

REGULAR MEETING
BOARD OF ALDERMEN
PUBLIC HEALTH & SAFETY COMMITTEE

WEDNESDAY, DECEMBER 3, 2008
7:00 P.M. IN THE ROOM 104
SHELTON CITY HALL, 54 HILL STREET, SHELTON, CT

◆ **CALL OF THE MEETING/PLEDGE OF ALLEGIANCE**

Alderman Papa called the meeting to order at 7:00 P.M. and all in attendance pledged allegiance to the flag.

IN ATTENDANCE: ALDERMAN JOHN "JACK" FINN
ALDERMAN JASON PERILLO,
ALDERMAN PAPA, Chairman

ALSO IN ATTENDANCE: ALDERMAN ANGLACE, ALDERMAN KUDEJ &
CHIEF HURLIMAN

◆ **PUBLIC PORTION**

Stan Kudej – 43 Plaskon Dr. – Alderman – 2nd Ward – He has been called by a number of residents about garbage cans in front of their homes. Those that are not maintained – they are left out 7-24. Also leaves left in plastic bags at the curb which are not picked up. He went to P & Z and they said they have no authority. Alderman Papa states there is an anti-blight ordinance. He is looking for a new ordinance to force the cleanup. Alderman Papa states the anti-blight ordinance could be adjusted to cover this. ZEO people have called with no avail. Alderman Papa states they will search the

anti-blight ordinance. Alderman Kudej will give this list of addresses to Theresa Adcox and they will see what they can do. Alderman Finn would like this list to be given to Marilyn Gannon – she is in charge of complaints over the garbage.

Michael Majewski - 8 Wenonah Trail

He has submitted a letter and he read it into the record and it will be attached at the end of these minutes. He also submitted a petition signed by 100 people and he is still collecting signatures. He would like a vicious dog ordinance and make the owners financially responsible. Alderman Papa states he has a lot of information on vicious dogs and ordinances from other towns. At the next meeting, we will invite the dog warden and the Chief and get some information on what they can do.

Alderman Papa states there is a leash law which they are in violation. There are different kinds of dogs – they have to be trained to be vicious. He will talk to Corporation Counsel and see if they can come up with to address this situation.

Note to clerk: His number was given to be called when the meeting has been set up.

Therese Jositas – 19 Round Ridge Trail, Trumbull, CT 06611

Her letter is also attached at the end of these minutes. Gracie's Law from Trumbull will be attached to the minutes on file in the Town Clerk's Office.

Alderman Papa asks how successful was this ordinance in Trumbull. Was there anyone who had dogs that attacked someone held responsible in Trumbull? She doesn't know in Trumbull if there was an incident but the ground work is in place and the framework is there. Any sanction that was put to an owner is very fair. The owner of an attacking dog, if they do not agree, both laws provide for a hearing. They can present their case. Both laws are written in such a way that it prevents people from taking advantage of the law. There is specific behavior. She sees more dogs on a leash in her area. The person who owned the dog that attacked her dog was a person in charge of animal rehabilitation. She stated that the person needed to pay more attention to her own dogs. Alderman Papa states that they could go after these people in civil suit.

After public pressure, the owner put the dog down but just one of them. Not the dog that initiated the attack.

Alderman Perillo asks about the law. It is a deterrent. Do you see dogs in general are being taken more care of because of this incident. More dogs are on leases and Trumbull also created a dog park. When people come in to the town to license a dog a lease law and vicious dog ordinance should be given to them.

Alderman Papa states that Shelton has a leash law. People still do not obey.

In this case there were so many incidents about this dog. No one called the dog warden. The animal control officer's hands are tied. People should report roaming.

Alderman Finn would like to see that a copy of this Gracie's Law go to Corporation Counsel. He also had an incident when he was walking on Robert Frost Dr. and the dog attacked and he had dog spray. At the next house he asked them to call the police about the incident.

Ms. Jositas states she is not targeting any breed in particular.

A resource at the State level is State Animal Control Officer – Maureen Griffin.

Joan Flannery – 8 Partridge Lane

She has a lot of trouble in her neighborhood with German Shepherds and she calls the Dog Warden and then they are fined \$100.00

She has five issues:

1. Daybreak Lane – When walking her dogs, she has to deal with speeding cars. She would like a speed bump at Curve. Also to have potholes filled that are caused by water drainage.
2. Daybreak Lane/Old Stratford Road – towards Route 8 – Cars are going 40 MPH – the town put up a Speed Sign and it doesn't do anything.
3. She would like a three-way stop sign put up there. Chief will have someone look at it.
4. More money for Police Protection Downtown around the stores. More foot Patrol.
5. Sprinklers at the Police Department – no windows in classroom.
Alderman Papa states she should address the Board of Education.

