Call to Order / Pledge of Allegiance

Alderman Anglance called the meeting of the Board of Aldermen to order at 7 p.m. All those present stood and pledged allegiance to the flag.

Roll Call

Alderman John F. Anglance, Jr., President – present
Alderman Lynne Farrell – present
Alderman John “Jack” Finn – present
Alderman Stanley Kudej – present
Alderman Noreen McGorty – present
Alderman John P. Papa – present
Alderman Eric McPherson – present
Alderman Anthony Simonetti – present

Administration:

Corporation Counsel Tom Welch

PUBLIC PORTION

Judson Crawford, 8 Jordan Avenue

When this Board of Aldermen took office, it was stated that all meetings would be held under Robert’s Rules of Order. I have a question that I am proposing for the Board of Aldermen. It is pertaining to the Executive Session portion of this evening’s meeting; Item 11.5: Purchase of Open Space. Per the reading of the eleventh edition of Robert’s Rules of Order, “the minutes or records of the proceedings must be read and acted upon only in Executive Session”. If this body acted in favor of this purchase, how can you see this is following Robert’s Rules of Order when the Finance Department, the City auditors, and all of the great citizens of the City of Shelton, CT, were not requested to stay and listen to the Executive Session portion of your meeting? The main thing is that you have the Finance Department and the City auditors that have to carry out your wishes. If they are not here, how are you following Robert’s Rules of Order? Thank you for your time.
Alderman Anglace: Mr. Crawford, as you know we do not respond, we just listen to what you have to say.

**Gerry Bloom, 24 Fairfield Avenue**

I would request that in the future, the City of Shelton ceases to promote religion on public property. Specifically, you have been for some time displaying manger scenes, and statues of angels beneath the American flag in public parks. To me, I find that repulsive and unconstitutional. With being specific around Constitution Park, Constitution Boulevard South and Long Hill Avenue, for a month there was a beautiful light sculpture of angels with halos, wings and trumpets blowing horns right beneath the American flag. It is obvious that the City of Shelton is promoting a religion. You should probably all know the First Amendment to the Constitution deals with the separation between church and state. The government cannot promote or forbid religion; I think we all have heard about that. That is essentially all that I have to say.

**Add-Ons**

Alderman Papa MOVED to add the following items to the agenda:

**FINANCIAL BUSINESS - OLD**

**8.2 FUNDING FOR PARKS & RECREATION VEHICLES**

**LEGISLATIVE – NEW**

**10.1 ITEMS TO PUBLIC HEARING**

**10.1 E AMENDMENT TO CODE OF ORDINANCES CHAPTER 3 ARTICLE III ANTI BLIGHT SEC. 3-41 TO SEC. 3-45**

SECONDED by Alderman Finn. A voice vote was taken and the MOTION PASSED unanimously.

**Agenda Items**

**MINUTES FOR APPROVAL**

Alderman Papa MOVED to waive the reading and approve the following meeting minutes:

1. Regular Full Board Meeting- December 11, 2014
2. Special Meeting – December 17, 2014

SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED unanimously.
Minutes can be viewed on the city website: www.cityofshelton.org.

5.1  FINANCE COMMITTEE

5.1.1 MAYOR’S SALARY SURVEY

Alderman Kudej MOVED, per the recommendation of the Finance Committee, to accept the recommendations of the Consultant, David J. Dunn, with respect to the salary survey for the position of Mayor of the City of Shelton.

Further, refer the Code of Ordinances as amended to public hearing.

SECONDED by Alderman Simonetti.

Discussion:

Alderman Anglace: Obviously, you will know that you will have to accept the report of the consultant before we can refer it, so that is what we are doing.

A voice vote was taken and the motion PASSED unanimously.

5.2  PUBLIC HEALTH & SAFETY COMMITTEE

5.2.1 UPGRADE OF STREETLIGHT POLE #336 AND POLE #737 IN FRONT OF FIRE STATION AT 379 CORAM AVENUE – REQUESTED BY BOFC

A. Alderman Papa MOVED, per the recommendation of the Public Health & Safety Committee, to authorize the increase of watts for Pole #336 at 379 Coram Avenue from 100w HPS Cobra Head to 175w MH Cobra Head at a cost of $280.70 per year with funding to come from Street Lights Account #001-4600-716.35-03.

B. Alderman Papa MOVED, per the recommendation of the Public Health & Safety Committee, to authorize the increase of the watts for Pole #737 at 379 Coram Avenue from 100w HPS Cobra Head to 175w MH Cobra Head at a cost of $280.70 per year with funding to come from Street Lights Account #001-4600-716.35-03.

SECONDED by Alderman McPherson.
Discussion:

Alderman Papa: This was requested by the Board of Fire Commissioners.

Alderman Finn: Alderman Anglace, this request was made due to the fact that the Captain of the Echo Hose Fire Department, was performing Fire Police duties in front of the firehouse and a car did not stop and struck him. This is going to illuminate the area around the fire station.

Alderman Anglace: I think that was a good suggestion.

A voice vote was taken and motions PASSED unanimously.

5.3 STREET COMMITTEE

No items.

