

**MINUTES OF THE CHESHIRE TOWN COUNCIL PUBLIC HEARING HELD ON
TUESDAY, APRIL 10, 2018 AT 7:00 P.M. IN COUNCIL CHAMBERS, TOWN HALL,
84 SOUTH MAIN STREET, CHESHIRE CT 06410**

PRESENT

Robert J. Oris. Jr. Chairman; Paul A. Bowman, Vice-Chairman; Jeffrey Falk, Patti Flynn-Harris, Sylvia Nichols, Thomas Ruocco, Peter Talbot, David Veleber.

Absent: Timothy Slocum

Staff: Michael A. Milone, Town Manager; Arnett Talbot, Asst. Town Manager; James Jaskot, Finance Director; Walter Gancarz, Town Engineer.
Vincent Masciana, COO, Dept. of Education

Public Hearing Subject Matter

**CONSIDERATION OF A PROPOSED
AMENDMENT REGARDING BLIGHT OR UNSAFE
PREMISES ORDINANCE.**

1. ROLL CALL

The clerk called the roll and a quorum was determined to be present.

2. EXPLANATION OF HEARING PROCEDURE AND AGENDA

3. READING OF LEGAL NOTICE

The clerk read the legal notice into the record.

4. PRESENTATION ON HEARING SUBJECT

Ms. Flynn-Harris, Chair of the Ordinance Review Committee, stated that the issue of a blight ordinance has been discussed for more than six months. She thanked Councilors Bowman, Slocum, Veleber and Town Attorney Schwartz for all their work on this matter. It was explained by Ms. Flynn-Harris that the purpose of the blight ordinance is to take into consideration all property owners, situations detrimental to the health and welfare of the property owner and neighbors; quickly identify conditions worthy of the town's involvement; and taking action more quickly than in the past. Under the ordinance there would be fines imposed for non-compliance.

Ms. Flynn-Harris read the "Purpose" of the proposed ordinance along with the definitions of "blighted property", "debris", "Health Director" and "Legal Occupant", into the record. There is a complete process for enforcement and notification to the property owner, and the town is sensitive to the property owner's rights. Complaints must be submitted in writing to the Blight Enforcement Officer. The process outlined in the ordinance is followed and a determination made about a blight situation. There is the ability, with this process in place, to provide written notification to the property owner and for easier and faster court remediation. This will be a shorter and less expensive process for the town and property owner.

5. QUESTIONS AT THE DISCRETION OF THE CHAIR.

6. PROPONENTS AND OPPONENTS STATEMENTS ALTERNATELY EXPRESSED.

Ruth Ann Sylvester, 70 Williams Road, expressed her concerns about the proposed blight ordinance, what could happen, and the ordinance lacking specifics. She cited a sign on a property, sheds, barns, and the Ball & Socket building. Ms. Sylvester said the town needs bulk pickup which would help with stuff being removed from properties, and said it is hard for some people to get to the town dump which also charges for dumping. The general statement has no teeth in it with regard to being allowed to go on private property; what happens if an owner refuses to allow entry onto his property. She is concerned about avarice and corruption, considers the policy an end run, and for what purpose. The review in one year is positive.

Carolyn Bennett, 840 North Brooksvale Road, represented her brother, Daniel Bennett, and read a letter into the record from Daniel regarding the proposed blight ordinance. This letter was sent to Town Council members, and published in the *Cheshire Herald*. The letter talked about property values, government over-stepping its jurisdiction to protect property values when it should protect property rights, the ordinance being used for fighting neighbors, 85% of complaints are from feuding neighbors, the ordinance discouraging people from talking about conditions and encouraging them to go to the authorities instead.

Paul Bauru, 15 Williams Road, agreed with the comments of the former speakers. He asked about people being forced to maintain their property, and the Fire Marshal having access to the Human Services Department as a resource. He asked for identification of waivers in the ordinance, and where the fine money goes.

Ms. Flynn-Harris replied that there will be access to other town departments and their involvement. Waivers are up to the Blight Officer to negotiate. The fine money goes into the general fund. The ordinance is not to make profit but to cover costs of everyone involved, and court costs if they are incurred.

Attorney Smith cited Section 9 of the ordinance which states additional time can be given to the property owner based on this section.

Mr. Bauru talked about property values depreciating due to a blighted house in the neighborhood, and this as a reason for taking action against a person.

Stating this was not the most important issue, Ms. Flynn-Harris said the committee was looking at the health and welfare of the surrounding neighbors and property owner affected by the blighted situation. There could also be other issues involved.

Mr. Bauru asked that depreciation of property values be included in the ordinance, as in other towns. He said this is important to town residents.

This is not in the ordinance and Ms. Flynn-Harris said among the purposes of the ordinance was to preserve/promote public health, safety and welfare, and preserve/protect property values. The depreciation of property values could be included in the ordinance.

Chairman Oris has reviewed the proposed ordinance, and said the Council will decide whether to advance the ordinance. As a neighbor with a property meeting the definition of blighted property or abandoned property, there is the right to report it in the forum available for rectifying the issue to resolve concerns affecting property values. There is nothing in the ordinance for someone who believes their house is devalued. The individual has a right to take the process forward if the neighboring property meets the definition of "blight" in the ordinance.

This is the first Council discussion of the blight ordinance and Ms. Flynn-Harris said it will go back to the Ordinance Committee and again to the Council.

7. REBUTTAL AT THE DISCRETION OF THE CHAIR.

8. ADJOURNMENT

Chairman Oris adjourned the public hearing at 7:27 p.m.

Attest:

Marilyn W. Milton, Clerk