

WINDHAM TOWN COUNCIL PUBLIC HEARING MINUTES

WINDHAM TOWN HALL AUDITORIUM

Tuesday, January 4, 2011 – 5:30 PM



The Town of Windham Council held a Public Hearing on January 4, 2011 at 5:30 PM in the Windham Town Hall Auditorium, 979 Main Street, Willimantic, Connecticut, to hear public comment on the following ordinances:

- 1. Chapter 4-41 through 4-48 Anti-Blight ordinance: Updates and changes to anti-blight ordinance has been added to address foreclosed homes, adding language for “broken windows” and “peeling paint” to the definition of blight.**
- 2. Chapter 6-1 through 6-150 Housing code: Updates to the code include lowering the mandatory minimum temperature, which a landlord has to maintain in an apartment from 70 degrees to 68 degrees, update to the housing code committee to remove conflicts, and to add person from public, add minimum ceiling height of 7 feet to language. Other minor updates to code have been added to make code conform to building and fire codes.**
- 3. Ordinance regulating motorbikes and all terrain vehicles.**

Call to Order

Mayor Eldridge called the Town of Windham Public Hearing to order at 5:30 PM to hear comments regarding setting ordinances relating to the **Anti-Blight Ordinance, Housing Code Ordinance and Ordinance Regulating Motorbikes and All Terrain Vehicles.**

Public Comments regarding setting an ordinance relating to the Anti-Blight Ordinance:

Matt Vertefeuille, Housing Code Officer, explained the changes made to the ordinance

Jeff Viens stated the ordinance still mentions excessively peeling paint.

Laurel Freeman, Bellevue Street Willimantic, stated she was disappointed the ordinance was not on the website. She believes EPA laws are very strict with regard to peeling paint and thinks now is not the time to introduce this ordinance with the economy the way it is.

Lori Jeffers, Willimantic, stated the Town Charter says 5 days notice must be given for a Public Hearing. She noted the original notice was posted on December 29th then republished on the 31st. She stated the Town was in violation of their own Charter. She thinks the Town should stop trying to micro manage people.

Pam Viens stated EPA standards are only talking about 6 sq ft. She believes the line is being drawn too close and said it is not \$14,000 to paint that type of house but more like \$50,000.

Iona Stone, Willimantic, stated she has a variety of concerns. She feels the Town can't handle what is already on the books and gave examples of shoveling sidewalks when it snows. She feels the ordinance should be tabled.

Public Comments regarding setting an ordinance relating to the Housing Code Ordinance:

Matt Vertefeulle, Housing Code Officer, explained the changes made to the ordinance

Lori Jeffers, Willimantic, stated it was impossible to hear anyone and feels meetings should not be held in the ballroom.

Joel Meyers, Prospect Street Willimantic, asked what the ceiling height minimum was and stated that it could cause landlords to be out of business.

Jeff Viens questioned whether an existing unit had to meet code on the ceiling height or if being a few inches under would be sufficient for those existing units. He believes this could be a burden for homeowners.

Matt Vertefeulle, Housing Code Officer, explained the 7ft rule has been in the building code for years.

Peter Quercia, 300 Walnut Street Willimantic, is concerned about the people in foreclosure. He noted Mr. Vertefeulle had come to his home for blight. He stated he read in the paper the Departments at Town Hall were going to help people.

Henry Crane, Windham Street Willimantic, believes if only two people out of seven are on the Housing Code Enforcement Committee it is government intrusion. He stated normal enforcement should take care of this and questioned how this ordinance could be enforced but not the others.

Jeff Viens questioned Section 6-73 and whether it was another tax. He asked if people were being unjustly charged. He stated there is a Fair Housing Code.

Joel Meyers, Prospect Street Willimantic, stated he heard talk of fees as high \$100 to as low as \$10. He believes this will have an adverse affect on the Town and he would like the town to discuss it before the fees are established.

Public Comments regarding setting an ordinance relating to Regulating Motorbikes and All Terrain Vehicles

Chief Maruzo-Bolduc explained the need for the ordinance.

Peter Quercia, 300 Walnut Street Willimantic, stated he hates ATV's and is favor of the ordinance if it excludes operating one on your own property.

Gary Jones, Monticello Street Willimantic, questioned the real reason for the ordinance. He stated he has lived in the city for 52 year and he uses an ATV for maintaining his property and now he is being told he can't have them. He stated the State wants ATV's to be registered however they do not offer any place to ride them. He noted the State of Massachusetts registers ATV's but also offer places to ride. He asked that the Town let the police do their job and for them not to penalize law abiding citizens.