REPORT OF THE MAYOR - none

REPORT OF THE PRESIDENT - none

6.0 LEGAL REPORT

6.1 CORPORATION COUNSEL BILLING

Alderman Papa MOVED to authorize a total payment of $4,930.90 to Corporation Counsel Welch, Teodosio, Stanek and Blake, LLC, for services rendered per statement dated January 1, 2015, with funds to come from the following Legal Services Accounts:

- Legal Fees 001-1900-411.30-03 $3,781.25
- Foreclosure Fees 001-1900-411.50-01 $1,149.65

SECONDED by Alderman Finn. A voice vote was taken and the MOTION PASSED unanimously.

6.2 ASSISTANT CORPORATION COUNSEL BILLING

Alderman Papa MOVED to authorize a total payment of $206.25 to Assistant Corporation Counsel Ramon Sous for services rendered per statement dated January 1, 2015 with funds to come from the following Legal Services Accounts:
SECENDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED unanimously.

7 LEGISLATIVE - OLD

7.1 ITEMS FROM PUBLIC HEARING
7.1 A NO ITEMS

8 FINANCIAL BUSINESS OLD

8.1 RECISSION OF FUNDING FOR ITEM 9.2 OF MAY 8, 2014 MEETING AND REAPPROPRIATION OF FUNDS

Alderman Papa MOVED to rescind the funding source of General Fund Surplus for Item 9.2 Purchase of New Dump Trucks, Plows and Storm-related Items which was passed at the May 8, 2014 meeting.

Further move to appropriate $600,000 for the purchase of dump trucks, plows and storm-related items with funding to be provided by bonding pursuant to Section 7.16 of the City Charter.

SECONDED by Alderman Kudej.

Discussion:

Alderman Anglace: This came from the General Fund Surplus, and what we are doing are bonding it, because that has always been the consistent practice.

Alderman Finn: Will we have those trucks and plows this winter, or next winter?
Alderman Anglace: My understanding is that they are coming in this year.

A voice vote was taken and motion PASSED unanimously.

8.2 FUNDING FOR PARKS & RECREATION VEHICLES

Alderman Papa MOVED to appropriate funding in the amount of $29,885 from aldermanic bonding pursuant to Section 7.16 of the City Charter for the purchase of Parks & Recreation Vehicle(s).

SECONDED by Alderman Finn.

Discussion:
Alderman Anglace: What are these vehicles?

Alderman Papa: We passed the $50,000 last month for the dump truck for Parks and Recreation. The balance due was $79,000.

A voice vote was taken and the motion PASSED unanimously.

9 FINANCIAL BUSINESS NEW

9.1 JANUARY STATUTORY REFUNDS

Alderman Papa MOVED that the report of the Tax Collector relative to the refund of taxes for a total amount of $1,792.60 be approved and that the Finance Director be directed to make payments in accordance with the certified list received from the Tax Collector with funds to come to from Statutory Refunds Account 001-0000-311.13.00.

SECONDED by Aldermen Kudej. A voice vote was taken and the MOTION passed unanimously.

* Alderman Anglace: As I am thinking, did we ever make mention of the fact that the Tax Collector has retired after 40 years of service?

Alderman Simonetti: There was a party for her.

Alderman Anglace: Did we officially thank her?

Atty. Welch: No you did not do it at a meeting.

Alderman Anglace: If the board will permit me, I would like to say that Debbie Onderko, who has served 40 years with the City of Shelton, has officially retired. On behalf of the Board of Aldermen, I would like to thank her for her meritorious service over those 40 years of excellent service. I just want to wish her good health, happiness and prosperity in her retired years. On behalf of the board, I would like to move that we adopt that resolution thanking her for her service.

SECONDED by Alderman Simonetti. A voice was taken and the motion passed unanimously.

9.2 FUNDING FOR CAMA SYSTEM SOFTWARE FOR TAX ASSESSOR’S OFFICE-
WAIVER OF BID

Alderman Papa MOVED, per the recommendation of the Purchasing Agent, to waive the bidding process for the purchase of a Computer Assisted Mass Appraisal (CAMA) system software for the Tax Assessor’s Office.
Further move to approve the proposal by and between the City of Shelton and Vision Government Solutions in an amount of $45,000 for the purchase of the CAMA system software with funding to be provided by bonding pursuant to Section 7.16 of the City Charter.

Further authorize Mayor Mark A. Lauretti to execute any and all documents necessary to effectuate said agreements.

SECONDED by Alderman Simonetti.

Discussion:

Alderman Anglace: I would like to ask for the Board’s permission to call upon William Gaffney, Tax Assessor, to give us an overview and explanation of the process before we ask any questions.

