LIBRARY FINE ORDINANCE AMENDMENT (See Section 2-9)

Library Director, Ramona Burkey stated the library fees ordinance has not been reviewed in decades. Ms. Burkey presented two proposals for consideration by the Town Council to amend the Library fees Ordinance, Section 2-9. Ms. Burkey stated only 39% of residents are currently registered borrowers. Ms. Burkey attributes the decline in registered borrowers to parking, internet streaming and high fines.

Ms. Burkey stated Option I recommends the following revisions:

- (a) The Library Director, with the approval of the Town Manager, is authorized and empowered to adopt and amend, as necessary, a schedule of overdue fines.
- (b) The Library Director shall file with town clerk any schedule of fines adopted or amended pursuant to this section. Said fines shall become effective on the date they are filed with the town clerk.
- (c) Overdue fines collected by the Library shall be used by the Library to purchase Library materials.
- (d) Waiver of fees:

- (1) The Library Director or his/her designee may from time to time waive individual library fines on a case by case basis, due to extenuating circumstances.
- (2) The Library Director may establish an “amnesty week” once each year during which accrued fees for overdue items are waived on items returned to the library during that week.

Ms. Burkey stated Option II recommends the following revisions:

- (a) The following schedule of fees shall pertain to overdue fines charged by the Cheshire Public Library:
 - (1) Adult materials: \$0.15 per day per overdue item to a maximum of \$10.00 per overdue items, *or the cost of the item, whichever is lowest.*
 - (2) Children’s and Teen materials: \$0.05 per day per overdue item to a maximum of \$10.00 per overdue item, *or the cost of the item, whichever is lowest.*
 - (3) Framed art: ~~\$0.25 per day per overdue art print.~~
 - ~~(4) Video cassettes: \$2.00 per day per overdue title to a maximum of \$10.00 per overdue title.~~
 - (3) Senior patrons: Patrons aged 65 or older shall not be charged fines on overdue materials, except for museum passes. However, any lost, damaged or destroyed items must be replaced with a brand-new copy, or the full replacement cost paid to the Library.
 - (4) Overdue fines collected by the Library shall be used by the Library to purchase program materials.
- (b) Waiver of fees: *Upon request of the director of the library and the recommendation of the library board, the town council may authorize the director to establish an “amnesty week” once each year during which the director may waive collection of any accrued fees for overdue items upon return of the overdue items within the amnesty week.*

Discussion:

There was an extensive discussion about each proposal.

MOTION by Mr. Slocum; seconded by Mr. Bowman.

MOVED to refer the following revised ordinance be moved to the full Town Council for approval:

- The following schedule of fees shall pertain to overdue fines charged by the Cheshire Public Library:
 - (1) Adult materials: \$0.15 per day per overdue item to a maximum of \$10.00 per overdue items, or the cost of the item, whichever is lowest.
 - (2) Children’s and Teen materials: \$0.05 per day per overdue item to a maximum of \$10.00 per overdue item, or the cost of the item, whichever is lowest.
 - (3) Museum passes: \$10.00 per day per overdue item.
- Senior patrons: Patrons aged 65 or older shall not be charged fines on overdue materials, except for museum passes and videos. However, any lost, damaged or destroyed items must be replaced with a brand-new copy, or the full replacement cost paid to the Library.
- Overdue fines collected by the Library shall be used by the Library to purchase program materials.
- (b) Waiver of fees: Upon request of the director of the library and the recommendation of the library board, the town council may authorize the director to establish an “amnesty week” once each year during which the director may waive collection of any accrued fees for overdue items upon return of the overdue items within the amnesty week.

VOTE The motion passed unanimously by those present.

4. TOBACCO-FREE PARKS ORDINANCE PROPOSAL (See Sections 11-20)

This matter was tabled due to the absence of Bob Ceccolini.

5. SPECIAL VETERANS’ TAX EXEMPTION ORDINANCE PROPOSAL (See Section 17)

MOTION by Mr. Bowman; seconded by Mr. Slocum.

MOVED to add language to the existing ordinance (Section 17) establishing a municipal tax exemption option for veterans who are 100% disabled.

VOTE The motion passed unanimously by those present.

6. REQUEST FOR ORDINANCE AMENDMENT FOR BUILDING PERMIT FEE WAIVER FOR THE CHESHIRE FOOD PANTRY (See Section 3.3)

Mr. Milone stated a request for a building permit fee waiver has been made by the Cheshire Food Pantry. There was a lengthy discussion about the parameters for revising the current ordinance. Al Smith from Murtha Cullina stated it is not discriminatory to waive Building Permit Fees as long as the criteria to make such determinations is neutral. Mr. Bowman will work with Mr. Smith on a draft to be moved to the full Town Council for consideration. There was no referral to the full Town Council at this time.

7. DISCUSSION RE: NOISE ORDINANCE

Mr. Milone stated that Trai Gozzi, a senior from Cheshire High School and an intern at the Town put together a chronology of past action taken in regard to establishing a noise ordinance. The issue of noise ordinance was recently revisited because an application by Hickory Hill to hold outdoor events was permitted by Planning and Zoning. Police Chief Neil Dryfe provided the last amended version of the proposed noise ordinance and stated establishing a noise ordinance has been considered many times. Chief Dryfe stated noise ordinances are difficult to quantify and enforce. Mr. Smith stated that since Joe Pulaski, a DEEP employee (the "Noise Officer") retired, there is no State guidance for noise ordinances.

Public Comment:

Joe Farrell of 190 Richmond Glen Drive stated he is opposed to the application that was permitted by Planning and Zoning. Mr. Farrell stated he would like the Town of Cheshire to establish a noise ordinance so the residents in his neighborhood will have recourse for noise disturbances.

Georgina Caruso of 75 Richmond Glen Drive stated she is opposed to the application that was permitted by Planning and Zoning. Ms. Caruso stated she would like the Town of Cheshire to establish a noise ordinance so the residents in her neighborhood will have recourse for noise disturbances.

After a lengthy discussion, it was determined more research needs to be done to decide the feasibility of establishing and enforcing a noise ordinance in Cheshire.

8. ADJOURNMENT

MOTION by Mr. Bowman; seconded by Mr. Slocum.

MOVED to adjourn at 8:40 p.m..

VOTE The motion passed unanimously by those present.

Respectfully submitted

Karen M. Gill