

## **SUBJECT TO APPROVAL**

**MEETING DATE:** MONDAY, JUNE 28, 2021  
7:00 P.M.

**MEETING PLACE:** ZOOM ONLINE MEETING

### **BOARD OF SELECTMEN MEETING MINUTES**

#### **7:00 p.m. Regular Session**

First Selectwoman Lyons called the Regular Session of Monday, June 28, 2021 to order at 7:00 p.m. Also in attendance were Selectwoman Duques, Selectman Goldberg, Selectman Murphy and Selectman Wilson.

1. Pledge of Allegiance.  
First Selectwoman Lyons led the Pledge of Allegiance.
2. Approval of minutes – June 8, 2021, June 14, 2021 Special

**MOVED** by Selectman Wilson and seconded by Selectman Murphy to approve Minutes of June 8, 2021 and June 14, 2021.

**VOTE:** this motion was approved unanimously; Selectwoman Duques was not present for this item.

3. First Selectwoman's Updates.
  - a. COVID-19 Response and Town Operations Update.  
The First Selectwoman provided an update which is attached to these minutes.
4. Liaison Reports / Selectmen Comments.

Scott Murphy                      Pride Flag raising ceremony

Bruce Wilson                      Tax Deferral Policy items

5. Citizen Comments.

Kathryn Hunter of Scotland Avenue stated that she was present to advocate for a referendum on the Academy School / Community Center project. She provided an overview of the process that has brought the Town to this referendum plan. She stated that it has been 17 years plus since the academy building was closed and since then the Town has conducted dozens of studies, reports, surveys, and established

advisory committees; all totaling hundreds of volunteer man hours. She stated that she believes the Town is in something like a Groundhog Day like cycle where every three or four years, we bring this before the public and we're ready to go to referendum and something happens there's a change of administration or something else happens.

She stated that she was urging this administration to bring the matter to referendum. She added that this isn't a partisan matter. Democrats have long supported Academy, and community use for Academy, Bruce Wilson was the architect of the Great Blue poll.

Ms. Hunter also stated that she was a little fearful that if the Town brings this to referendum under the weight of three or four projects, it will sink because of sticker shock. She hopes that the project can be given a fair public rollout support by this administration and the standard longer referendum. Thank you.

Heather Crawford of Summerhill Road stated that as the Chairman of the Conservation Commission she would like to give an update on Madison's recertification in the Sustainable CT program. One initiative is an anti-idling program; there are also other initiatives that will require volunteers from the community.

Catherine Ciotti Lynch of Harbor Avenue stated that she is a cannabis advocate and she requests the Board form a panel of stakeholders to give input on how Madison can be inclusive of those people who have cannabis businesses in Town. She added that several constituents will be forming a coalition but that she felt the Town should take the lead in these initiatives to come up with a plan.

6. Discuss and take action to move the Regular Meeting of the Board of Selectmen from July 26, 2021 to Monday July 19, 2021 at 7:00 p.m.

**MOVED** by Selectman Goldberg and seconded by Selectman Wilson to approve moving the Regular Meeting of the Board of Selectmen from July 26, 2021 to Monday July 19, 2021 at 7:00 p.m.

**VOTE:** this motion was approved unanimously.

7. Discuss and take action to approve a Special Appropriation request from the Police Department in the amount of \$19,000 to fund the Special Duty Pay account; pending Town Meeting approval.

**MOVED** by Selectman Goldberg and seconded by Selectman Wilson to approve a Special Appropriation request from the Police Department in the amount of \$19,000 to fund the Special Duty Pay account; pending Town Meeting approval.

**VOTE:** this motion was approved unanimously.

8. Discuss and take action to call the Annual Budget Reconciliation Town Meeting on Monday, July 19, 2021 at 6:30 p.m. in Town Campus Room A for the following purpose:

1. A Special Appropriation request from the Public Works Department in the amount of \$600,000 to fund the Major Roads Paving Account.
2. A Special Appropriation request from the Police Department in the amount of \$19,000 to fund Special Duty Wages.
3. Other Special Appropriations as deemed necessary.

**MOVED** by Selectman Goldberg and seconded by Selectman Wilson to approve calling the Annual Budget Reconciliation Town Meeting on Monday, July 19, 2021 at 6:30 p.m. in Town Campus Room A.