William Gaffney: Currently, we had an antiquated system in our office that has been around since the 1980s. According to our IT person, he is leary that with upgrading our servers and any other computer systems that we incorporate, that this system will not work on it. Our sketches are doss and our system is antiquated; it works. We are only one of two in Connecticut that have this KVS system: Shelton and Naugatuck-Naugatuck left so no one else has it. The Vision is implemented in about 110 cities and towns in Connecticut. I am familiar with this system; I had it in Milford, Westport and in Fairfield. They have upgraded it since I have used it but with that being said, we are going to have some issues converting. It is not as easy as we think it is, and that is what I am nervous about. I need to start this now because our reevaluation is going to happen October 1, 2016. I need to get it done now, or attempt to get this done so my office can start to work on it quickly. One of the problems that we are going to have now is double input our information into the old and new system just in case the system fails. I do not want to have a problem arise around the October 1 reevaluation. It is a lot of work for us but according to our IT person, it is a necessary thing to do. Besides that being one issue, the second issue is with the Mayor’s approval or your approval; we will be able to go online with our field cards. Everyone else in the state does it but us. Then the appraiser, the realtor can go online to look at our records, etc.

With that being said, we need to move on this for a bid waiver because this is the best company. I know the other two companies and their systems. They are not quite up to par with Vision. Vision has been around for a very long time, and their system is adaptable to assessors.

Alderman Papa: Once we approve this, you said it takes this system over 1 year to implement?

William Gaffney: I do not know. They have only done one other conversion from KVS to their system and that was Stamford, which was 10 to 15 years ago. There are new people at Vision, and the Assessor in Stamford has just retired so I am not sure how long
it is going to take. If they have to do all of our 15,000 or so sketches and they have to
go into their system and do them manually, it is going to be a while.

Alderman Papa: Do you think you will be ready by the 2016 reevaluation?

William Gaffney: I hope so; I need to be ready before that. I have done three
conversions, and one of the issues that I have is that we cannot match. If it were for
2015, I would implement it. The reason that I do not implement it is because by statute
I cannot change values of properties. Typically when you do a conversion, you are going
to have a difference in values on everybody’s property. I am not able to do that, so I
have to maintain our system through this conversion. I am hoping that this conversion is
done in 5 or 6 months, and then have my staff work on it to get the training. While
simultaneously, to get the old system active just in case something happens.

Atty. Welch: To add, it is much more user-friendly to the people that come into the
Assessor’s Office. As Mr. Gaffney has indicated, you do not have to come into the
Assessor’s Office anymore because all of the field cards are online.

Alderman Anglace: One of the things that we are being asked to do is to waive bids. Did
I hear you say there is more than one company that offers this software?

William Gaffney: There is one other company that began, that their software was
implemented five years ago and it is only in a couple of towns.

Alderman Anglace: Is it the same software? Is there more than one software that is
used by most of the towns in Connecticut, which is offered by more than one company?
If there are two companies that offer the same software, I want to know why we are not
going out to bid?

William Gaffney: I am attempting to not go out to bid because I am familiar with the
other softwares.

Atty. Welch: There are three separate softwares; they are not producing the same
software.

William Gaffney: They eventually produce the same result. It is different technologies.

Alderman Anglace: So otherwise, you do not have two companies that offer the same
systems. They offer different systems, so you have evaluated more than one company
and the system that they offer. This is the system that you want, and only one company
offers this system.

William Gaffney: That meets our criteria, correct.

Alderman Papa: Bill, are you familiar with the systems in other towns you have worked
in?
William Gaffney: Yes.

Alderman Papa: You have used this before so that is why you are recommending this?

William Gaffney: Correct.

Alderman Anglace: They want $45,000 for the purchase of the system, but I want the board to realize that there are other costs involved. This is the initial cost to get us into the system. There will be other costs associated with it.

Alderman Simonetti: Who is going to do the conversion? Your staff?

William Gaffney: Vision will do that.

Alderman Simonetti: So, you will be maintaining our system while they do that?

William Gaffney: Yes.

Alderman Anglace: If you do not have the money in your budget then you will probably have to come back to us, to ask for more money to effect the conversion over time.

Alderman Simonetti: Does this include the conversion?

William Gaffney: It includes the conversion. This $45,000 includes the conversion of all of our data to their system.

Alderman Simonetti: The $7,500 is due 90 days from system acceptance. That is another cost.

William Gaffney: That is the yearly maintenance, which is cheaper than what we are paying for right now.

Alderman Simonetti: Do you already have money in your budget for this?

William Gaffney: I do not have money in my budget for this, as of right now. I would probably need more in 2016.

Atty. Welch: You have maintenance money in your budget, so it is going to be the same.

William Gaffney: KVS is more expensive than this on the maintenance. In the City of Shelton, the Building Department, Tax Collector’s Office, Engineering, Sewer has our system. There are other users, but it is just a look and see and just no input for them. Showing them how the system works should not be a cost.

Also, I do not even know if I am going to use their personal property; I may just keep what I have so that is not an extra cost right now. Integrated GIS module and GIS maintenance- I do not know what we are doing with GIS. If I do put it on Vision, the only
reason I would put it on Vision because if someone were to look rather to look in the Shelton website and they are in my CAMA system, they would click out of GIS and take a look and the maps would all be there. It is not necessary for me to have it unless the City is not going to have it through COG.

Alderman Simonetti: Is 10 users enough?

William Gaffney: I have $25,000 for the 20-user license on the front page, so that is included in the $45,000.

