



BOARD OF ALDERMEN  
SHELTON, CONNECTICUT  
**Public Hearing on Ordinances**  
**January 22, 2008**

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**CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Aldermanic President John Anglace opened the Public Hearing at 7:10 p.m.  
All those present pledged allegiance to the flag.

**ROLL CALL**

Aldermanic President John F. Anglace, Jr. – present  
Alderman Lynne Farrell - absent  
Alderman John “Jack” Finn - present  
Alderman Stanley Kudej - present  
Alderman Kenneth Olin - present  
Alderman John P. Papa – absent  
Alderman Jason Perillo – absent  
Alderman Anthony Simonetti - present

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1. AMENDMENT TO ORDINANCE 447 – PERTAINING TO PROHIBITION OF  
INTOXICATING BEVERAGES ON PARK/CITY PROPERTY

Ordinance 447

Pertaining to Prohibition of Intoxicating Beverages Park/City Property:

Be it ordained by the Board of Aldermen, City of Shelton:

That the possession and use of intoxicating beverages are strictly prohibited in any park or City property, unless authorized by the Department of Parks and Recreation, Board of Education or other duly authorized agents.

Any person violating this ordinance shall be subject to a fine ~~not to exceed \$100~~ of Two Hundred and Fifty Dollars (\$250).

Alderman Anglace asked three times if any member of the public wished to address the Board on the amendment to Ordinance 447 pertaining to the Prohibition of Intoxicating Beverages on Park/City Property.

Being none, Alderman Kudej MOVED to close the hearing on this item; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 5-0.

2. AMENDMENT TO (COMP. ORDINANCES 1975, 3.1(6) ) SEC. 14-3  
REMOVAL OF ICE AND SNOW ON SIDEWALKS REQUIRED

Sec. 14-3 Removal of Ice and Snow on Sidewalks Required.

It shall be the duty of any owner, occupant or any person having care of any land adjoining any paved sidewalk within the city to keep the same clear from snow, ice or sleet, and to remove the same within (12) hours after it has fallen. In the event of failure to comply with this section, such owner or occupant shall upon conviction pay a penalty to the city ~~not to exceed fifteen dollars (\$15.00)~~ of Two Hundred and Fifty Dollars (\$250). If after the time limit in which to remove such snow, ice or sleet, it has not been removed, it shall be the duty of the commissioner of streets to cause the same to be removed, and the expense thereof shall be reported by the commissioner of streets to the clerk of the city, who shall notify the owner or occupant in writing, and if payment is not forthwith made, the expense of such removal shall be recorded in the name of the city in a any appropriate form of civil action. (Comp. Ords. 1975, 3.1 (6) )

Alderman Anglace asked if any member of the public wished to speak on Item 2.

Peter Heidman, The Ripton Unit 101 - 423 Howe Avenue

I would like to comment on this because, these people downtown make money. But they do not clear their sidewalks. I live at The Ripton and I have made numerous complaints to Elderly Housing Management, who is under the ages of Shelton Senior Corps, under Moe Martin that I grew up with, and a lot of friends. My family has been here, I'm going on 69, my brothers are going on 80, I'm a loyal Republican, but yet, I go against anything when services are not performed.

When I grew up on Elm Street with Joe Lanzi and the DeMarcos, there were big disputes going back to the 1930s when my Dad moved there. Our family, surely, if we live long enough, we'll be here 100 years. I hope. There used to be disputes on who was in charge of the sidewalks - the homeowner or the City. It shifted back and forth.

Now I'm elderly and disabled. I couldn't even get into this building tonight because there are two fire trucks blocking the access ramp right there. There are stairs over here. I'm dying of congestive heart failure and I

couldn't get into this building – the City Hall. And one of the biggest violators is the Economic Development Commission on the corner where my party, the Republican Party that I'm a faithful supporter of all my life since 1958 under Eisenhower, they're the worst offenders. The snow falls, ice forms, I can't get to the deli to get milk and bread. So I'm in favor of this ordinance.

I would like them to be fined more. I've talked to the Mayor many times, Mark Lauretti. I've been involved in politics under President Nixon's campaign, President Reagan's campaign, on the State issues, fighting for the disabled and the elderly. And I can't go up and down the street without being threatened by gangs of thugs on the street, as recently as last night, and you call the Police – they don't protect you. You call them up and they give you rude answers. You go over to Dunkin Donuts and they say, call the Police. I go, you are the Police! I've been told that by Sergeants. It's a side issue.

I'm all for the Ordinance. The other issue is, as we're talking about sidewalks, a lot of these sidewalks are broken. There are curbs and handicap accessible ramps off the corner of the curbs that are not kept clear of snow. I would think the City would do something about that.

Alderman Simonetti asked, the building where you live, The Ripton, do they take care of it?

Mr. Heidman replied, they don't take care of it. I've made numerous complaints to Elderly Housing, Hamden, that manages the building. The guy goes out and cuts a shovel path. I use an electric scooter. I also use a walker. And I can't drive on these sidewalks, even in the summer.

Alderman Finn stated, that's why he was having trouble, he couldn't fit his scooter in between the Fire Marshal's vehicles.

Alderman Simonetti stated, there should be some yellow lines painted out there so the access isn't blocked.

Mr. Heidman stated, I came here about the snow, but I've been reading what you say about downtown.

Alderman Anglace stated, let me get us back on track here. We're having a public hearing on the Amendment to the Ordinance. Let me go forward and see if there is anybody else that wishes to be heard.