**VOTE:** this motion was approved unanimously.

9. Discuss and take action to approve hiring of Jonathan Walter to the position of Civil Engineer I in the Public Works department. The position is non-union. Rate of pay is Grade 7, Step 3, \$28.28 per hour. The position is budgeted, not requiring an appropriation of funds. This position vacancy was created due to a reorganization.

**MOVED** by Selectman Murphy and seconded by Selectman Goldberg to approve the hiring of Jonathan Walter to the position of Civil Engineer I in the Public Works department.

**VOTE:** this motion was approved unanimously.

10. Discuss and take action to approve moving Austin Hall to the position of Director of Beach & Recreation. The position is non-union. Rate of pay is Grade 18, Step 5, exempt. The position is budgeted, not requiring an appropriation of funds. This position vacancy was created due to a retirement. Position description and salary to be reviewed by the Job Evaluation Committee during FY21-22.

**MOVED** by Selectman Wilson and seconded by Selectman Murphy to approve moving Austin Hall to the position of Director of Beach & Recreation.

**VOTE:** this motion was approved unanimously.

11. Discuss and take action to approve moving Heather Noblin to the position of Assistant Director of Beach & Recreation. The position is non-union. Rate of pay is Grade 13, Step 4, exempt. The position is budgeted, not requiring an appropriation of funds. This position vacancy was created due to a retirement. Position description and salary to be reviewed by the Job Evaluation Committee during FY21-22.

**MOVED** by Selectman Murphy and seconded by Selectman Wilson to approve moving Heather Noblin to the position of Assistant Director of Beach & Recreation.

**VOTE:** this motion was approved unanimously.

12. Discuss and take action to approve the hiring of Tim Lunn to the position of Deputy Fire Marshal in the Fire Marshal's Office. The position is non-union. Rate of pay is Grade 8, Step 3, \$30.42 per hour. The position is budgeted, not requiring an appropriation of funds. This position vacancy was created due to a retirement

**MOVED** by Selectman Murphy and seconded by Selectman Wilson to approve the hiring of Tim Lunn to the position of Deputy Fire Marshal in the Fire Marshal's Office.

**VOTE:** this motion was approved unanimously.

13. Discuss and take action to approve the hiring of Matt Quatrano to the position of Recreation Supervisor in the Beach and Recreation department. The position is non-union. Rate of pay is Grade 6, Step 4, \$29.02 per hour. The position is budgeted, not requiring an appropriation of funds. This position vacancy was created due to a reorganization.

**MOVED** by Selectman Wilson and seconded by Selectman Murphy to approve the hiring of Matt Quatrano to the position of Recreation Supervisor in the Beach and Recreation department.

**VOTE:** this motion was approved unanimously.

14. Discuss and take action to approve accepting CT DOT Local Bridge Program Grant funding for the for the replacement of a bridge on Garnet Park Road over Bailey Creek and for the rehabilitation of a bridge on Flintlock Road over Huzzle Guzzle Brook, in the amount of \$914,375 which represents fifty-percent of the total project costs; and to authorize the First Selectwoman to sign the same.

The Board reviewed that this funding is for two bridges in the CIP and the State has awarded grants to pay for the costs of 50% of the projects.

**MOVED** by Selectman Wilson and seconded by Selectman Murphy to approve accepting CT DOT Local Bridge Program Grant funding for the for the replacement of a bridge on Garnet Park Road over Bailey Creek and for the rehabilitation of a bridge on Flintlock Road over Huzzle Guzzle Brook, in the amount of \$914,375 which represents fifty-percent of the total project costs; and to authorize the First Selectwoman to sign the same.

**VOTE:** this motion was approved unanimously.

15. Discuss and take action to award the RFP for Legal Services as follows:

Murtha Cullina, LLP as Town Attorney commencing July 1, 2021

Shipman and Goodwin LLP as Labor Attorney and Bond Counsel commencing July 1, 2021

Milano & Wanat LLC as Assessment Attorney commencing July 1, 2021

Berchem Moses PC as Land Use Attorney commencing July 1, 2021

First Selectwoman Lyons stated that the Town went out to RFP to review legal services and a panel of town employees and elected officials interviewed several firms and have recommended a switch of Town Attorney to Kari Olsen of Murtha Cullina.

**MOVED** by Selectman Wilson and seconded by Selectman Murphy to approve awarding the RFP for Legal Services as indicated above.