Alderman McGorty: How long do you plan on running the systems parallel?

William Gaffney: Until the final numbers come out to where I need them to be for that reevaluation. It is not going to be easy. I know it is going to be a nightmare for my office. Plus, my office is so used to the KVS system for at least 25-30 years.

A voice vote was taken and the motion PASSED unanimously.

9.3 DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT (DECD) GRANT FOR THE CHROMIUM PROCESS SITE ABATEMENT PROJECT

Alderman Papa MOVED to approve the following resolution:

WHEREAS, the City of Shelton has received a grant from the State of Connecticut, Department of Economic and Community Development, in the amount of $1,019,470 towards the remediation and demolition of the Chromium Process building 113A/113 Canal Street, its annex and boiler building and land around and below the buildings as needed.

NOW, THEREFORE, be it resolved that the City of Shelton authorize the Mayor to sign any and all agreements and contracts necessary to implement this grant and the City of Shelton designates the Shelton Economic Development Corporation as the implementing agency for this program. Also, the City of Shelton authorizes costs incidental to this project including but not limited to legal, administrative, engineering, inspection, testing and related costs as further detailed in this project.

Be it further resolved that the City of Shelton appropriates the amount of $25,000.00 to come from General Fund Surplus to be applied towards costs not included in the State award related to the administrative and legal costs associated with the project, for the costs expected during the first year of the project.

Further adopt the Clerk’s Certificate and nondiscrimination clause in its entirety.

SECONDED by Alderman Simonetti.
Discussion:

Alderman Anglace: Just as an observation, the State is giving us $1,000,000 and our share is $25,000.

A voice vote was taken and motion PASSED unanimously.

9.4 **FUNDING FOR PURCHASE OF POLICE PATROL VEHICLES**

Alderman Papa MOVED to appropriate $157,407.52 for the purchase and outfitting of four police patrol vehicles with funding to be provided by bonding pursuant to Section 7.16 of the City Charter.

SECONDED by Alderman Kudej. A voice vote was made and the motion PASSED unanimously.

9.5 **FUNDING FOR ARCHITECTURAL/ENGINEERING FEES FOR SUNNYSIDE ROOF REPAIR PROJECT**

Alderman Papa MOVED to approve the agreement between Silver PetruCELLI & Associates and the City of Shelton for architectural and engineering services for the Sunnyside School roof replacement with funding in amount of $20,600 to be provided by bonding pursuant to Section 7.16 of the City Charter.

Further authorize Mayor Mark A. Lauretti to execute any and all documents necessary to effectuate same.

SECONDED by Alderman Finn. A voice vote was taken and motion PASSED unanimously.

10. - LEGISLATIVE - NEW

10.1 **ITEMS TO PUBLIC HEARING**

**10.1 AMENDMENT TO CODE OF ORDINANCES CHAPTER 2 ARTICLE IV, DIVISION 2 MAYOR, SECTION 2-121**

*Public Hearing scheduled for January 27, 2015 at 7 p.m. at City Hall.*

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SHELTON TO AMEND SECTION 2-121(b) AND (c) OF THE CODE OF SHELTON ORDINANCES AS FOLLOWS:

NEW (b): An annual salary of one hundred nineteen thousand one hundred ninety six ($119,176.00) dollars shall be established for the position of Mayor as of November 17, 2015 to November 22, 2016; one hundred twenty nine thousand two hundred ninety three ($129,293.00) dollars for the period November 23, 2016 to November 21, 2017 and one hundred thirty five thousand six hundred fifty nine ($135,659.00)
dollars commencing November 22, 2017. Thereafter, such salary shall be adjusted each year during the third week of November based upon a cost of living adjustment as determined by the U. S. Bureau of Labor Statistics Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W).

NEW (c). The Mayor's salary shall be updated in November 2021 and every six (6) years thereafter by conducting a survey using the rationale employed by the city wage and salary consultant, using the latest Connecticut Conference of Municipalities (CCM) Salary Survey data among cities of like population groupings. Further, that the consultant compares ability to pay, grand list equalization and internal salary comparison data to arrive at a recommended salary.

10.1 B. AMENDMENT TO CODE OF ORDINANCES CHAPTER 2 ARTICLE I SEC. 2-18
PROCEDURE TO SELL CITY PROPERTY

Public Hearing scheduled for January 27, 2015 at 7 p.m. at City Hall.

BE IT ORDAINED BY THE BOARD OF ALDERMEN THAT:

Procedure to Sell City Property

A. Definition:

From time to time the City may be asked or may decide to sell real property owned by the City and hereby determines that a procedure shall be provided regarding the sale of said real property. Said procedure pertains only to property which the Board of Aldermen considers "significant".

"Significant" shall be defined as the sale of real property which has a fair market value in excess of ten thousand ($10,000.00) dollars.

B. Initial Determination by the Board

1. If a request is received by the Board of Aldermen requesting the City to sell City owned real property and the Board of Aldermen determine that the Board has an interest in selling said property or if the Board of Aldermen decides to sell City owned real property, the procedure set forth in subsection (C) shall be followed.

