



Board of Aldermen Shelton, Connecticut Public Hearing on Ordinances September 23, 2004

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Alderman John Anglace opened the Public Hearing at 7 p.m. All those present rose and pledged allegiance to the flag.

ROLL CALL

Aldermanic President John F. Anglace, Jr. - present
Alderman John "Jack" Finn - present
Alderman Stanley Kudej - present
Alderman Joseph Lanzi - absent
Alderman Lynne Farrell - absent
Alderman Nancy Minotti - present
Alderman Kenneth Olin - present
Alderman John P. Papa - present

1. CITY-WIDE TECHNOLOGY BUILDING COMMITTEE ORDINANCE

Alderman Anglace stated, I want to state a couple of things with respect to the Citywide Technology Committee. The Aldermen have a letter that we received from the Board of Education. They state their concerns and they state their position. Also, I heard from Arlene Liscinsky, who is a member of the Board of Education and also a former member of the Wide Area Network Building Committee. She cannot be here this evening, but she raised several pertinent questions that have caused us to rethink the ordinance.

Consequently, I will be recommending to the Board of Aldermen that this ordinance, as submitted, be rejected without prejudice at the next regular meeting of the Board. Then we go back to the drawing board and rework the ordinance to incorporate the concerns and suggestions that we receive tonight and that have been given.

The clerk will enter this letter from the Board of Education into the record, please.

Dear President Anglace:

At the Board of Education meeting last night, Wide Area Network Building Committee member Arlene Liscinsky reported that the Wide Area Network is built; on time and under budget! Thank you for your personal efforts to make that part of our technology plan a reality.

Last night I shared the information regarding the Proposed Ordinance concerning the city Technology Committee with the Board of Education. We support the idea of a technology committee for the city. From our own experience we know the benefits planning can bring. We also believe that we have a legitimate contribution to make to the committee. However, I have some concerns about how the committee would work and the various roles and responsibilities. The Board, as endorsed by the seven members in attendance, asked me to share these concerns with you for tonight's meeting.

Since the mid 1990s the State Department of Education has required that local Boards of Education have a Technology Plan, a plan that indicates that the district clearly understands the technology competencies required of students and teachers and that documents an approach to meet those requirements. Shelton's plan was originally completed in 1996. You may recall that the committee that recommended the plan to the Board of Education consisted of nearly 50 members, including the mayor (ex officio) members of the Boards of Aldermen, Apportionment and Taxation and a good number of community representatives.

That plan has provided guidance for the Board of Education since it was adopted in June, 1996. It was the basis for Shelton receiving a state technology grant of \$150,000 that funded the fiber optic link between the new Shelton Intermediate School and Shelton High School. In addition, the plan provided guidance for the Board of Education, students and staff in the following areas:

- Providing a vision for the full deployment of technology in public schools.
 - Identifying priorities within that vision (local computers, LANs, WAN)
- Development and implementation of an appropriate use policy
- Professional Development for all staff
 - Improving teacher technology competency
 - Integrating technology into the curriculum
- Standardization of hardware and software.
- Choices of enterprise software, i.e. Windows NT, SASI, MUNIS, Athena, Tetra Data, MS Office, etc.

In response to increasing state and federal requirements, the plan was updated in 2003. The update was completed by staff, working with ACES, our local educational resource center and it was adopted by the Board of Education. In November, 2003 we received notification from the State Department of Education (enclosed) that our plan had been reviewed and it meets the standards and criteria outlined by the Federal Schools and Libraries Universal Service Program and that our plan will be effective through 2006. Also enclosed is a list of the criteria that the state department used to complete the review.

Shelton Public Schools is the largest user of technology in the city. We have been following a community based Technology Plan, which has been updated and reviewed by the State Department of Education, using its own and Federal standards, for the past eight years.

Our concern is in regard to the role of the proposed new committee providing "technology oversight" within the city and providing technology expertise to all city users. It appears that there could be potential conflicts between the Board of Education's state required Technology Plan and the City's Technology Committee.

The Board of Education is required to maintain and implement the current technology plan, which must meet state and federal requirements. This is the reason for our concern. We would like clarification of what "oversight" means.

Finally, the Board's Technology Plan specifies that there be a community based review committee. Since the Board is already the largest user of technology, rather than creating a new committee, would you consider working with the Board of Education to adapt this committee to meet the city's needs?