Julio Ramos, Willimantic, feels the ordinance is wrong and a waste of taxpayer money. He believes its Communist to tell people what to do on their own property and its infringing on peoples rights.

Jeff Viens sited Article 1 Findings and asked if we should tell everyone in the city to stop smoking and if we should shut down bars. Mr. Viens questioned why the Town wants to discriminate against the people who live in the city who maybe can't afford to live in Windhams.

Lori Jeffers, Willimantic, stated many people use ATV's for snow removal and should be allowed to. She believes Windham and Willimantic is one town and should have the same laws. She stated Mayor Eldridge mentioned at another meetings he had 17 unregistered vehicles and she feels it is not fair to tell people they have to register their ATV's when he doesn't register his cars. She feels the Town should stop micro managing people.

Junior Colon, Willimantic, stated his son rides on his own property and does not go outside of the property. He believes some parents are not responsible and let their children go outside of their property and he does not agree with that however he feels he should not be told what to do on his own property.

Iлона Stone, Willimantic, is concerned with the Towns effort to actually dictate to people what family activities they can do on their property and feels that is way out of line. She feels people are responsible taxpayers and the dream is to have a home and a yard. She stated many parents build these 49cc dirt bikes with their children and should have the right to ride them on their own property. She feels this ordinance is going way too far.

John Lebiszczak, Willimantic, does not agree with the ordinance. He stated he has two children and he teaches them to ride their small quads responsibly. He asks how the Council can say what he can do on his property. He believes if someone is being

irresponsible then the police will take care of it. He stated the ordinance should not be separated for Windham/Willimantic.

Hieu Ta, Owner of HTA Motor Sports Willimantic, stated his business was a car place and not ATV's. He doesn't feel this is something that should be governed by the Town. He gave an example of quads on the road in the last snowstorm and when he questioned police about stopping them he was told they would not go after them.

Jim Hooper, Willimantic, feels the problem is not the homeowner or taxpayer, the problem is the older kid's on the road. He believes the police should be given more enforcement capabilities. He also questioned #9 of the ordinance.

Julio Ramos, Willimantic, questioned whether the Council was familiar with ATV's, motorbikes, etc. He feels the ordinance is unconstitutional and infringes on peoples rights.

Chief Maruzo-Bolduc, Windham, gave an example of a neighbor who owns a dirt bike and rides non-stop at all hours regardless of the time. She explained the purpose of the ordinance was because many people complained about reckless owners and it isn't for the people who follow the rules. She explained she has been a police officer for 30 years and early in her career she had been involved in a pursuit where the passenger had been killed. She said she would not put any of her officers through that and direct them not to pursue ATV's.

Mayor Eldridge, South Windham, stated he is also a taxpayer and only owns 9 vehicles, which are all registered, insured and driven on the roads properly. He noted he is not a person who likes regulations and that was why he was on the Zoning Board of Appeals so things weren't just rubber-stamped. He feels it is ridiculous when people who are walking with their dogs and are chased off the walking paths, which has happen to him and his wife, because of these dirt bikes. He explained that the police were not chasing the kid who was killed. He noted the police had tried to stop him and actually moved out of the way because he tried to run over the police. He stated the Town needs to get a handle on the amount of dirt bikes and ATV's on the road and he doesn't know if this is the answer but he thinks it will help.

Dan Connell, Willimantic, thinks a lot of the problem is there is no place to ride. He stated he had lived in town all his life and there were trails everywhere that are now walking paths. He gave a few suggestions where the Town could make a riding path such as Rec Park or an area on Route 203 and thinks this would solve a lot of the problem. He stated he has a 19-year old son who races professionally and it has been a great thing to do with your family. He noted there were a practice track in Rocky Hill and an indoor track in South Windsor.

Shawn Walsh, South Windham, stated he had lived here all his life and he believes there should be a place to ride. He feels people in cars are just as bad as people on dirt bikes or quads.

Henry Crane, 66 Windham Street Willimantic, stated an instance where another town was fighting with the other and now our Town is doing the same thing by pitting Windham against Willimantic. He feels the laws should be the same for both Windham and Willimantic. He noted we are in the same town, have the same Mayor and questioned why it should be different. He stated the kid who was killed was driving across the middle of the street and could have been hit by any car or truck.

Lori Jeffers, Willimantic, stated Mayor Eldridge use to ride by her house at 6:50 AM in a little two-seater car with a loud muffler and now he drives a 10-cylinder aircraft carrier. She stated the Town can't micro manage people and said the meeting was illegal and to just deep 6 everything.

Mayor Eldridge noted no further comments or questions.
The Public Hearing closed at 6:15 PM

Submitted By:
Barbara J. McKinney
Clerk of the Town Council