

TOWN OF WALLINGFORD, CONNECTICUT
TOWN COUNCIL MEETING
Robert F. Parisi Chambers
Wallingford Town Hall
45 South Main St.

Ordinance Committee

Thursday, June 1, 2017
6:30 P.M.

Minutes

1. Call to Order and Pledge of Allegiance

Vice Chair Sullivan called the meeting to order at 6:34 pm. The Pledge of Allegiance was said.

2. Roll Call Attendance

Cervoni :	Arrived at 7:43
Marrone:	Arrived at 7:35
Shortell:	Present
Laffin:	Arrived at 6:36
Sullivan:	Present
Testa:	Absent
LeTourneau:	Arrived at 7:01
Zandri:	Present
Fishbein:	Present

3. Acceptance of Minutes of January 5, 2017

Motion by Fishbein, seconded by Shortell, to accept. Motion passed unanimously.

4. Discussion and Possible action with regard to modifying Chapter 216 – Vehicles and Traffic to create time limited on street parking.

Attorney Small began by discussing the proposed regulation. If you parked on the street, the time limit was calculated by factoring in the car's position and if it had moved more than 500 feet away. Thus, if you just move your car (within 500 feet of its current position), you are still in violation.

Chief Wright felt that Attorney Small's proposal was an appropriate response. He indicated that they have worked to resolve the situation, e.g. implementing one-way traffic in the area impacted, but ultimately there is a limit to what they can do. This is a reasonable solution to the problem and would help.

Councilor Zandri had several questions. He wanted to understand how this change might work. He cited the example of Simpson Court, where a car would have to be moved completely out of the lot to avoid the fine (vs. just moving it to a different space). There will need to be public education. Chief Wright agreed that this is not a one-size fits all resolution, but it will help. Councilor Zandri asked if there is a way to split this ordinance or rule; possibly tag it to specify residential areas.

Councilor Sullivan asked Attorney Small about the language “in certain streets” that appears in the proposed Ordinance. She replied that it was designed to capture certain other situations. He also felt that the Simpson Court example would not necessarily apply because it’s a parking lot, not a street. Councilor Sullivan asked Chief Wright how this would be enforced; the chief said it would be enforced based on complaints.

Councilor Fishbein likes the New Haven situation because it is residents coming to government looking for relief, rather than government imposing on citizens. He asked Chief Wright if the ten dollar fine is appropriate. Chief Wright said he felt ten dollars was appropriate and the goal is compliance, not looking to harm anybody financially.

Councilor Fishbein also offered that the Chief could come to the Council for permission to use this program for a specific area that is a problem. Chief Wright replied that this would not be something where the police would go out and blanket the town with posted parking limits, because it’s not a need. It’s mostly something that would need to be enforced in commercial areas. Councilor Fishbein agreed that this is not necessary in all residential areas in town.

Councilor Laffin agrees that this is not necessary for everybody; he is not keen on having the Chief come to the Council. That seems like red tape. He still worries about situations where a complaint is made out of spite rather than a true hardship being caused by the parked car.

Councilor Sullivan talked to the Town Engineer, Rob Baltramaitis, who said that removing the island on the street in question is not possible because of the grade of the land. He said that this has been sitting on the Ordinance agenda for a number of months and we need to do something. In this specific area, we have an issue, and unfortunately it appears the only way we can resolve this is through an ordinance. He would like to see us get this fixed. The language we have in front of us is adequate and the Chief is ready. Let’s not leave here tonight with this hanging out here for another month.

Councilor Zandri agreed with Councilor Sullivan that we shouldn’t leave tonight without enacting something. He is concerned with the 72 hour time limit, and for how long the cars would have to be moved to comply.

Councilor Fishbein proposed a 24 hour limit. He motioned to send the language to Janis to meld the New Haven Ordinance wording with a 24 hour time limit and send to the Town Council for approval. Councilor Zandri seconded it.

