



BOARD OF ALDERMEN
SHELTON, CONNECTICUT
Public Hearing on Ordinances
January 24, 2011

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Aldermanic President John Anglace opened the Public Hearing at approximately 7 p.m. All those present rose and pledged allegiance to the Flag of the United States of America.

ROLL CALL

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

Alderman Anglace stated, we have three proposed ordinances to be heard tonight. Notice was given in the newspaper on November 20th.

1. SIGNS ON CITY PROPERTY PROPOSED ORDINANCE

Alderman Anglace asked three times if any member of the public wished to speak on the proposed Signs on City Property Ordinance. Being none, Alderman Finn MOVED to close the hearing on this item; SECONDED by Alderman Simonetti. A voice vote was taken and the MOTION PASSED 7-0.

2. AMENDMENT TO ORDINANCE #827 – IDENTIFICATION OF LANDLORD

Alderman Anglace asked three times if any member of the public wished to speak on the proposed Amendment to Ordinance #827 – Identification of Landlord. Being none, Alderman Simonetti MOVED to close the hearing on this item; SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 7-0.

3. AMENDMENT TO ORDINANCE #370 – FIRE LANES

Alderman Anglace asked if any member of the public wished to speak on the proposed Amendment to Ordinance #370 – Fire Lanes.

Renee Robillard, 28 Country Place

It has always been our belief that the police can come in and ticket any vehicle that is parked in a marked fire lane. So I think we're a little surprised that there needed to be an ordinance for that.

I've been speaking with Mr. Tortora about getting some help with that. We asked for assistance and language to signs that he said needed to be posted. We had an issue with enforcement of our fire lanes because they were not marked at the entrance, but they're clearly marked throughout the development. To our knowledge there's never been any documented evidence that any emergency vehicles have had any difficulties accessing the property, but our intent is to certainly keep it that way.

The Association has its own rules on fire lanes, which also include towing as a result if somebody is illegally parked. So we would like to see the language for the signs. We have no problem posting them. But if we had to mark all of the roads or have the entire development marked as a fire lane because our roads are not wide enough, that would really be a problem for us. We went to City Hall and talked to Planning and Zoning several years ago when we re-did our roads and we were told we didn't need a permit. That would have been the perfect time to tell us that all we had to do was widen the roads by a couple of feet. That should have happened and it didn't. At this point the Association is respectfully requesting that our roads be grandfathered to what was acceptable to code back in 1979 or 1980, just as any construction would have been grandfathered as well. Thank you.

Tom Harbinson, 15 Soundcrest Drive

A couple of weeks ago, I went out to dinner with my parents and some neighbors at the Longhorn Restaurant. It was after one of our storms this winter. It's pretty cold out. I dropped my parents off at the door because they're elderly and it was an easy walk for me to go park the car. My point is that it was very difficult to park the car anywhere because every parking space was taken up. The fire lanes were non-existent. People were parking next to snow banks and there was barely room for me to get a Volkswagen Jetta around the building. The bank parking lot was filled up, Chili's was filled up, Longhorn was filled up, the hotel was filled up. So I parked in front of the dumpsters figuring that would be okay for the evening. When I made my way into the restaurant, there was a 90-minute wait. While in the summertime most people would wait outside and listen to the music ambiance and sit on the bench, they were all huddled inside because of the cold. My dad had already made his way into the bar to get a free drink that was offered by the reception there for the wait, but it was a hazard in that I couldn't get into the restaurant and couldn't get out because of the crowd of people. It just brought into mind that my brother worked as a bouncer in a bar in Boston when he was in college, and it was a fire hazard. So I had to actually speak in a loud voice to clear the way so that I could get out with my Dad to go to a different restaurant because we weren't going to wait.

So when I saw the ordinance about the fire lanes it occurred to me, you couldn't get a Volkswagen hardly around the building never mind a fire truck. So in issues of bad weather there should be an immediate need to clear and maintain the emergency access around our commercial establishments. That goes to the planning issues that the earlier speaker talked about and the approval of our developments around the community – there needs to be accommodation made for snow removal because it doesn't exist at that commercial establishment. Fire lanes are only enforceable if they're cleared. There's really a hazard at that location from my personal experience and that's something that needs to be taken into account. Thank you.

Alderman Anglace stated, you do raise a point in that with the inclement weather, especially in the snow, marking of fire lanes, they're covered by the snow. Sometimes they put the snow right up against the building. In this kind of weather, it takes on a whole life of its own. That's a judgment call on the part of the Fire Marshal who has full authority to go out and enforce it. You've brought it to his attention; he can go out and require that the snow be removed and clear up the fire lanes. The Fire Marshal just happens to be here, and he's going to come up and say a few words on this.

