

Town of Montville Town Council
Public Hearing Minutes for Thursday, May 1, 2014
6:00 p.m. – Montville Town Hall – Town Council Chambers

1. Call to Order
Chairman Jaskiewicz called the meeting to order at 6:00 p.m. after establishing a quorum.
2. Pledge of Allegiance followed by a moment of silence in honor of our military.
3. Roll Call
Present were Councilors Caron, May, Pollard, and Jaskiewicz. Absent were Councilors McNally due to work, Longton, and Tanner. Also present was Mayor Ronald McDaniel.
4. Public Hearing

TOWN OF MONTVILLE
NOTICE OF ORDINANCE HEARING

The following Ordinance, copies of which may be obtained at the office of the Town Clerk during office hours, was introduced at a regular meeting of the Town Council held April 14, 2014 and a public hearing thereon and for its consideration by the Town Council will be held at Town Hall Council Chambers, May 1, 2014 at 6:00 P.M.

**AN ORDINANCE OF THE TOWN OF MONTVILLE, CONNECTICUT PROVIDING FOR
A SLOW-NO-WAKE ZONE IN GARDNER LAKE**

WHEREAS, the body of water commonly known as Gardner Lake is located within the territorial limits of the Towns of Montville, Salem and Bozrah, Connecticut; and

WHEREAS, Connecticut General Statutes § 15-136 provides that any town, by ordinance, may make local regulations respecting the operation of vessels on any body of water within the Town's territorial limits; and

WHEREAS, the Town of Montville desires to protect the health, safety and welfare of its boating citizens and guests by regulating the operation and speed of vessels within that portion of Gardner Lake within the Town of Montville.

NOW THEREFORE, THE TOWN OF MONTVILLE HEREBY ORDAINS:

Section 1. No person shall operate a vessel in excess of "Slow-No-Wake" between Minnie Island and the eastern shore of Gardner Lake in the area north of a line running west to east from the southernmost point of the island to the shore, and south of a line running from west to east from the northernmost point of the island to the shore. The definition of "Slow-No-Wake" is as defined in § 15-121-A1 (j) of the Regulations of Connecticut State Agencies, as amended from time to time.

Section 2. Any person who shall violate the provisions of this Ordinance shall be subject to a fine in an amount not to exceed One Hundred (\$100) Dollars pursuant to § 15-139(b) of the Connecticut General Statutes. Each violation shall be considered a separate, repeat offense and subject to a separate fine. A fine not to exceed \$100.00 shall be imposed for each repeat offense. The Montville Police Department shall enforce this Ordinance on behalf of the Town of Montville.

Section 3. This Ordinance shall become effective upon the latest to occur of all of the following events: (1) thirty (30) days after this Ordinance is adopted by the Montville Town Council; (2) publication of the Ordinance in a newspaper having general circulation within the Town of Montville and posting of the Ordinance in the affected area in accordance with § 15-138 of the Connecticut General Statutes; and (3) sixty (60) days after submission of this Ordinance to the Commissioner of Department of Energy and Environmental Protection, provided said Commissioner does not disapprove of this Ordinance within said sixty (60) day period.

Dated at Montville, Connecticut this 15th day of April 2014

Lisa Terry, Montville Town Clerk

Chairman Jaskiewicz asked if there was anyone present who would like to speak regarding the proposed ordinance.

Mike Magliano, 157 Doyle Road, Oakdale, owner of the land adjoining Minnie Island, spoke with regards to the safety reasons for the Ordinance. Following a visit by the DEEP, it was realized that this particular area in which No-Wake-Zone buoys had been placed was not covered under the No-Wake-Zone. As the result, the area has become dangerous to those participating in recreational activities, i.e., swimming, fishing, boating, etc., in this area due to the area's low visibility.

Kate Johnson, 87-G Cottage Road, Oakdale, spoke in full support of the Ordinance, referencing her letter dated April 14, 2014, which was read into the record at the April Town Council Meeting. She questioned a change made to the original draft of the Ordinance regarding the patrolling of the Lake and asked what would happen should Montville Water Patrol no longer patrol the Lake and if the Town is required to patrol the Lake. Chairman Jaskiewicz stated that yes, the Ordinance can be amended and Mayor McDaniel responded that the Town of Montville is currently under contract to patrol the Lake and are not required to do so. He added that the offense would be a criminal offense rather than civil penalty that is enforceable by the Montville Police Department, making it a more serious offense.

Chairman Jaskiewicz asked three times if there were any additional persons from the public who would like to speak regarding the proposed ordinance.

5. Adjournment

The Public Hearing was closed at 6:07 p.m.

Respectfully Submitted by:

Agnes Miyuki, Recording Secretary for the Town of Montville

AN AUDIO RECORD OF THE MEETING IS ON FILE IN THE MONTVILLE TOWN CLERK'S OFFICE