

MINUTES
TOWN OF SOUTHINGTON
ORDINANCE REVIEW COMMITTEE

Wednesday, June 20, 2018 at the Southington Town Hall
75 Main Street, Southington, CT 06489

Call to Order

Chairwoman Cheryl Lounsbury called the meeting to order at 4:30 pm.

Committee Members Present: Chairwoman Cheryl Lounsbury, Anthony D'Angelo, Christopher Palmieri, Victoria Triano, Patricia Queen, James Morelli, Zaya Oshana, Deputy Chief William Palmieri

Committee Members: Absent: Susan Locks

Minutes were approved to accept the April 18, 2018 minutes.

Update on the youth council proposal regarding candy cigarettes: Kelly Leppard from STEPS was not available tonight to continue discussion.

Christopher Palmieri- this matter does not need to go to town council, banned substances list would need to be constantly changed, so this would need to go through the board of police commissioners.

Update on the use of the town seal matter.

Attorney Futtner explained the different proposals, one is a policy one is an ordinance. Because the town seal is already in the public domain, it would be very difficult to regulate its use at this point. One way to go would be to amend the ethics code, so that town employees and town officials cannot use the town seal. Another would be to adopt a policy like some towns have been doing, it would not be enforceable but would be a general statement that the town seal would not be able to be used except for official town business or as approved by the town clerk.

Victoria Triano- least restrictive is the way to go. Have partisan concerns over elected official being in charge of making decisions. As written submissions would need to be approved by the Town Clerk. I believe this should be handled by the Town Manager as had been discussed since the Town Clerk is an elected official.

Patricia Queen-trying to create a culture where the town seal is not misused.

Chairwoman Lounsbury- would imagine organizations such as the boyscouts would not misuse the town seal.

Anthony D'Angelo- the town seal had been used in an election.

James Morelli- agreed with cultural perception, its always going to be the one who you don't want to use the town seal who would use it anyway.

Zaya Oshana- there is the possibility of embarrassment.

Patricia Queen- especially at election time there is the issue of appropriateness.

Christopher Palmieri- discussion on the difference between policy and regulation in the Board of Education.

Patricia Queen- explained the different roles of policy versus regulation on the Board of Education.

Christopher Palmieri- Does not think people willingly misuse the town seal, but maybe they just did not know that they did

Patricia Queen- Questioned whether this matter would have to go back to the Town Council.

Christopher Palmieri- confirmed that it would.

Victoria Triano- made a motion to refer the use of the town seal policy with an amendment that language relating to approval of use of town seal be changed from the office of the town clerk to the office of the town manager, to the Town Council.

By a majority decision, the motion passed.

Update on burning in yard issue.

Chairwoman Lounsbury- this has been a neighbor versus neighbor issue in lieu of new chief probably going to revisit this issue in approximately six months.

Victoria Triano- explained she had received a letter from a community member that the issue was ongoing, stated fire department has been very responsive in reacting to the calls.

Excessive Police Calls Update

Deputy Chief Palmieri- reviewed number reports from May including breakdown of calls received by the police department.

Chairwoman Lounsbury- asked to review policy.

Deputy Chief Palmieri- reviewed his draft policy, it is not a cure-all but continues to come up, need to make a decision between whether it's the right thing to do or not.

Chairwoman Lounsbury- we are all here for the best interest of the town.

Attorney Futtner- reviewed legal position. There are issues relating to fair housing act, discrimination issues.

Chairwoman Lounsbury- state won't take it sitting down, do not want a black eye for town, or possibility of legal fees.

James Morelli- take a practical approach. This has been a drain on the community, it needs to be addressed as a community. They want to be a good neighbor, there are resources out there. Do not think its discriminatory to have the group home pay for excessive calls.

Deputy Chief Palmieri- the people running the group home seem focused on doing whats right. Its DCF that is responsible for placing the people that live there.

Victoria Triano- we are not targeting the residents, this is targeting the business. I do not see this as discriminatory.

Anthony D'Angelo- asked if there's other areas in town where we see excessive police phone calls.

Deputy Chief Palmieri- no other areas like this. Domestics would not count under the policy as written. Have to take a look at what calls of service would qualify.

Discussion re: what calls would qualify.

Deputy Chief Palmieri- discuss which calls at Birchcrest Drive would qualify under the draft policy. Many calls are juveniles running away. Not having a lot of crime.

Chairwoman Lounsbury- asked regarding this year versus last year, would Birchcrest home be fined under draft policy?

Deputy Chief Palmieri- broke down past few fiscal years, discuss maximum fine.

Chairwoman Lounsbury- would need to let property owner know.

Deputy Chief Palmieri- confirmed the police would notify property owner, discussed how breakdown of responsible party would be.

Victoria Triano- discuss concerns over DCF, have not been able to meet with commissioner, the chronic runaway issue, exhausted everything we possibly can, this has extended the police department, the time, the amount of hours the Deputy Chief has been working on this.

Deputy Chief Palmieri- has reached out to other homes, this is a societal problem, DCF has only so many homes, there are legitimate concerns on whether ordinance would hold up through litigation, it's a fact theres a lot of calls, but theres not a lot of crimes, big issue is runaways, we all have the best interest of the children at heart.

Discussion on caution that Committee keeps talking specific to Birchcrest.

Patricia Queen- questioned whether there would be a swath of properties that would exceed the calls on draft policy.

Deputy Chief Palmieri- does not think so. You need to factor in the exceptions as written.

Zaya Oshana- discussion on nuisance abatement laws, property values, ability to live lives the way neighbors want. Asked whether neighbors have any rights.

Chairwoman Lounsbury- if this were to go to court, what other businesses have reached the 25 calls threshold.

Deputy Chief Palmieri- will look at numbers for need meeting. Everyone needs to read and consider all this.

Zaya Oshana- asked if there are other group homes in town.

Deputy Chief Palmieri- confirmed there are, but there are different types.

Patricia Queen- questioned whether group homes in other towns are having similar issues.

Deputy Chief Palmieri- will follow up on other towns.

Patricia Queen- ask other towns what they are doing about it. Ask experts what their opinion is.

Christopher Palmieri- ask town attorney now that we have more solid information, see if there are any other towns that have similar ordinance.

James Morelli- can we find next closest five violators, see if there are other places approaching this level of phone calls as Birchcrest.

Deputy Chief Palmieri- will do a comparison with other homes. Will look at our top ten numbers. Cautioned against lowering threshold. Like to do more than less.

Victoria Triano- thanked chief for extending himself again. We owe it to community to make a decision at the next meeting.

Deputy Chief Palmieri- maybe do a workshop in meantime at police department before next meeting.

Patricia Queen- if the argument is excessive drain on resources, the organization should have a line item for that.

Deputy Chief Palmieri- police department is not designed to create a profit. If we try to start making people pay for police services, we are not on solid ground.

Victoria Triano- moved to adjourn meeting at 5:30 pm. Seconded by Zaya Oshana. Motion approved unanimously.