



BOARD OF ALDERMEN
SHELTON, CONNECTICUT
SPECIAL PUBLIC HEARING ON ORDINANCES
TUESDAY, OCTOBER 27, 2015

CALL TO ORDER

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

ROLL CALL

Alderman John F. Anglace, Jr., President – present
Alderman Lynne Farrell – present
Alderman John “Jack” Finn – not present
Alderman Stanley Kudej – present
Alderman Noreen McGorty – not present
Alderman John P. Papa – present
Alderman Eric McPherson – present
Alderman Anthony Simonetti – not present

Alderman Anglace wanted to reflect on public record, the legal notice was printed October 20, 2015, dated on the Connecticut Post on October 19, 2015.

AGENDA ITEMS:

1. AMENDMENT TO CHAPTER 9, ARTICLE VIII SECTION 9-150
SPECIAL EVENT LICENSE

Sec. 9-150. Special event license.

(b) At the discretion of the board of aldermen, the application fee may be waived or reduced to a nominal fee and the licensing procedure under this chapter may be waived or curtailed in order to promote a special event, which the board of aldermen finds will benefit the entire community. In exercising its discretion, the Board of Aldermen shall consider such factors as the cultural, educational, artistic, humanistic, charitable, scientific, literary, historic, and other benefits to the community of the special event. The sponsor of the special event shall maintain insurance coverage as required under Section 9-148 even if said sponsor is exempt under the provisions of section 9-143. *Ord, No. 726, §10, 6-11-98; Ord. No. 821, §10, 4-12-07) The sponsor shall be required to request of the board of aldermen a designation as a "Special Event" and shall comply with any terms and conditions set forth by the board of aldermen

Discussion:

Alderman Anglace: One of the things that Alderman Finn had asked me was, who had submitted these ordinances? I told him as best as we could, we could identify them. Most of these things, such as a Special Events License, it is something that we run into difficulties with and that they have been worked on by a committee, or administrative people within the City and they have been recommended through me and they go on. That is how this ordinance came about, and the changes to this one are: *“At the discretion of the Board of Aldermen, the application fee may be waived or reduced”*. The word, waived, is something new. The word, reduced, was already in there but now the application fee can be also waived. Also, *“the sponsor shall be required to request of the Board of Aldermen a designation as a “Special Event” and shall comply with any terms set forth by the Board of Aldermen”*.

Those are the only two changes to the ordinance.

Alderman Anglace asked three times if anyone wished to speak.

Alderman Papa: I am in favor of it, but this would be like if someone wants to do something on the Huntington Green, they would need to have a Special Events License and they might determine to charge them, or not.

Alderman Anglace: To your knowledge John, did this ordinance come through the Parks and Recreation?

Alderman Papa: Through Parks and Recreation, through Mark Lauretti, Mark Lauretti through Parks and Recreation and then back to you. Corporation Counsel reviewed it to come up with the terminology.

Being none, he declared the public hearing closed. Alderman Anglace noted that there were no persons in the audience.

2. AMENDMENT TO CHAPTER 3 ARTICLE III ANTI-BLIGHT SEC. 3-41 –3-45**Sec. 3-42 Definitions**

2. 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; **graffiti**; 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/**steel storage containers** 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) days.

Discussion:

Alderman Anglace: To this ordinance, we are adding the words: **steel storage containers** and **graffiti**. Those are the two changes, and paragraph two remains the same, except for that. That is the way the new ordinance reads with the two changes inserted, because we have problems with graffiti and we cannot enforce it if the word is not in the ordinance.

Alderman Papa: Mr. President, it also says, "*stockpile of wood or stone for a period exceeding forty-five (45) days; which is not intended for use at the Premises*", which someone can stock wood for their fireplace as long as they are going to use it.

Alderman Anglace: The intention of this is that people who have wood hanging around on their front yard for months and years, not intended for use. The definitions to the anti-blight ordinance came through Charlene DeFilippo, the Anti-Blight Officer, who brought them through to the Public, Health and Safety Committee and the Street Committee. The members took a look at it and Counsel had reviewed it, the Mayor looked at it and it was the opinion that it should go to the aldermen and the public.

Alderman Anglace asked three times if anyone wished to speak. Being none, he declared the public hearing closed. Alderman Anglace noted that there were no persons in the audience.

3. AMENDMENT CHAPTER 9 ARTICLE II SOLICITORS AND CANVASSERS SECTION 9-16

Sec. 9-16. Definitions.

Soliciting shall mean and include any one (1) or more of the following activities while calling at residences without the previous consent of occupant:

- (a) Seeking to obtain orders for the purchase of goods, wares, merchandise, foodstuffs, services, of any kind, character or description whatever for any kind of consideration whatever;
- (b) Seeking to obtain prospective customers for application or purchase of insurance of any type, kind or publication;
- (c) Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type or kind of publication;
- (d) Seeking to obtain gifts or contributions of money, clothing or any other valuable thing for the support or benefit of any charitable or nonprofit association, organization, corporation or project, or
- (e) Solicitation as defined therein shall not include telephone communication.
- (f) Distribution of advertising materials, books, telephone books which have not been requested by the residence.