**VOTE:** this motion was approved unanimously.

16. Discuss and take action to approve accepting a Grant in the amount of \$5,000 from the Erwin C. Bauer Charitable Trust to be used for Habitat Exploration programs at Bauer Park, Rockland Preserve, and Salt Meadow Park.

**MOVED** by Selectman Murphy and seconded by Selectman Goldberg to approve accepting a Grant in the amount of \$5,000 from the Erwin C. Bauer Charitable Trust to be used for Habitat Exploration programs at Bauer Park, Rockland Preserve, and Salt Meadow Park.

**VOTE:** this motion was approved unanimously.

17. Presentation from Catherine Barden of Youth & Family Services on the recent state passage of Legalized Marijuana Bill.

Catherine Barden stated that her group has spent a tremendous amount of time reviewing the legislation. There are things that are not ideal, but there are some good points in the Bill. There are some restrictions for social hosting of marijuana of young people. Once the Bill passes on July 1st, residents aged 21 and older are allowed to have a certain amount of marijuana on their person and within their homes. The next phase will allow residents to have marijuana plants at their homes as well. The Town can vote to restrict or ban retail shops, such as towns in Massachusetts, California and Colorado have done, or, if the Town allows retail shops, fees for public safety can be assessed to these businesses. The Town can restrict cannabis use on Town/public property; and charge fees to people or businesses who violate this restriction.

Ms. Barden also stated that the Bill includes restrictions on potency levels of marijuana depending on which form the marijuana is in. She also stated that the Board should know that marijuana is the only substance for which use has increased amongst teens who take the MADE survey each year.

Selectman Murphy asked Ms. Barden to clarify the concept of marijuana as a gateway drug. She responded that there is a bigger issue of the potency levels of THC. She stated

that marijuana addiction is a legitimate issue and there is concern about the effects of marijuana on the developing teen brain; especially unknown is the impact of these higher concentration strains of marijuana. Ms. Barden also cautioned how easy it may be for teens to have vape pens, etc. shipped to their homes in packaging designed to fool parents. Additionally, Ms. Barden illustrated that offenses for underage residents is lessor than violations for underage drinking. The Board also reviewed that underage drinking violations were less impactful in years-past but have been changed based on experience and grass roots efforts. These violations for marijuana possession may also move to be stricter.

Selectman Wilson asked that independent of the work on understanding the Bill, the Town hopes that the Youth & Family Services Department begins an educational campaign for parents on marijuana use and what this Bill and accessibility means for the teens in Madison.

18. Discuss potential next steps for the Town in response to the recent state passage of Legalized Marijuana Bill.

First Selectwoman Lyons provided an overview of key dates and what could be the Town's next steps (attached to these minutes). She stated that the public should be asked for their comments as well. Selectman Wilson stated that given the timeline, the Board should move quickly, even at their next meeting to establish an Ad Hoc Committee.

19. Update on Flood Plain Ordinance.

Selectman Murphy stated that he and Selectman Wilson had spoken to Attorney Peter Gelderman of the Town Attorney's office and he will provide the Board with an overview of the what should be the course of action for the Town. Overall, Attorney Gelderman stated that the Board is not mandated to make any changes to the Flood Plain Ordinance.

Selectman Goldberg stated that the current Ordinance sites a provision of the state building code that has been updated to be stricter than the Ordinance. Regardless of what is in the Ordinance, the States' Building Code supersedes when it is stricter. The States' Building Code only requires that new constructions meet the code; not existing construction. The Building Code must be complied with when work is done, but a homeowner does not need to raise the house until the 50% threshold is exceeded.

Selectwoman Duques questioned how the 50% value is determined and Attorney Gelderman stated that it is up to the Town to determine how market value is established (of the building) and generally this is done through using the assessed value of the structure (which is 70% of market value). The Board reviewed how FEMA regulations and the lookback period also play into the current and proposed Ordinance.

The Board reviewed that the next steps would be to hold a Public Hearing for the public to provide comments on a revised draft of the Ordinance. Selectman Murphy stated that he was inclined to move forward with not making any changes to the current adopted Ordinance. Selectman Goldberg stated that based on this conversation there is no

particular interest that Town government has in trying to increase compliance levels; if sea water level rise happens, then it is in the best interest of homeowners to be proactive in raising their homes, etc. Town government does not need to mandate to the homeowners, they should be able to determine the needs of their homes without oversight / overstep of government. Selectman Wilson stated that he agreed and added that there are many homes that were not always in the flood zone and they are more modest-sized and these homeowners will not be able to make these types of improvements without assistance, such as grants. He stated that the Coastal Resiliency Commission presented a plan that is important but that seems to be a way forward if money was no object.