Councilor LeTourneau stated that whatever time limit is imposed, someone from the police department will have to go out and enforce it. He questioned whether, instead, we should simply post no parking signs on that street (Carriage Drive).

Councilor Zandri questioned if it we should consider putting in an exception clause (e.g. someone going on vacation who would need to leave their car in the street).

Councilor Laffin agreed with Councilor Zandri. He said he has concerns with the logistics of how the New Haven model would work in Wallingford (e.g. getting street-specific parking permits).

Councilor Fishbein questioned the logistics of having neighborhoods petition for the parking limitation.

Councilor LeTourneau doesn't see a perfect solution.

Councilor Fishbein withdrew his motion; Councilor Zandri withdrew his second.

Councilor Fishbein motioned to send the original paragraph back to Attorney Small, add a 24 hour provision, and defer to the police chief to determine the areas of need. Councilor Zandri seconded.

Paul Cifaldi, 47 Carriage Drive, said there would be a lot of problems with the time limit. He has five vehicles. He questioned why we just don't restrict it. He thinks it will be a nightmare for the police department.

Dominic Barnes, 51 Carriage Drive, agrees that the petition approach probably wouldn't work. He suggested just having no parking in the circle unless you have a permit.

Councilor Sullivan asked Attorney Small about the legalities of issuing a parking permit per each licensed driver in a house. She felt there were logistical problems with this approach.

Councilor Fishbein proposed giving the power to the Chief to create a restricted parking area, and to give the residents parking permits (up to two per household).

Councilor Fishbein withdrew his motion, and Councilor Zandri withdrew his second.

Councilor Fishbein made a motion that Attorney Small puts together a motion that contemplates language that creates a restricted parking area, with no more than two

parking permits per household, and gives the police chief the power to employ in areas of need. Councilor Zandri seconded the motion.

Roll Call Vote:

LeTourneau: Yes

Laffin: Yes

Marrone: Yes

Shortell: Yes

Testa: Yes

Zandri: Yes

Fishbein: Yes

Cervoni: Yes

Sullivan: Yes

5. Discussion and Possible action regarding the exemptions and exceptions as authorized within Chapter 144 – Noise.

The Council received a letter from Theresa Jakubowski, Durham road, who was also present at the meeting and spoke. She lives on Durham road. Attached is her email correspondence.

Councilor Sullivan spoke to Amy Torres from the P&Z dept, who said she did not see evidence of a business being run out of this home. The pool house has been moved to the June P&Z meeting. Councilor Sullivan also reported that the gentleman has an LLC and the legal address of it is his home address. He asked Attorney Small where chainsaws would fall in the ordinance; she said section 3, although if he's running a business, then it would be a zoning issue.

A determination has to be made if he is running a business out of his house.

Councilor LeTourneau indicated that he is familiar with this gentleman and confirmed that his business is run out of his house. He said that this person heats his house with wood.

Councilor Fishbein asked why this activity is exempted. Attorney Small said it would be under the "domestic power equipment" section. Councilor Fishbein said that if this is a commercial chainsaw, then it would fail to meet the exemption.

Councilor LeTourneau said that there is no difference between the sound of a residential chain saw and commercial chain saw.

Councilor Zandri said he understands the sentiment of having a lot of wood that only lasts a winter to heat your house. His question, with respect to the noise ordinance, is if these devices are allowed to exceed the decibel level. Attorney Small confirmed this.

Councilor Sullivan proposed to refer this back to Zoning. He said he would call back the Zoning enforcement officer. He feels that we need to know if there is a business being run out of this home.

Councilor Fishbein motioned to adjourn and Councilor Cervoni seconded. Meeting adjourned at 8:22.

In accordance with Title II of the Americans with Disabilities Act- Individuals in need of auxiliary aids for effective communication in programs and services of the Town of Wallingford are invited to make their needs and preferences known to the ADA Compliance Coordinator at 203-294-2070 five days prior to meeting date.