



BOARD OF ALDERMEN
SHELTON, CONNECTICUT
**FULL BOARD
PUBLIC HEARING
ORDINANCES**
June 26, 2012

Call to Order / Pledge of Allegiance

Alderman Anglace, called the Public Hearing to order at approximately 7:00p.m. All those present recited the Pledge of Allegiance

Roll Call

Alderman John F. Anglace, President-present
Alderman Lynne Farrell-excused
Alderman John "Jack" Finn- present
Alderman Stanley Kudej-present
Alderman Noreen McGorty-present
Alderman John P. Papa- excused
Alderman Eric McPherson- present
Alderman Anthony Simonetti- present

Administration

Mayor Mark A. Lauretti

AGENDA ITEMS

1. AMENDMENT TO ORDINANCE #859 GARBAGE, TRASH & REFUSE

Alderman Anglace stated, we called the Public Hearing on Garbage, Trash & Refuse to order. Before we take any public comments I'm going to ask the Public Work's Director Paul DiMauro if he would make some comments to give us some background on the Ordinance.

Paul DiMauro stated, Good evening, first of all I would like to say that I wrote the Ordinance because everyone knows that we are converting to automated collection and single stream recycling. The way we do it now only certain items can go into recycling and use a small bin. Now you will get a larger container

and you will be able to put cardboard, newspaper, different kinds of plastic's 1-7, plants pots that are marked on the bottom. There will hopefully be a larger volume of recycled items that go in there. That means a change in the ordinance completely of what's allowable and what's not allowable. This also means a change in how we structure containers and what they are. The containers that everyone will be getting are 64 or 96 gallon containers. They are the property of the City of Shelton and supplied by the City of Shelton. They are called carts and they are wheeled carts and they are fairly easy to maneuver. When I first submitted the Ordinance to the Board of Alderman I started to get input from others. That input was very helpful and I hope I can get more tonight to add to it. I want to go over the items that have been changed. The first items is minor and throughout the Ordinance as you remember before we had Solid Waste or Garbage and we had Recycling at the end as a separate article. Many of the items I tried combining them to make the Ordinance easier to follow. The index in section 2 is further on the in Ordinance, so I brought it up front with the other. So now you can see all the sections listed together so it will be easier to follow. That was the first change. The next change is on page 7 and that basically is a removal of a duplicate paragraph that was printed in the Ordinance. I did leave the last sentence because it strictly has to do with travel on private roads. The next change is on page 8, the refuse containers and the manner that they are stored on the street was removed because this was already covered in a different section. All residents will receive one container. I then got into the hours and how long refuse can be left out. Primarily, especially downtown people think that they can leave their cans out all week. I have already issued warning letters to the property owners but the new ordinance will have a little more to it. We are getting more specific about the hours the containers can be out there so we can enforce that situation. I had originally had that they can be put out at 6:00pm the evening before and twelve hours after pickup they must be taken in. I had two comments making sense to me so I changed it. An elderly person said that 6:00pm didn't work because during the winter they want the cans out before sunset. So it was changed to sunset or 6:00pm the earlier of for taking them out. Bringing them back in, a commuter expressed that they have long hours at work and sometimes don't return until 7 or 8:00pm. So I changed the ordinance to allow that sixteen (16) hours after pick-up, the cans must be brought in. This isn't meant to penalize anyone. Everyone is going to forget their cans and no police officer will go out there and arrest them because a can is out. This is for the repeat offenders when you get to penalties you will see that. Scavenging has always been against City ordinances. You can't go through someone's garbage and pick out what you want. There have been a lot of reported incidences lately of people scavenging. In the new ordinance, I added to make it really clear if it's at the curb or other locations collected by the City it is prohibited to scavenge. On the penalties, the ordinance that was written before was a bit ambiguous it was basically directed at anyone who left large amounts of items in their yard that became a health hazard. It required a ten (10) day notice after that we would remove it and bill them back the cost. In that particular section I reduced it to five (5) days which, is more than adequate to get the stuff out. In the penalty section, I added a written warning. A second offense, if it was in the same year they got

the written warning, they will be fined \$100.00. Then I said the fine would increase. That's basically it for changes beyond what you have there.

Alderman Simonetti asked, at least two people in the audience are from Aspetuck. The question is we aren't getting any younger, how are we going to handle a 96 gallon...?

Paul DiMauro interrupted, you're not going to get a 96 gallon all the condo units are going to get 64 gallons which are the smaller version. So all condo developments will get those and some developments have central locations to dump in a larger container. So the 64's are for condos and 96 for the multi-family homes. After three months, if you're having a hardship with the larger container (96 gallon) we can change them out for a 64 gallon container.

Alderman Finn asked, it says down here on page 8 "Collection Carts for the collection of recyclable materials and residential Waste will be provided by the City of Shelton of a size deemed appropriate" and then it goes on and on. Then it says the Mayor and his designee shall charged a fee established by the City. What is the cost for an additional...

Paul DiMauro interrupted, I would recommend the cost for a 96 gallon be \$65.00 on the alterative you can go to Lowes and pay \$96.00. This price will be established by the City.

Alderman Finn asked, on page 9 you make reference about being destroyed and police report.

Paul DiMauro said, if your cart is stolen you want a police report, that it was stolen so you can get a new one.