Fire Marshal James Tortora

The new fire lane ordinance, which hasn't been updated in about 25 years now, will take care of all these problems. The fire lanes won't particularly have to be marked on the pavement any more. We will be able to allow them to erect one sign at the entrance or as many signs as would be necessary at the entrances of all these plazas and commercial establishments, condominium complexes, with one warning stating, for instance, "All of driveways are considered fire lanes, please park in designated areas only. All other cars will be considered in violation of the Fire Lane Ordinance" and they'll be tagged or towed. We're going to take care of all of those minor issues. As far as snow removal, we can't do too much about that. This will take care of the problem where it is not properly marked, so this way it will always be properly marked.

Alderman Papa asked, who is responsible for the fire lanes at a commercial property? Isn't that person responsible to remove the snow?

Fire Marshal Tortora replied, the owner of the property, yes. The Police Department and myself can enforce it. If somebody wants to file a complaint or call when it occurs, the Police Department can be up there if I'm not available. That's not a problem.

Alderman Papa asked, what about fire hydrants? With all the snow that we've had, there are fire hydrants that are buried. Should we have some kind of pole or warning to say, "here is a fire hydrant" so we know where it is?

Fire Marshal Tortora replied, I believe the Fire Department is working on that right now. We had them years ago, we had some items we put on the fire hydrants but the kids just went over and bent them, and broke them., or somebody takes them and they're gone. But the Fire Department is working on that.

Alderman Papa stated that's something we could talk about in Public Health and Safety.

Alderman Simonetti stated, the young lady who spoke about the condos, I think if she needs assistance with grandfathering or finding out what they could do, they did try and do it right and have some problems now. Around buildings, because of the buildings I work in, you have to be able to drive completely around the building and have access. Is that a common practice for any building before you sign off on a plan? Does it have to have a certain amount of radius around it so that trucks of this size can get around it - they're not small trucks.

Fire Marshal Tortora stated, every occupancy is going to be different. When the site plan is submitted to Planning and Zoning it's also submitted to our office. We make sure the fire lanes are wide enough, that there's ample access by fire apparatus to get in and out, turn around, back around, whatever they have to do.

Alderman Simonetti asked, if you're called by someone like Mr. Harbinson who is very aware that there's a danger in that crowded building, can he call the Fire Marshal or call the Police Department and say, "this is a problem..."

Fire Marshal Tortora replied, call the Shelton Police and they'll come out themselves and do it. They'll call me if they need assistance. The same thing with overcrowding in any buildings, call the Police Department and they can take care of it or I'll send someone out to take care of it.

Alderman Anglace stated, if I recall correctly, this ordinance came from your office to Public Health and Safety. Maybe you can elaborate on paragraph 3, "There shall be a \$25 fine for violation of this ordinance and the enforcing authority is empowered to have motor vehicles towed away at the owner's expense in order to clear a fire lane." Do you feel the \$25 is adequate?

Fire Marshal Tortora stated, I think they increased to \$90 if I'm not mistaken. It's \$25 on the current one, but the new one is \$90.

Alderman Farrell stated, as far as condominiums are concerned, we have definite rules and regulations for parking. For instance, there's no parking in front of garages overnight. In fact, we had a hearing the other night where we had to fine the unit owner for this. The signs that we have stress speeding, but we don't have any signs that talk about parking because they know where they can park and can't park. If they're there, we put a sign on their car and let them know by letter. Does this mean we have to put all sorts of signs up now?

Fire Marshal Tortora replied, no, that's going to eliminate marking on the curbs or having signs all throughout the complex. You'll have one sign at the entrance of your complex that will cover the entire complex. We're going to come up with the language for the signs as it's stated in the ordinance. I'll come up with language that would say all driveways within this complex are considered fire lanes. Please park in designated areas. All other areas will be in violation of the ordinance subject to fines and towing.

Alderman Farrell stated, yet they park in the driveways during the day. For instance, if someone is going to work and they'll park the car there and let it warm up before they're leaving. Everyone does this. Those are in our rules and regulations that say that can happen.

Fire Marshal Tortora stated, if you're parked in front of your house and you're unloading your groceries, I don't think that somebody's going to come right away and give you a summons. It's usually because somebody's there for a lengthy amount of time.

Alderman Simonetti stated, so someone parking in their own driveway is not a problem; it's someone parking in front of their driveway and blocking access of fire, police and emergency vehicles that is a problem.

Alderman Anglace asked, if this is passed, then how will it be communicated to the various condominium associations?

Fire Marshal Tortora replied, we'll get a letter out to them and as we deal with the other property owners, we'll notify them ahead of time. It's winter now, so that will give them a chance to get their signs up by springtime.

Alderman Anglace asked if any other person wished to comment. Being none, Alderman Papa MOVED to close the hearing on the Proposed Amendment to Ordinance #370 – Fire Lanes; SECONDED by Alderman Kudej. A voice vote was taken and the MOTION PASSED 7-0.

ADJOURNMENT

At approximately 7:21 p.m., Alderman Kudej MOVED to adjourn; SECONDED by Alderman Papa. A voice vote was taken and the MOTION PASSED 7-0.

Respectfully submitted,

Patricia M. Bruder
Clerk, Board of Aldermen

Date Submitted: _____

DATE APPROVED: _____

BY: _____

Mark A. Lauretti
Mayor, City of Shelton