Selectwoman Duques stated that it has been a while since the CRC came to the Board and she felt that they were asked to provide a recommendation and they felt strongly for their recommendation. She stated that she is on the fence on the way forward. The Board reviewed that a Public Hearing would solicit all points of view and the CRC could be asked to speak again at this venue.

20. Discuss and take action to approve routine Line Item Transfers totaling \$ **165,183.94**.

**MOVED** by Selectman Wilson and seconded by Selectman Murphy to approve routine Line Item Transfers totaling \$ **165,183.94**.

**VOTE:** this motion was approved unanimously.

21. Discuss and take action to approve incorporating an Admin. Assistant / Health Coordinator position into the ARP Funding schedule in the amount of **\$24,245.52**.

**MOVED** by Selectman Murphy and seconded by Selectman Goldberg to approve incorporating an Admin. Assistant / Health Coordinator position into the ARP Funding schedule in the amount of **\$24,245.52**.

**VOTE:** this motion was approved unanimously.

22. Discuss applications received under the Town of Madison Tax Incentive / Assessment Deferral Program Policy.

First Selectwoman Lyons stated that the Board would not be taking action tonight but rather reviewing this program and two potential applications for tax deferral program. Dave Milano provided an overview of a potential project by the Milano Group at 175 Fortpath Road. Mr. Milano stated that the project at this location was planned with this deferral policy in mind and the project proceeded under the strong assumption that the deferral would be applied to the project. The Board reviewed that next steps would be to have the Assessor's office determine the tax impact of the deferral program, then the Board would need to vote to move the project to a Town Meeting.

Jerry Davis of Davis Realty provided an overview of his project at 110 Bradley Road. Mr. Davis stated that changes in 2019 to allow for this deferral program are what sparked

the project moving forward to it's current iteration. Now, with the higher building costs sparked by COVID, these tax incentives are more important than ever. When completed, the properties' value is estimated to be assessed at roughly \$4million. This tax incentive is a large piece to move forward with bank funding also. The Board also reviewed the timeline to move forward and noted that the earliest the Town Meeting could be held would be in August.

23. Tax Abatements / Refunds.

None.

24. Citizen Comments.

Karen Lucibello Daigle of County Road questioned if the project on Bradley Road could be softened to look less metropolitan.

25. Adjournment.

There being no objection the Board adjourned at 9:08 p.m.

Respectfully submitted,

Lauren Rhines  
Town Svcs. Coordinator / Risk Manager

The Town of Madison does not discriminate on the basis of disability, and the meeting facilities are ADA accessible. Individuals who need assistance are invited to make their needs known by contacting the Town's ADA/Human Resources Director Debra Milardo at 203.245.5603 or by email to [milardod@madisonct.org](mailto:milardod@madisonct.org) at least five (5) business days prior to the meeting.





# TOWN OF MADISON

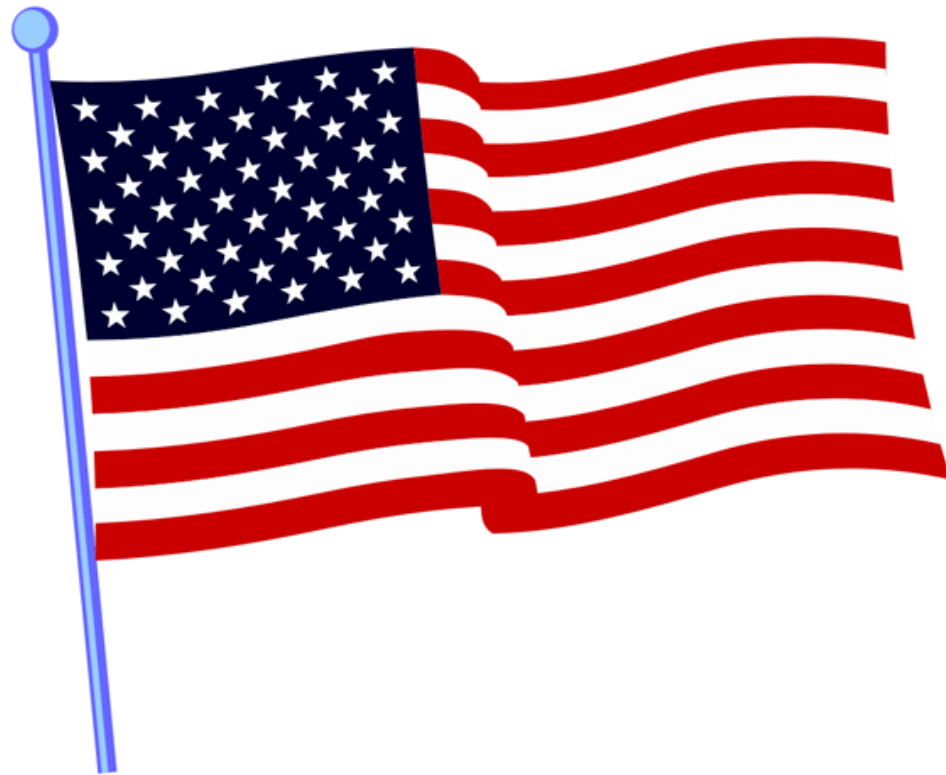
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**Regular Meeting – June 28, 2021**