2. The administrative assistant or his/her designee shall administer this procedure.

C. Procedure
1. The Board of Aldermen shall request from the Conservation Commission and Parks & Recreation Commission their written opinion regarding said sale.

2. The Administrative Assistant or his/her designee will request an 8-24 referral from the Planning and Zoning Commission.
   
   a) If the 8-24 is favorable to sell, the process will continue.
   
   b) If the 8-24 is unfavorable, the Board of Aldermen must override the unfavorable by a 2/3 vote in order to proceed.

3. A property appraisal shall be secured by the Administrative Assistant or his designee. Any appraisal received shall not be disclosed publicly until after the sale has been completed.

4. The Board of Aldermen shall hold a public hearing in accordance with P.A. 07-218, when applicable. Following the public hearing, a Special Meeting will be held to consider and decide if the Board of Aldermen wishes to proceed with the sale process.

5. The next step is to advertise that the City is accepting bids with a cutoff date to receive sealed bids subject to any deed restrictions and/or conditions the Board deems appropriate. Each bid must be accompanied with a check equal to ten (10%) percent of the amount bid.

6. The Purchasing Agent would publicly open the bids and determines the highest, responsible bidder. The Board of Aldermen reserves the right to reject any and all bids.

7. The Board of Aldermen considers the bids and votes to accept or reject.

Note: Specifically excluded from this process is the sale of real property located within the Redevelopment Plan or a Municipal Development Plan as designated by The Board of Aldermen and any other parcel of real estate not within said plan but determined by The Board of Aldermen to be within the City's best interest to exclude such parcel from said process. The Board of Aldermen shall determine the process of the sale of real property located within a Redevelopment Plan or a Municipal Redevelopment Plan on a case by case basis taking into consideration any grant and statutory requirements and with regard to other parcels so excluded, The Board of Aldermen shall determine the process of the sale of real property on a case by case basis taking into consideration the most practical and reasonable process for disposition.
10.1 C. AMENDMENT TO CODE OF ORDINANCES CHAPTER 3 ARTICLE II
PERMITS SEC. 3-28

Public Hearing scheduled for January 27, 2015 at 7 p.m. at City Hall.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SHELTON TO REVISE
SECTION 3-28. FEE SCHEDULE AS FOLLOWS:

Section 3-28. Fee Schedule

(a) Permit fees for all construction and mechanical (electrical, plumbing, heating)
work performed within the city shall conform to the following fee schedule:

Minimum fee, all permits......................................................... $ 10.00
Certificate of Occupancy....................................................... $ 24.00
Mobile home inspection (Public Act Number 76-143)........... $ 30.00
Demolition permit: Estimated value based on twenty-five
(25) percent of assessed structure value.

(b) All building department permits:

First thousand, per hundred.................................................$ 2.00
Everything above $1,000.00, per thousand or fraction thereof....$ 10.00

The foregoing shall be based upon the following per square foot cost:

Residential

1st Floor.......................................................................$ 80.00 SF
2nd Floor.......................................................................$ 60.00 SF
Finished Basement......................................................... $ 25.00 SF
Garage........................................................................... $ 40.00 SF
Open Deck..................................................................... $ 24.00 SF
Enclosed Deck................................................................. $ 30.00 SF
Shed............................................................................... $ 10.00 SF
Room Over Garage.......................................................... $ 60.00 SF
Carport.......................................................................... $ 30.00 SF
Barn.............................................................................. $ 40.00 SF

Commercial

First Floor.......................................................................$ 100.00 SF
Second Floor...................................................................$ 60.00 SF
(c) Processing & Handling Fee (Used for Technology)
   For all permits..........................................................$ 5.00

(d) Search Fee: For any request of records which exceeds
   5 years and stored off-site, there shall be a search fee of....$ 20.00

10.1 D AMENDMENT TO THE CODE OF ORDINANCE CHAPTER 16 ARTICLE II SECTION
16-27.1 COMMERCIAL VEHICLE PARKING

The below amendments were not referred to Public Hearing.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Operator shall mean the person operating or in control of a vehicle on a public highway.

Parking shall mean the standing of a vehicle whether occupied or not upon a highway or upon land areas devoted by the parking authority of the city to the standing of vehicles, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers, or loading or unloading merchandise or when stopped for any traffic regulations, traffic signs or signals.

Vehicle shall mean any device used for conveyance, drawing or other transportation of persons or property, whether on wheels or runs or otherwise, when on a public highway, except those which are operated upon rails or tracks.
(Comp. Ords. 1975, 16.1(1))

Cross references: Definitions and rules of construction generally, 1-2.

Sec. 16-27.1 Commercial Vehicle Parking.

a. For purposes of this section, “commercial vehicle” means:

1. Any vehicle requiring a commercial drivers license (“CDL”).
2. Any motor vehicle which exceeds a gross weight rating in excess of twelve thousand (12,000) pounds or has two (2) rear axles or more.
3. A vehicle, with the exception of those used and housed at approved school or house of worship, designed to transport sixteen (16) or more passengers, including the driver.
4. A “semi-trailer” which means any trailer type vehicle designed and used in conjunction with a motor vehicle so that some part of its own weight and load rests on or is carried by another vehicle.
5. A “tractor” or “truck tractor” which means a motor vehicle designed and used for drawing a semitrailer.