Alderman Finn asked, are the police really going to come out for somebody's house and fill out a police report.

Paul DiMauro stated, I would hope so. If it's a stolen item I would hope they would come out. I don't care how insignificant or however, if someone is coming and violating your property you wouldn't call the police?

Alderman Finn replied, I would but would they come out?

Paul DiMauro said, well that's not my jurisdiction.

Alderman Finn stated, on page 15, we already have this ongoing where we have individuals going through garbage, you covered it. When the residents call the Police Department they are told there is nothing that can be done. The new ordinance it doesn't make reference to who the residents are supposed to call.

Paul DiMauro stated, yes it does. There is a section in the ordinance that says who to contact. The enforcement of all ordinances in the Police Department and I'm the Public Work's director. I'm not the enforcement officer and I don't have this authority.

Mayor Mark A. Lauretti takes over the meeting.

Mayor Mark A. Lauretti stated, if anyone from the public wishing to address the board come to the microphone and please state your name and address for the record.

Sandra Miller Aspetuck Village, Shelton, CT

Sandra Miller stated, Mr. DiMauro was kind enough to answer one of the questions that I had which was, the dimension of the cans that we will be using. A 64 gallon can doesn't mean a lot to me, is there any way that we can possibly view a sample of this? I would like to view the container because I have several concerns; the weight and bulkiness of the container for someone like myself. Also our condo rules state that the container must be housed in your garage out of sight except for the morning that the garbage pickup will be done. So it will be helpful for people like myself to be able to see this and determine if it is going to fit in the garage, now that we are going to have two full size containers instead of one regular garbage can and blue bin. If I can get a sample of that it will be helpful to me. I just feel a lot of this is overkill for people in condos but, I understand the City is doing this to save money and we are willing to cooperate. However, we are hoping there is leeway if it turns out not to be really convenient for people like us. That's all I have to say.

Rob Vittori 81 Vista Drive, Shelton, CT

Rob Vittori stated, I want to commend you all in the City for doing this. I congratulate you for doing this it's a great idea. Alderman Finn brought up a good point, we do have a problem with trash and you call the police you do get the response "there is nothing we can do". They take your name and address down. I don't know if they file a report or not but I would like to say that I hope that the Board will look into that because if the ordinance requires a police report we would like that. Also I had a question on the ordinance where it mentioned there is, and I agree with that if I put a bike out and someone takes the bike that's great. However, I don't want anyone looking through my trash. Even though I shred most things you still get a lot of credit card offers and all kinds of things. I think that is what is happening with people looking through the trash. The police should be taking things a bit more seriously so I hope that there is something that the Alderman or the Mayor can do about that. Thank you.

Mayor Lauretti stated, the Police Department will respond. There are many times when they can do nothing that is true. They need to know that things are

going on and there may be repetition in a particular neighborhood. Then this would be a red flag if several people call from the same neighborhood. That means that there are other things going on so just because they can't solve every time someone calls their issues that doesn't mean they shouldn't be aware of it or it shouldn't be documented. It most certainly should be documented.

Michael Vigezzi 210 Prospect Ave, Shelton, CT

Michael Vigezzi stated, I have a question about the ordinance and the length of time. I have a secondary residence in a town that utilizes the same type of a process. The way the trucks are designed in that process they do all they can only utilize the articulating arm on one side of the truck. Given the amount of time that it will take to circulate through the streets it will have hit every street twice in order to pick up the trash. Has any consideration to require that the bins are only placed on one side of the street as it is in my other residence. In order to expedite the time and otherwise it may be an issue with long how it will take to collect the refuse. Thank you.

Mayor Lauretti asked, anyone else wanting to address the Board? If there is no one else here from the public wanting to address this ordinance we are going to close the public hearing. If you want to respond to some of this stuff and some might require more research.

Paul DiMauro stated, I will respond to Aspetuck only because you have to understand we are using an automated vehicle, it can only pick up certain kinds of container and it can't pick up the small blue bin; it's impossible. I'm not saying you can't go out and buy the smaller 48 gallon but we are not supplying it. I think once you try it for a while you will not have a problem. They're not all that large and if you want I'll try and get two of them up there so if anyone wants to view them you see what the two sizes are. I have two friends that live in Aspetuck, these containers will fit in your garage and they are heavy recycler's. The only other question was the scavenging which is well covered in the ordinance. I love the suggestion about one side of the street and I would love to be able to do that but the public would like that unfortunately.

Mayor Lauretti added, with respect to collection on one side of the street, you couldn't do it with a manual pickup, it's against OSHA regulations. Our trucks used to be able to do that and apparently in other parts of the country some people were killed collecting garbage because they were zigzagging across the street. That's when the statue came out.

Alderman Anglace stated, I just want to make a comment for the record, I want to go back to the beginning when this idea first surfaced. We are not the first Connecticut community to begin single stream recycling and the collection system that we are going too. We said early on that there will be many challenges but we think the benefits far outweigh the challenges that we will be

facing. I think that Paul DiMauro has taken leadership in responding to the public to work out the problems that will surface. I think if we continue to do that we will get by the challenges that we are facing. This will be a major plus for our City and State. Thank you all for your comments.

2. ADJOURNMENT

Mayor Mark A. Laretti closed the Public Hearing at approximately 7:27pm.

Respectfully submitted,

**Melissa Anglace
Temporary Clerk**