**Board of Selectmen**

# Pledge of Allegiance



# Agenda

1. Pledge of Allegiance
2. Approval of Minutes
3. First Selectwoman's Update
4. Selectmen Liaison Reports/Comments.
5. Citizen Comments.
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23. Tax Abatements / Refunds.
24. Citizens comments.
25. Adjournment.

# First Selectwoman Update

BUY JULY 4<sup>th</sup>  
WEEKEND  
PARKING  
PASSES IN  
ADVANCE!

- Independence Day Celebrations:
  - July 2<sup>nd</sup> Fireworks at 9:30
  - July 4<sup>th</sup> parade step off at 10 a.m.
- Beach Parking Policies for the holiday weekend:
  - **No beach parking stickers or daily parking passes will be sold at the Surf Club over the holiday weekend (Friday, Saturday, Sunday, or Monday).**
  - On Friday, July 2<sup>nd</sup>, beach stickers, resident, and non-resident daily parking passes can be purchased at the **Madison Visitor Center/Chamber of Commerce Office** from 8:30 a.m. - to 12:00 p.m.
  - Purchase of a beach sticker or a daily parking pass does not guarantee parking availability.
  - Parking at Lowry Field over the holiday weekend will require a beach sticker or daily parking pass.
  - For the fireworks on July 2<sup>nd</sup>, gates at Surf Club, East Wharf and Lowry will be staffed from 8:30 a.m. until 9:30 p.m. You will need a sticker or daily parking pass to park at these lots for the fireworks
  - Visit <https://www.madisonct.org/712/Independence-Day-Events>.

# First Selectwoman Update (cont.)

- Potential Future Referendums: Academy, Island Avenue, Madison School Renewal Plan
  - BOS to hold Special Meeting in July to update public on possible next steps/timelines
- Ethics Commission: Revised policy in progress. Waiting for on-boarding of new Town Attorney
- Congratulations to our valued employees retiring as of July 1st:

Barbara Sabiston, Beach & Recreation (36 years)

Scot Erskine, Beach & Recreation (42 years)

Tim Ward, Public Works (32 years)

Mary Haburay, Land Use Department (28 years)

Val Soule, Police Department (25 years)

Bob Gilhuly, Fire Marshall's Office (10 years)

# Recreational Marijuana – Next Steps

- Some Key Dates
  - **July 2021:** Use of recreational marijuana legal. Adults 21 and older will be allowed to possess up to one and a half ounces
  - **October 2021:** Municipalities can regulate activities deemed harmful to public health
  - **May 2022:** Earliest that retail sales can begin
  - **January 2023:** Those convicted of possession from 1/2000 through 9/2015 will have records automatically cleared
  - **July 2023:** Individuals allowed to grow for personal use with limits
  - **Up to June 2024:** Each town/city limited to one retailer per 25,000 residents
- Wide ranging impact on municipalities:
  - Ordinances/zoning regulating the production, distribution, sale
  - Regulation of use at businesses and municipal facilities
  - Ability of municipalities to tax sales
  - Municipal workforce rules/policies for employees
  - Law enforcement guidelines
  - Prevention/Youth Services
- BOS Task Force Needed with Key Stakeholders:
  - MYFS Services, P&Z, Madison Public Schools, Madison Police, Public Health, Economic Development, Human Resources, etc.