

,SUBJECT TO APPROVAL

MEETING DATE: WEDNESDAY, FEBRUARY 1, 2023
6:45 P.M.

MEETING PLACE: TOWN CAMPUS, HAMMONASSET ROOM, AND REMOTE VIA ZOOM ONLINE

BOARD OF SELECTMEN SPECIAL MEETING
MINUTES

6:45 p.m. Special Session

First Selectwoman Lyons called the Special Session of Monday, June 13, 2022 to order at 6:45 p.m. Also in attendance: Selectman Goldberg, Selectwoman Gordon, Selectman Murphy, and Selectman Wilson, Vincent Garofalo, Building Official, Sam DeBurra, Fire Marshall/Dir. Of Emergency Services, and John Iennaco, Dir.of Public Works/Town Engineer

1. Pledge of Allegiance.

First Selectwoman Lyons led the Pledge of Allegiance.

2. Citizen comments.

None.

3. Discuss and take action to approve hiring of Maria Pettola to the position of Land Use Technician, Land Use Department, 35.5 hours/week, Salary Grade 6, Step 5, \$58,543.16/annually. The position is funded in the current fiscal year budget.

MOTION by Selectman Murphy and seconded by Selectman Wilson to approve the hiring of Maria Pettola to the position of Land Use Technician as noted above.

VOTE: this motion was passed unanimously.

4. Discuss and take action to approve the restructuring of the Land Use Department to include a Land Use Official into the Town's Classified Plan; Salary Grade 10, 35.5 hours per week. The position is funded in the current fiscal year budget. Recruitment for the position will commence upon approval by the Board of Selectmen.

MOTION by Selectman Wilson and seconded by Selectman Murphy to approve the restructuring of the Land Use Department as noted above.

VOTE: this motion was passed unanimously.

5. Discuss and take action to approve the restructuring of the Land Use Department to revise the Town Planner position into the Town's Classified Plan; Salary Grade 17. The position is funded in the current fiscal year budget.

MOTION by Selectman Gordon and seconded by Selectman Murphy to approve revising the Town Planner position into the Town's Classified Plan as noted above.

VOTE: this motion was passed unanimously.

6. Discuss process to update Flood Plain Ordinance.

First Selectwoman Lyons opened the discussion by showing photographs of extensive flooding in and around town during recent past storms. She further noted that storm events are becoming more frequent, coming further inland and impacting more residences. When there is flooding, the town must react provide public safety resources, assist residents in need and take efforts to mitigate future events.

Madison's current Flood Plain Ordinance (FPO) does not comply with State Building Code and does not align with State guidelines. The town's Coastal Resiliency Commission (CRC) completed a lot of work on improving the ordinance, and Town staff are now looking at how to incorporate CRC recommendations and adopt portions of the State model into a new ordinance.

The BOS discussed previous feedback on the issue regarding the "lookback" period, Base Flood Elevation (BFE), how to value a structure, how to value improvements, penalties for non-compliance, and the availability of variances. The town's current lookback period is one year. Many surrounding towns have a longer lookback period.

First Selectwoman Lyons stated that the town's current FPO is compliant with the minimum requirements established by FEMA. The town cannot deviate from FEMA requirements or will jeopardize inclusion in the National Flood Insurance Program (NFIP). While FEMA does not require a look back period, it is intended to incentivize homeowners to raise their homes. A stricter policy above baselines can be good for community. A lookback comparison of other coastal communities in CT indicated our direct neighbors (Clinton and Guilford) require 5-year lookbacks.

The BOS also discussed the Insurance benefits associated with a FPO. Selectman Wilson began by stating that the Town does not want to jeopardize the flood insurance program. He also wanted to know how or if normal maintenance and improvement of a structure is differentiated from flood-related damage.

Selectwoman Gordon noted that if there is storm-related/flood damage there likely would be an insurance claim. Septic repair/improvements do not count toward the 50%, neither do separate structures like a shed. Selectman Wilson is of the opinion that someone should not have to raise their house because they had to replace their roof or windows. Selectwoman Gordon expressed concern of people being priced out of their homes because of repairs triggering elevation of the home. Selectman Murphy would like to see further guidance from State on flood elevation and that perhaps the State, and not the municipality, should be the regulator. Selectman Wilson noted that model flood ordinance is almost verbatim of the State's. A slide showing Regulations of CT coastal communities regarding BFE, lookback, and determining market value was viewed for comparison.

Selectwoman Gordon inquired how cost estimates are derived. Vinnie Garofalo, the Town's Building Official responded that his department sees the scope of work in the permit applications and he has a program that calculates materials. FEMA also has guidelines on what needs to be included in cost. Different scenarios for how to calculate the cost of a project in a lookback were mentioned and how the rising cost of building materials (the example of plywood was given) might affect valuation.

Selectman Wilson would like to separate from the lookback tally the cost to homes repetitively damaged by flood. Mr. Garofalo responded that in his experience, people know how to plan around the current one-year lookback. He is of the opinion that if there was no lookback, there would be no compliance with FEMA.

Selectman Wilson reiterated his position that maintaining your house should not trigger an elevation.

John Iennaco explained the minor differences between river flooding vs. coastal flooding.

Selectman Wilson and Selectwoman Gordon agree that Town needs to be mindful of aging resident in town and allowing them to age in their homes and queried what is harm to the Town if residents don't raise their homes.

First Selectwoman Lyons mentioned that the more resilient properties are to recover from storms, the better that it is for the Town. A push towards compliance and elevation will save future rescue efforts, reconstruction needs, and disruption of neighborhoods. Insurance companies are also incentivizing homeowners to elevate their homes. The Town wants to encourage people to repair their homes. BOS acknowledges that some of the flooding issues are related to storm drainage. New flood plain maps will be released in 2030 which could include more neighborhoods.

First Selectwoman Lyons had recused herself from past discussions on this issue due to a potential conflict of interest resulting from an outstanding permit application for improvements she and her husband were making at a property owned in the flood plain. That project has now been completed. Selectman Wilson expressed his view that going forward the First Selectwoman can participate in future determinations on this issue. Mr. Garofalo will get in touch with the State and go over scenarios proposed tonight.

Selectman Goldberg prefers an encourage vs. require approach to regulation and prefers the minimal threshold for each of the policy consideration items discussed. Selectwoman Gordon appreciates the FEMA minimum requirements and a policy that encourages but does not require compliance noting that there is an assumption of risk when homeowners move adjacent to water. Selectman Murphy noted a need to educate homeowners on rising sea levels, the current flood plain, and to be mindful of over governing.

The BOS noted that there is an option of opting out of the national insurance program, but that is a very serious move and would require great consideration.

Next steps are to revise the FPO draft to reflect tonight's discussions and get it to a finalized state so that a public hearing can be held on it.

7. Citizen comments.

Citizen Alex Province from Fence Creek commented that there is a State culvert on his road that he believes is blocked, and asked if the Town is pushing the State to maintain its infrastructure rather than the State forcing homeowners to do improvements. He next raised the 45 mph speed limit on sections of Boston Post Road and his opinion that it is not tenable, and asked the boards help on that. Next, he noted that Eversource is out working on trees again and many residents are upset by this. He asked why the transmission lines aren't being buried and if the BOS could push back on PURA and get Madison buried lines.

First Selectwoman Lyons responded that the Coastal Commission is working to identify blocked culverts and other problematic infrastructure in Town. Likewise, the Town will continue to beat the drum on burying power lines.

8. Adjournment.

There being no objection the Board adjourned at 8:01 p.m.
Respectfully submitted,

Jeanne Stevens