Alderman John "Jack" Finn

I have received complaints from residents about the Derby-Shelton Bridge. When you come across the bridge, the Derby side is cleaned perfectly. Once you get to the Shelton town line, then people have to walk in the street. That is the City's responsibility for maintaining those sidewalks. So if we're going to start penalizing the public for not cleaning the sidewalks, how will we turn around penalize the City for not maintaining the sidewalks as well? I tried to get to the new Portuguese restaurant. A couple of businesses didn't even have a shovel's width cleared in downtown Shelton. It was all icy, and you were slipping and sliding down the sidewalk. If I'm having a problem, and I'm capable of walking, what is everybody else having that use walkers and wheelchairs trying to get around downtown Shelton to the businesses?

Alderman Anglace stated, in putting this change into the ordinance, one of the things that prompted it was the very incident you just mentioned and one of the reasons is because we need to get people's attention. Those that are responsible for cleaning their sidewalks have got to do it. It is a timely subject – this would not have been timely if we brought it up in the middle of the summer. Those who are the property owners or property keepers have to do it by ordinance, or it will be a \$250 fine.

Alderman Simonetti asked, what is the mechanism to let the people, especially those that have businesses downtown, know that this is the ordinance and they are responsible for this? You get a license through the City to sell food or to have a shop, where does it say, don't forget you've got to clear your sidewalk? Where is it written to them that they have to do this?

Alderman Finn stated, I think Alderman Simonetti is trying to ask, who is going to enforce it, and are the businesses and property owners downtown aware of the fact that they have to shovel the snow? If they're not aware, maybe we should take the time and do a mailing to make them aware of it.

Alderman Anglace stated, it's written right here. The only thing we are doing on this ordinance is changing the amount of the fine. This ordinance has been in effect since 1975. So anybody that wants to tell me that they didn't know it – an owner of a building – it's hogwash. They know it.

The other thing - people who have their driveway plowed and push the snow onto the street or across the street onto the sidewalk on the other side. That also a violation of an ordinance, but not this one.

Alderman Kudej stated, the thing I can see, that with the \$250 fine we'll be more active in finding these people. You'll get somebody that goes outside and shovels, and goes back in his house, and a half hour later the plow truck comes by and covers it back up again, and then he gets nailed. We have to have some reasonable.

Alderman Anglace stated, any ordinance, any City ordinance, anybody who receives a summons under a Violation of City Ordinance is entitled to a hearing held by one or two hearing officers and they get a chance to explain all of the extenuating circumstances. The hearing officers have the final say in terms of the enforcement. I think they've been reasonable in listening. We have to make sure that people are able to get around.

Mr. Heidman stated, Mr. Chairman, one last statement to following up on Mr. Finn and this fine gentleman. If this rule has been in effect since 1978, where are all the tickets that should have been filed? I haven't seen a ticket since 1950, and I remember the days when they got tickets downtown.

Also on your follow up on handicap accessible, the bridge going to Derby. I have a scooter that has a charge and it lasts eight hours. Sometimes I go to Big Y. I can only go on the left side of the bridge. This is a State matter. I called them up. The right side of the bridge, the curbs are too high and not handicap accessible. Yet Mayor Lauretti and Mayor Staffieri, because they have relatives living in that building, can have a fence taken down that was put up from people jumping off and committing suicide. I can't get handicap access, but they can get a fence taken down because it's aesthetically inappropriate. I'm angry about this. Thank you for your patience.

Alderman Anglace stated, there comes a time, you have never been here before, I've never seen you in all the time I've been up here. I think you're entitled for us to give you a say.

Mr. Heidman stated, I've been in this town sir almost all my life. I was a member of the Derby Republican Committee. I turned down 5,000 people in Newtown on environmental issues. I always have been a protector of the disabled and the totally disenfranchised. I thank you for standing up.

Alderman Anglace stated, the issues you have brought up about the Derby-Shelton Bridge. I think that is a State road.

Alderman Finn stated, no, I believe it's the responsibility of the Parks and Recreation Department to clean those sidewalks. The City of Derby removes the snow on the Derby side.

Mr. Heidman stated, it's a federal and a state law to be handicap accessible.

Alderman Anglace stated, there has got to be a reason that this isn't assigned and done. I saw a lady downtown who was trying to go from Kyle's to get up on the bridge, and the sidewalk wasn't plowed. She turned back and said, I'll have to take the bus from Shelton to get to Derby, because I can't walk on that. From that point I reported it and asked to get into it and get somebody assigned to it. Our Parks and Rec, if you recall, we spent a nice piece of change. Those sidewalks that the City put in, around schools, at one time they wanted to get the kids within ½ mile to walk to school, so the City put in sidewalks, and the City maintains those sidewalks, even to today. So we bought a nice tractor for Parks and Rec, and they are doing a good job with it. We put them in, it's our responsibility, we take care of them.

Alderman Kudej stated, we only have one machine.

Alderman Anglace stated, the snow falls, the plows go out and plow the street, a few hours later, here comes the Park and Rec vehicle, whoosh, he gets all the sidewalks down to blacktop. Beautiful. About an hour later, here comes the plow again. Shoom! Everything is back up on the sidewalk.

Alderman Kudej stated, I've had complaints from people right here at City Hall. They can't get in and out because we either plow the sidewalk out to the road, or the road into the sidewalk. It's an ongoing problem.

Mr. Heidman stated, thank you.

Alderman Simonetti stated, I'm going to go talk to the Fire Department people right now.

Alderman Anglace asked if any other member of the public wished to speak. Being none, Alderman Simonetti MOVED to close the hearing on Item 2; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 5-0.

***ADJOURNMENT***

At 7:30 p.m., Alderman Olin MOVED to adjourn; SECONDED by Alderman Finn. A voice vote was taken and the MOTION PASSED 5-0.

Respectfully submitted,

Patricia M. Bruder  
Clerk, Board of Aldermen

DATE APPROVED: \_\_\_\_\_

BY: \_\_\_\_\_

Mark A. Lauretti  
Mayor, City of Shelton