**ORDINANCE COMMITTEE MEETING**

Tuesday, March 5, 2024, 6:00 PM

Town Council Chamber and Zoom Meeting

Agenda

**Videoconference Link:**

<https://berlinct-gov.zoom.us/j/85689042940?pwd=sNvJvZpaTRO9FspeybklZbB4y6dSK3.1>

**Conference Call Information:**

Dial: +1 929 205 6099

Meeting ID: 856 8904 2940   
Passcode: 971605

Members Present:

Mayor Mark Kaczynski – Chairman, Councilor Sandra Coppola, Councilor Charles Paonessa, Councilor Kate Atkinson

Members Absent:

Councilor Peter Rosso

Staff Present:

Arosha Jayawickrema – Town Manager

Jeff Donofrio – Corporation Counsel

1. CALL TO ORDER

Mayor Mark Kaczynski – Chairman at 6:02 PM

1. PLEDGE OF ALLEGIANCE
2. AUDIENCE OF CITIZENS - NONE
3. APPROVAL OF MINUTES – February 6, 2024

Councilor Paonessa moved to approve the February 6, 2024, meeting minutes, seconded by Councilor Coppola.

Those voting in favor: Mayor Kaczynski, Councilor Atkinson, Councilor Coppola, Councilor Paonessa

Vote being: 4-0. (MOTION CARRIED)

1. Noise Ordinance – Discussion

Town Manager Jayawickrema introduced the Draft Noise Ordinance (dated 2/19/24) stating that it is a comprehensive document with clear definitions, enforcement procedures, and other criteria.

Corporation Counsel Donofrio provided the following answers from questions from the committee members.

* The town ordinance must have standards that are at least as stringent as the state statute.
* The draft is similar to neighboring towns who have a noise ordinance, including the decibel levels, exclusions and exemptions, and zones.
* Without a town noise ordinance, the state noise ordinance cannot be enforced.
* About a quarter of Connecticut towns currently have a noise ordinance.
* If a town does not have a noise ordinance in place and receives a complaint, the handling of the situation depends on the nature of the complaint. If the noise disturbance is considered to disrupt the peace, the police would respond to the complaint. For private nuisance complaints, the town would take measurements to assess the noise levels, ensuring they do not exceed acceptable decibel limits.

Currently the town does not own equipment to measure sound. Town Manager Jayawickrema explained that in the past the town has borrowed equipment. Further exploration needs to be made into the cost of purchasing equipment for the town as well as training the police on how to use it.

Mayor Kaczynski expressed concern about how the town would proceed without a noise ordinance in place if there was a problem and a company or resident did not resolve it on their own. Currently, the police are powerless when they receive a noise complaint. Councilor Paonessa agreed, stating that noise issues have been an ongoing problem and will continue, and could possibly get worse.

In addition to the committee members reviewing the Draft Noise Ordinance, it will be shared with Chief McNally for his review. An invitation will be extended to Chief McNally to attend the next ordinance meeting.

1. Abatement of Property Taxes for Any Property used for a Childcare Center or a Licensed group Childcare Home Owned by a Person, Persons, Association, Organization – Discussion

Town Manager Jayawickrema shared a current list of all active licenses issued in town. There are four daycares run by homeowners, three daycare centers, and five others that are tax exempt. The total real estate and personal taxes paid in 2022 for all businesses was $166,861.18. A Town of Berlin Tax Abatement Policy Program chart was provided to give an understanding on how much the town abates.

Mayor Kaczynski is concerned that tax abatement savings will not be passed down from the daycare owner to their clients helping to lower the cost of daycare for parents. Councilor Coppola and Councilor Atkinson both agreed.

1. ADJOURNMENT – 6:23pm

Councilor Atkinson moved to adjourn at 6:23 PM, seconded by Councilor Paonessa.

Those voting in favor: Mayor Kaczynski, Councilor Atkinson, Councilor Coppola, Councilor Paonessa

Vote being: 4-0. (MOTION CARRIED)

Next Meeting date: To Be Determined

Respectfully Submitted by Robin Evans