In conclusion and in the spirit of cooperation, I am writing to ask that action on the proposed ordinance be postponed until there can be further dialogue on this subject, so that we can define roles and responsibilities and find a solution that will meet the needs of both the city and the Board of Education.

Thank you for your consideration.

Sincerely yours,
Leon J. Sylvester

Alderman Anglace asked if any member of the public wished to address the Board regarding the proposed Citywide Technology Building Committee Ordinance. Being none, Alderman Minotti MOVED to close the hearing; SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 6-0.

2. AMENDMENT ORD. #775 – ALCOHOL POSSESSION BY MINORS

Proposed Amendment

Section 1: Findings:

1. The possession and consumption of alcoholic liquor by minors is a matter of a growing local, regional, and national concern.
2. Consumption of alcoholic liquor by minors unsupervised by parental authority creates a health and safety risk not only to our children but also to the general public.
3. The City of Shelton seeks to protect, preserve, and promote the health, safety, welfare and quality of life of its residents by regulating the possession of alcohol by minors.

Section 2: Purpose:

To regulate the possession of alcoholic beverages by minors on both public and private property.

Section 3: Definitions:

ALCOHOLIC LIQUOR shall have the same meaning as the same term defined in Title 30, Section 30-1 of the Connecticut General Statutes, as amended from time to time.

HOST to organize a gathering of two or more persons, or to allow the premises under one’s control to be used with one’s knowledge, for a gathering of two or more persons for personal, social, or business interaction.

MINOR any person under the age of twenty-one (21) years old.

PERSON any individual, firm, partnership, association, syndicate, company, trust, corporation, limited liability company, municipality, agency, or political or administrative subdivision of the state or other legal entity of any kind.

POSSESS means to have physical possession or otherwise to exercise dominion or control over tangible property (sec. 53a-3 Penal Code of the General Statutes of Connecticut)

Section 4: Possession:

No person under the age of twenty-one (21) shall be in possession of containers of alcoholic liquors, whether open or closed, within the City of Shelton, except when accompanied by or

in the presence of his or her parent, legal guardian, or spouse, who has attained the age of twenty-one (21) years. This restriction shall apply to both public and private property.

Section 5: Hosting Events:

No person shall host an event or gathering at which alcohol will be consumed by or dispensed to any minor unless said minor is accompanied by or in the presence of his or her parent, guardian, or spouse who has attained the age of twenty-one (21) years. This restriction shall apply to any event or gathering within the City of Shelton, whether conducted on public or private property.

Section 6: Exceptions:

The provisions of sections 4 and 5 of this ordinance shall not apply to the following:

1. A minor who possesses alcoholic liquor on the order of a practicing physician or any person who sells, ships, delivers or gives any alcoholic liquors to a minor on the order of a practicing physician
2. A person over the age of eighteen (18) who is an employee or permit holder under Section 30-90a of the Connecticut General Statutes and who possesses alcoholic liquor in the course of such person's employment or business or in the course of a sale, shipment, or delivery of alcoholic liquor made to a person over age eighteen (18) who is an employee or permit holder under section 30-90a of the Connecticut General Statutes and where such sale, shipment, or delivery is made in the course of such person's employment or business.
3. Possession, consumption, or use of alcoholic liquor at legally protected religious observances supervised by or in the presence of his or her parent, legal guardian, or spouse, who has attained the age of twenty-one (21) years.

Section 7: Penalties:

Any person violating any provision of this article shall be subject to a fine of \$100.00.

Alderman Anglace stated, the change in this ordinance is one that has to do with definition – what “possess” means. That is defined as, “POSSESS means to have physical possession or otherwise to exercise dominion or control over tangible property (sec. 53a-3 Penal Code of the General Statutes of Connecticut).” That is the only change being proposed to the ordinance.

Alderman Anglace asked if any member of the public wished to address the Board regarding the proposed amendment to Ordinance 775 – Alcohol Possession by Minors. Being none, Alderman Kudej MOVED to close the hearing; SECONDED by Alderman Olin. A voice vote was taken and the MOTION PASSED 6-0.

ADJOURNMENT

Being no other persons wishing to address the Board, Alderman Anglace closed the public hearing at approximately 7:05 p.m.

Respectfully submitted,

Patricia M. Bruder
Clerk
Board of Aldermen

Date Submitted: _____

DATE APPROVED: _____

BY: _____

Mark A. Lauretti
Mayor, City of Shelton