Alderman Anglace – 3rd Ward Alderman

He had one comment – he spent a lot of time with this issue. Owner responsibility is the key to peaceful enjoyment of your property. He has talked to Corporation Counsel about this. There are some things that make sense but can not be done under the law. It is frustrating. A dog owner who is not showing responsibility before, during and after an incident can not be legislated. You can't prohibit. Owner responsibility is the key to peace for pets.

◆ **AGENDA ITEMS**

◆ **CORRESPONDENCE**

A Letter from Chief Hurliman is read into the minutes and is attached.

1. APPROVAL OF MINUTES

1. REGULAR MEETING AUGUST 6, 2008

ALDERMAN FINN MOVED TO WAIVE THE READING AND APPROVE THE MINUTES OF THE PUBLIC HEALTH & SAFETY MEETING OF AUGUST 6, 2008. SECONDED BY ALDERMAN PERILLO. ALL IN FAVOR. MOTION CARRIED. 3-0

2. NEW BUSINESS

2.1 PROPOSED GRAFFITI ORDINANCE

Alderman Papa states he received a draft proposal from Corporation Counsel.

Jim Oram & Rebecca Twombly – Citizens Advisory Comm.

Alderman Papa asked Mr. Oram if he had a chance to look at the proposal with his committee. He thanks everyone that helped with this ordinance. The committee agrees with the proposal. The questions that they came up with at their meeting are with the questions of reporting of graffiti. Alderman Papa states to call the regular number of the Police Dept. Alderman Papa would like that included in the new ordinance. He would like it spelled out.

Alderman Finn questions under 18 year olds should not possess spray paint on or near school property. He was at Home Depot and bought spray paint and he was questioned about what he was doing with it at the register. He would like to see if it can be included in the ordinance to prohibit sale of spray paint to anyone under 18. This will be sent to Corporation Counsel.

Alderman Perillo states he thinks there is a law that anyone under 18 years of age is prohibited to purchase spray paint. He will check it out with Corporation Counsel.

Alderman Finn would like it referenced in the new ordinance that there is a state law.

Alderman Papa states the city can not offer rewards to report Graffiti. He asks Mr. Oram if the business community could mount some kind of a reward program. Also contact Chamber of Commerce and Shelton Economic Development Group.

Alderman Anglace states that there is a state law and just piggyback the idea of the liquor law. This has to be achieved at the state level. Alderman Perillo would get them the exact law.

Chief Hurliman will report the graffiti to the city for cleanup. It will be a standard method of reporting. If it is on private property, the owner is responsible to clean it up with 10 days. Private property owners have been very good at cleaning up the graffiti and the State has worked quickly also. Alderman Perillo and Mr. Oram have been notifying A T & T and they come out and clean it up. They feel all reporting should go through the Police Department. Police on patrol also report when they see places.

Alderman Anglace suggests the Anti-Litter Group also should be asked to be involved.

Alderman Perillo states the quicker the graffiti gets cleaned up the better it is.

Alderman Finn states that they are also using glue which is harder to get off with the power washer.

Chief Hurliman states sometimes it is cleaned with a power wash of baking soda which is done by Parks & Rec. Store owners usually paint over.

Alderman Finn asks Chris Panek if they use the glue on the concrete, like at the Riverwalk, is there anything that can remove that from the concrete. They use wet sand sandblasting which is the most environmentally friendly. They avoid Chemical removal. Some municipalities purchase small wet sandblasting machines – it is a slow process.

Ms. Twombly states that we need to involve children of the age that are doing this. Maybe they could do a campaign – poster campaign – contest for best poster. Youth Service Bureau should also be brought in on this. Something like the Fire Department Bureau with the Fire Poster Contest. She states that the New Haven people stated that the average age is 20 years old. They are very surprised.

Chief Hurliman states by contacting the younger people before they reach that age, we could try and stop some graffiti.

Alderman Papa states there are three items going to Corporation Counsel and Alderman Perillo will check with the state to see if there are any ordinances on graffiti and sale to minors under 18.

Mr. Oram will take on talking to downtown merchants and SEDC.

Alderman Anglace states the Police Department has been taking other measures and have been very successful with combating graffiti. You are dealing with Juvenile Court and that is very difficult.

Alderman Papa states that Parks & Rec give the parents the bill and also have them work on the damage. The Parents were responsible for this. Chief Hurliman states they went to court and it is on a volunteer basis for repair if the parents have no money.

Chris Panek – 19 Meghan Lane

Mr. Panek gives the committee a packet of pictures on East Village Park and the research he found from other towns. The New Haven Ordinance has a fine of \$250.00 for selling spray paint to minors.