15
6. A “tractor-trailer unit” which means a combination of a tractor and a trailer or a combination of a tractor and a semi-trailer.
7. A “trailer” which means any rubber-tired vehicle without motive power drawn or propelled by a motor vehicle.
8. A “truck” which means a motor vehicle designed, used or maintained primarily for the transportation of property.
9. A “commercial trailer” means any nonmotorized vehicle, whether attached or not attached to a motor vehicle, used in the conduct of a business to transport freight, materials or equipment.
10. A “camp trailer” means any trailer designed and used exclusively for camping or recreational purposes.
11. A “utility trailer” means any trailer designed and used to transport personal property, materials or equipment whether attached or not attached with a gross vehicle weight rating (GVWR) of ten thousand (10,000) pounds or less.
12. A “camper” means any motor vehicle designed or permanently altered in such a way as to provide temporary living quarters for travel, camping or recreational purposes.

b. No commercial vehicle shall be parked on a city street in any residential area/zone, as defined in the City of Shelton Zoning Regulations, or in a public right-of-way longer than one (1) hour, unless said commercial vehicle is actively engaged in the delivery of the specified commercial service, and the parking of such commercial vehicle is necessary to carry out the delivery of services at a specified address within said zone.
c. For a first violation of this ordinance, a written warning shall be issued. For subsequent violations of this ordinance, a ninety-nine dollar ($99.00) fine shall be imposed for each violation that the vehicle(s) is so parked. Each hour shall be an additional violation. In addition, said vehicle(s) may be towed and impounded at the driver's and/or owner's expense.
(Ord. No. 830, 1-3, 9-13-07)
d. There shall be no overnight parking of any commercial vehicle within 75 feet of a residential area.

10.1 E AMENDMENT TO CODE OF ORDINANCES CHAPTER 3 ARTICLE III ANTI-BLIGHT SEC. 3-41 TO SEC. 3-45

Public Hearing scheduled for January 27, 2015 at 7 p.m. at City Hall.

Be it ordained by the Board of Aldermen of the City of Shelton to amend Ordinance #845, 714, #757 and #823 entitled “Anti-blight Ordinance” as follows:

DECLARATION OF POLICY:

This section is authorized pursuant to Connecticut General Statutes Section 7-148 (C)(7)(H)(XV) and Section 7-148aa. The Board of Aldermen hereby finds that the
prevention and remediation of housing blight is essential to the economic well-being of the City and to the health, safety, and welfare of the residents of the City.

(a) **DEFINITIONS**

For the purpose of this section, the following words and terms shall have the following meanings:

1) "Blighted Premises" shall mean any building or any part of a building or structure that is a separate unit, or a parcel of land which is vacant or improved (hereinafter collectively referred to as "Premises") in which at least one (1) of the following conditions exist:

   a) The Premises are determined by the city Building Official, Zoning Enforcement Officer, Anti-Blight Officer, or by health department reports that existing conditions pose a serious or immediate danger to the community, i.e. a life-threatening condition or a condition which puts at risk the health or safety of the citizens of the city.

   b) The Premises are not being adequately maintained. The following factors may be considered in determining whether the Premises are not being adequately maintained: missing or boarded windows or doors; collapsing or missing walls, roof or floor; siding that is seriously damaged or missing; fences in a state of disrepair; fire damage; a foundation that is structurally faulty; garbage, trash, rubbish, boxes, paper, plastic or refuse of any kind; old furniture, bedding, appliances or anything of the like, or abandoned cars, boats, or any motorized vehicle or other inoperable machinery situated on the Premises or the public right of way (unless the premises is a junkyard legally licensed by the State of Connecticut); rodent harborage and/or infestation; overgrown brush, shrubs or weeds (specifically excluding land which is farmland); dumpsters/ on a non-construction site for a period exceeding forty-five(45) days; unauthorized equipment on site (backhoes, bulldozers, dump trucks, etc.); stockpile of wood or stone for a period exceeding forty-five(45) days; which is not intended for use at the Premises or unfinished exterior residential construction projects which shall include the installation of doors, windows, siding and roofing for a period exceeding sixty(60)(90) days.

   c) The Premises have been cited for code violations as documented in the Office of Building Inspection and Enforcement, Housing Code Inspection, Zoning Enforcement Officer's and Anti-Blight Officer's Reports.
d) The Premises have become a place where criminal activity has taken place as documented by police department reports.

e) The Premises are a fire hazard as determined by the fire marshal.

f) The Premises are a factor creating a substantial and unreasonable interference with the reasonable and lawful use and enjoyment of other space within the building or of other premises within the neighborhood as cancellation of insurance on proximate properties.

2) "Building Official" shall mean Building Official as defined in Connecticut General Statute Section 29-260.

3) "Dilapidated" shall mean a building or structure or part thereof that would not receive a certificate of occupancy if applied for.