Alderman Anglace: The change made to Chapter 9, Article II: Solicitors and Canvassers Section 9-16, comes in under sub paragraph f: Distribution of advertising materials, books, telephone books which have not been requested by the residence. This pertains to a long standing difficulty with the distributors of telephone books, who have agreed to do certain things the way that we want them done, and the Conservation Commission has been monitoring this and the Conservation Commission is of the opinion in the agreement that the distribution of advertising materials, books, telephone books have not been requested by the residence constitutes as unrequested soliciting and graffiti. What is happening is this: there are many telephone books that are distributed. One is for Ansonia/Derby/Shelton, another one is for Ansonia/Derby/Shelton/Waterbury, and some are for Ansonia/Derby/Shelton/Bridgeport. They come from all over and there are different companies that distribute each book. We have to get it on record, and get them notified to say this is what we will allow such distribution. If the homeowners want the books distributed, fine, but they have to go back where they have distributed, so if they are not picked up, brought up to the door they need to come back one week later and take them back. Otherwise they are graffiti.

Alderman Papa: Usually they drop off the books at everyone's property. So that is going to be disallowed now?

Alderman Anglace: Without the residence's permission you cannot do that because that constitutes as litter. With the problem that we have is that they come by, fling these books on lawns and stay there forever. No one then picks them up and they do not want them.

Alderman McPherson: It is such a waste of money.

Alderman Papa: I use them.

Alderman Farrell: I use them too.

Alderman Kudej: They should be available if you request them.

Alderman Anglace: This one came through Conservation Commission and the Anti-Litter Committee. It was through Corporation Counsel, run by the Mayor. We need to have a way of dealing with this because the books are there for months and then they stock up. Next thing you know, the plastic bag opens up and all of the pages are all over the place. If they want to distribute them, fine,

but there are other ways to distribute them. They could distribute them with permission, and then they can bring them to the door. They are not going to create litter. When you use those books they only cover certain geographic areas.

Alderman Papa: For years and years, we have always had telephone books. The way things are going, people do not have phones; they have cell phones and they are not even in the telephone book.

Alderman Anglace: All we are saying is that they are welcome to distribute, however, it is to those people that give their request to get one, and to not throw them out on the lawns. That is litter.

Alderman Farrell: They should make another to wait a week, and then pick up the books.

Alderman Anglace: That is what they should be doing now and they are not doing it. They are supposed to give us notice when they are going to distribute and they do not do it. All of the things that they agreed to do they are not doing. They agree to have a distribution; they agree to come back in a week to pick up the books that were not picked up by the people and they never come back.

Alderman Kudej: If you are with AT&T and you have your telephone and your address listed, and the next year you switch over to Comcast you are then eliminated from the book. Now you get two books, instead of one book.

Alderman Papa: Right now, AT&T is no longer in business in Connecticut; it is now Frontier.

Alderman Anglace: The book is not put out by AT&T; it is put out by a third party company, which is a advertising firm.

Alderman Kudej: It would be nice if it could get consolidated into one book.

Alderman Anglace asked three times if anyone wished to speak. Being none, he declared the public hearing closed. Alderman Anglace noted that there were no persons in the audience.

4. AMENDMENT TO CHAPTER 7 ARTICLE I SECTION 7-9 LITTERING OR DUMPING PROHIBITED

Sec. 7-9. Littering or dumping prohibited.

(c) "Litter" means any discarded, used, or unconsumed substance or waste material, whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar, or can, or any top, cap, or detachable tab of any bottle, jar, or can any unlighted cigarette, cigar, match, or any flaming or glowing material, or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspaper, magazines, glass, metal, plastic or paper containers, or other packaging or construction material which has not been deposited in a litter receptacle. "Litter" shall also include the placing, throwing or distribution of items, books, telephone books or advertising material on property where the owner thereof has neither requested nor granted permission for the placing, throwing or distribution of the items, books, telephone books or advertising material..

Alderman Anglace: The part that is added is the last sentence: “Litter” shall also include the placing, throwing, or distribution of items, books, telephone books or advertised material on property where the owner thereof has neither requested nor granted permission for the placing, throwing or distribution of the items, books, telephone books or advertising material. This came through the Anti-Litter Committee, Corporation Counsel, and Mayor Lauretti and myself are sponsoring this ordinance.

Alderman McPherson: John, this might be a good time to add in those portable stick-in signs, tree cutting, paving; this might be a good place to add these.

Alderman Anglace: We need to address the signs. Here are the problems with signs as I see it: there is a proliferation of signs in the city right-of-way, which by ordinance you cannot put anything in the city right-of-way. Who is doing it? It is 90% the non-profit organizations that we sponsor for Shelton Day. The city is a part of that; the Rotary Club puts signs up all over the place, Boy Scouts. The only non-profit group that does not put up signs is the Little League.

Alderman Kudej: The Little League does not put up signs; I banned that a long time ago.

Alderman Papa: I do not have problem with the organizations putting up the signs. After a week when the functions are over, do they take them down? No.

Alderman Anglace: When we tabled the signs ordinance at the Board of Aldermen meeting, Jack Finn said I do not want to see my church punished. I think we all agreed with that, and we do not want to see these nonprofits punished. In the future if you want to put up signs you may have to come in to get a free permit. We have to know about it; we have to know when they are putting up the signs and when the signs would be taken down. We should put a time limit on when you can do it, and that is the only control that we can put on that.

Alderman Anglace asked three times if anyone wished to speak. Being none, he declared the public hearing closed. Alderman Anglace noted that there were no persons in the audience.

ADJOURNMENT

There being no other speakers, Alderman Anglace closed the public hearing around 7:30 p.m.

Alderman McPherson **MOVED** to adjourn the Public Hearing; **SECONDED** by Alderman Papa. A voice vote was taken and hearing was adjourned.

Respectfully submitted,

Brittany Gannon, Clerk

DATE APPROVED: _____ BY: _____

Mark A. Lauretti
Mayor, City of Shelton