It has to be removed immediately because it comes back soon after it is removed. East Village Park is back where it was two weeks ago before the clean up. It needs attention again. He offers his assistance to the Board with this.

2.2 AMENDMENT TO ORDINANCE 713 – OUTDOOR BURNING

Alderman Perillo states this is an ordinance which he introduced and has already run it through counsel who had a few comments. It is to expand the scope of the current ordinance which we have to include wood stoves and outdoor wood furnace. The current ordinance doesn't address it. The change identifies what a nuisance is. It puts into play that a nuisance is something that the Fire Marshal can act and can order the extinguishment of the fire in the wood stove or outdoor wood burning furnace. He determines it to be a nuisance. DEP has quite of bit of regulation on this. This doesn't repeat that.

Alderman Papa states the Fire Marshal said the DEP has to be involved. Alderman Papa states prior to 7/8/2005 that might be a problem enforcing that. Alderman Finn states down at Birchbank there is a house has a wood burning stove in garage. The next door neighbor complains because the smoke goes in their house because the garage is only 5' away. The woman has an asthma problem. They had to move.

Alderman Perillo after reading the information from the Fire Marshal that there is no bearing on the date of 7/8/2005. It doesn't have any real bearing on this

ordinance or its enforcement. He will check with Corporation Counsel. Alderman Finn questions outside pits. If someone has asthma and the outside pit bothers them – is that a nuisance?

Alderman Perillo reads from proposed ordinance:

c) Fire pits, wood fired barbecues, chimineas and campfires are exempt from the open burning permit guidelines provided do not create a nuisance and are operated in accordance with any restriction or restrictions imposed on such burning.

Alderman Finn & Papa discuss neighbors who don't like each other and the wind blows the wrong way.

Alderman Anglace states this issue is here for specific cases of a 1 Family house sits close to a 2 Family house and the people in the 2 Family house get the smoke right out of the chimney year round. The ordinance process has a Public Hearing Officer for appeal. That is where it is adjudicated. Maybe you want a different kind of review. Will it be one person or a panel?

Alderman Papa states there are many questions. Maybe that should be put in the ordinance about an appeal or review board to go to.

Building Department gives permits for wood burning furnace if it meets the regulations. Alderman Finn states there has to be recourse in the ordinance.

Alderman Perillo agrees it should be in the ordinance and he will go to Corporation Counsel with that.

3. OLD BUSINESS

3.1 STREETLIGHT REQUESTS

1. 157 WAVERLY ROAD – POLE #1581

Alderman Perillo Moved to recommend to the Full Board to grant the installation of a street light of 50 Watts/4000 lumens at the intersection of Waverly Road and Isinglass Road (157 Waverly Road)

on U.I. Pole #1581 at a cost of \$155.91 per year. Seconded by Alderman Finn. All in favor. Motion carried. 3-0

2. 160 GROVE STREET – POLE #1606

Alderman Perillo Moved to recommend to the Full Board to grant the installation of a streetlight of 50 Watts/4000 lumens at 160 Grove Street on Pole #1606 at a cost of \$155.91 per year. Seconded by Alderman Finn. All in Favor. Motion carried 3-0.

Alderman Finn questions that when the driver comes over the hill, will the light shine in his eyes. Chief Hurliman states that the Police Officer did check it at night.

3. TRANSFER LIGHT FROM POLE #886-#887 (ASBURY RIDGE)

Alderman Perillo Moved to recommend to the Full Board to authorize the U.I. to take down the street light on U.I. Pole #886 at Asbury Ridge and Long Hill Avenue and transfer to U.I. Pole # 887. Seconded by Alderman Finn. All in favor. Motion carried 3-0.

Alderman Anglace questions the cost.

Note from BOA Clerk:

Note: Per the U.I., there is no cost to take down the light and transfer to a nearby pole. If the light were to come down permanently or was taken down and moved across town, there would be a \$200 one time fee.

Items 1, 2 & 3 per all recommended by the Police Department as Priority One.

4. REPORTS OF THE EMERGENCY SERVICES

A. EMERGENCY MEDICAL SERVICES

B. POLICE SERVICES

Chief Hurliman so far they have one quote on the camera. At the next meeting he will have more than one quote, it will be supplied prior to the

meeting, so it can be discussed. Alderman Papa states they want infrared and monitored at Police Dept.

Alderman Finn questioned if they worked it out with the other community. Chief Hurliman states that Derby's would not be monitored at our PD. It is at a different location.

Alderman Finn asks about Grant Money. None is available.

C. FIRE SERVICES

ADJOURNMENT

Alderman Perillo moved to adjourn at 8:27 P.M. Seconded by Alderman Finn. All in favor. Motion carried 3-0.

Respectfully submitted,

**Margaret Weber, Clerk
Public Health & Safety Committee**