4) "Director" shall mean the Director of the Office of Community Development for the City of Shelton. The Director may also be the Anti-Blight Officer.

5) "Vacant" shall mean a period of sixty (60) days or longer during which a building or structure or part thereof, or land is not legally occupied or a parcel of land with no structures thereon.

6) "Appeals Board" and/or "Hearing Officer" shall mean the Hearing Officer as defined by section 1-11.1 of the Code of Ordinances.

7) "Legal Occupancy" shall mean occupancy that is legal by virtue of compliance with state building, state fire safety, local zoning, local housing, and all other pertinent codes, which habitation must be substantiated by a bona fide lease agreement, a rent receipt or a utility statement.

8) "Neighborhood" shall mean an area of the city comprised of all premises or parcels of land any part of which is within a radius of four hundred (400) feet of any part of any other parcel or lot within the city.

"Unit" shall mean any space within a building that is or can be rented by or to a single person or entity for his or its sole use, and is intended to be single and distanced space.

b) PROHIBITION OF CREATING OR MAINTAINING BLIGHTED PREMISES
No person, firm or Corporation shall cause or permit blighted premises, as defined herein, to be created or the existence thereof continued on any real property located in the City of Shelton.

c) CERTIFICATION OF LIST OF BLITED PREMISES

1) The Anti-Blight Officer shall require members of the Building Department, Police Department, Housing Department, Zoning Enforcement Officers, Anti-Blight Officer and the Fire Marshal’s Office to report any real property that they are aware of that appears to be blighted to the Anti-Blight Officer.

2) The Anti-Blight Officer shall use this information and any other information on blighted premises that may be available to complete a list of Blighted Premises.

3) The Anti-Blight Officer shall review and certify a list of Blighted Premises. Said director shall either approve, disapprove or modify said list.

4) The Anti-Blight Officer and Director shall inform the Board of Aldermen’s Public Health & Safety Committee at a meeting and at such other times as the Director deems appropriate, of said list.

5) On or about the first of each month, all city department heads shall report any real property they are aware of that appears to be blighted to the Director. The Director shall conduct inspections and prepare and update on a monthly basis a list of blighted premises. A copy of the updated list shall be provided monthly to the aldermanic subcommittee.

d) ENFORCEMENT

1) The Anti-Blight Officer is charged with enforcing this chapter. The Anti-Blight Officer shall undertake regular inspections of the blighted premises for the purpose of documenting continuing blight. The Anti-Blight Officer shall impose a fine of not less than $50.00 nor more than $100.00 for each day that a building, structure or any part thereof or a parcel of land violates this chapter. The fine shall be retroactive to the date that the Anti-Blight Officer, serves the notice of citation to the owner. Each day that the building or structure or the parcel of land is in violation of this chapter shall constitute a separate offense. The Anti-Blight Officer shall impose fines for blight by serving a notice of citation on the owner in accordance with this section and shall notify the Board of Aldermen of the citation and amount of the fine imposed. Further, if the condition which exists on the Premises is similar to a condition which existed in the prior 24 month period on the Premises and was subject to action pursuant to the Ordinance, the Anti-Blight Officer shall impose the maximum fine.

2) The Anti-Blight Officer may prescribe administrative procedures for the purpose of effectuating this section.
3) Notice of Violations; Corrective Action; Appeal; Lien.

a) Once a blighted property is on the list of blighted properties approved by the Anti-Blight Office, the Anti-Blight Officer shall serve a notice of citation on each owner of such blighted property by certified mail or a city sheriff or a state marshal or, in the case of an owner who cannot be identified or one whose address is unknown, by publishing a copy of such notice of citation in a daily or weekly newspaper having general circulation in the City of Shelton. The notice of citation (hereinafter "citation") shall state that the property is cited for violating this section, list the specific violation or violations, set forth the specific amount of the daily fine levied and state that such fine shall be levied from the date of the citation for each day that any listed violation continues unless all violations are corrected by a designated date, which date shall not be more than thirty (30) days from the date of said citation.

b) If all of the violations listed in the citation are not corrected within the initial or extended designated period, as the case may be, or a corrective action plan has not been approved by the Anti-Blight Officer, the Anti-Blight Officer shall send written notice to the person cited. Such notice shall inform the person cited:

   a) Of the alleged violation(s) of this section that have not been corrected and the amount of the fines due and accruing;

   b) That a lien has been filed on the City of Shelton Land Records against the Blighted Premises pursuant to Connecticut General Statutes Section 7-148aa;

   c) That he may contest his liability pursuant to Section 1-11.1 of the Code of Ordinances as to the amount of the fine only before the Hearing Officer by delivering in person or by mail to the Director a written demand for such a hearing within 10 days of the date of said notice set forth above in subsection (b);

   d) That, if he does not timely demand such a hearing, an assessment and judgment shall be entered against him; and the decision of the Anti-Blight Officer shall be final.

   e) That such judgment may issue without further notice.

   f) If the owner does not timely demand a hearing as set forth in section (c) above, and the owner fails to correct and/or remove the blighted condition within the time frame set forth pursuant to Section (d)(3)(a) above, then the City may cause such correction and/or removal of the blighted condition by use of the Public Works Department or
independent contractor engaged by the City at the expense of the
owner of the property. Further, if a hearing is requested and the
hearing officer determines that the owner failed to correct and/or
remove the blighted condition, the hearing officer shall provide the
property owner with an additional ten (10) days to correct and/or
remove the blighted condition. If the property owner fails to correct
and/or remove said blighted condition, the city may cause such
correction and/or removal of the blighted condition by use of the
Public Works Department or by use of an independent contractor
engaged by the city at the expense of the owner of the property.

5) Unpaid fines constitute a lien upon the real estate; payment and
release of fines.

a) Any unpaid fine imposed pursuant to the provisions of this
section shall constitute a lien upon the real estate against
which the fine was imposed from the date of such fine.
Each such lien may be continued, recorded and released in
the manner provided by the general statutes for
continuing, recording and releasing property tax liens.
Each such lien shall take precedence over all other liens
filed after July 1, 1997, and encumbrances, except taxes,
and may be enforced in the same manner as property tax
liens. The fine shall be retroactive to the date of service of
the Anti-Blight Officer initial notice of citation to the owner.

b) All funds shall be deposited into a trust in agency account
to be administered by the Board of Aldermen to be used
for associated costs in enforcing and administering this
ordinance (i.e. legal fees, court costs, serving of papers,
etc.) which shall be a continuing account.

c) The Board of Aldermen may waive and release blight fines
and liens of the City of Shelton. If in the Board’s opinion, a
buyer has the financial ability and intention to
immediately rehabilitate the blighted premises, or the
Board may hold all penalties and liens until all
rehabilitation is completed to the satisfaction of the
Director.

d) Unpaid fines shall accrue interest at the rate of 1.5% per
month.

e) If the City of Shelton has been required to expend costs
and expenses pursuant to Section (d)(3)(6) above, the
reasonable expenses and costs incurred by the City of
Shelton shall be a lien against the real property in
accordance with Connecticut General Statutes Section 49-73 b.
e) SEVERABILITY

If any provision of this section or the application thereof shall be held invalid or unenforceable, the remainder of this section, or the application of such terms and provisions to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each remaining term and provision hereof shall be deemed valid and be enforced to the fullest extent permitted by law.

EXECUTIVE SESSION

At approximately 7:35 PM, Alderman Simonetti MOVED to enter into Executive Session to discuss the following items:

11.1 DOBBINS VS. CITY OF SHELTON
11.2 PRIMROSE COMPANIES REALTY, LLC.
11.3 ZIELINSKY VS. CITY OF SHELTON
11.4 OCCULTO VS. CITY OF SHELTON
11.5 PURCHASE OF OPEN SPACE

and invited Corporation Counsel Welch to remain in the auditorium during the Executive Session; SECONDED by Alderman McPherson. A voice vote was taken and the MOTION PASSED unanimously.

RETURN TO EXECUTIVE SESSION

At approximately 7:40 p.m. Alderman Papa MOVED to return to Regular Session; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED unanimously.

It was noted that no votes were taken in Executive Session.

11.1 DOBBINS VS. CITY OF SHELTON

No action taken.

11.2 PRIMROSE COMPANIES REALTY, LLC.

Alderman Finn MOVED to approve an amendment to the contract by and between the City of Shelton and Primrose Companies Realty, LLC, to amend the zoning contingency date to June 1, 2015 and the closing date to July 1, 2015.

SECONDED by Alderman Papa. A voice vote was taken and the motion PASSED unanimously.
11.3 ZIELINSKY VS. CITY OF SHELTON

Alderman Finn MOVED to approve the Permanent Partial Disability rating in the Worker’s Compensation matter of William Zielinsky, as presented.

SECONDED by Alderman Simonetti. A voice vote was taken and the motion PASSED unanimously.

11.4 OCCULTO VS. CITY OF SHELTON

Alderman Simonetti MOVED to approve the Permanent Partial Disability award rating in the Worker’s Compensation case of Kenneth Occulto, as presented.

SECONDED by Alderman Papa. A voice vote was taken and the motion PASSED unanimously.

11.5 PURCHASE OF OPEN SPACE

Alderman Finn MOVED to approve the purchase and sale agreement by and between the Nina Shevzov and the City of Shelton, for the purchase of 2 acres located on Buck Hill Road for the purchase price of $75,000, with funding to come at the discretion of the Finance Director.

SECONDED by Alderman Simonetti.

Discussion:

Alderman Anglace: Let the record show that we have a letter, dated January 7, 2015, from the Conservation Commission endorsing this purchase.

A voice vote was taken and the motion PASSED unanimously.

ADJOURNMENT

Alderman McPherson MOVED to adjourn.

SECONDED by Alderman Simonetti. A voice vote was taken and the motion PASSED unanimously.

The meeting adjourned at approximately 7:50 p.m.

Respectfully submitted,

Brittany Gannon, Clerk
Board of Aldermen
DATE APPROVED: ________________ BY: ________________________________

Mark A. Lauretti
Mayor, City of Shelton