



STREET COMMITTEE MEETING

Shelton, Connecticut

December 5, 2006

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Alderman Olin called the meeting to order at approximately 7:00 P.M. in room 104 at Shelton City Hall. All in attendance recited the pledge of allegiance.

ROLL CALL

Alderman Ken Olin - present
Alderman Stanley Kudej - present
Alderman Randy York – present

Also in attendance:

Alderman Jack Finn
Alderman Chris Panek
Corporation Counsel – Attorney Welch

There was a quorum of 3 present, 0 absent

Public Portion

Paul Rogalin, 5 Hemlock Drive

This is from myself and the folks of Hemlock Drive off of Chamberlain.

We are opposed to any change to our street name Hemlock Drive for the following reasons:

Hemlock Drive is a city accepted street whereas Hemlock Drive Fairchild Trailer Park is not.

Fairchild trailer park 2006 grand list assessment is \$5230.00 taxes paid to the city are \$122165.00

Hemlock Drive 2006 grand list assessment is \$ 1, 289476.00. Taxes paid to the city are 313476, 00

Fairchild trailer park 3007 grand list assessment at 18 mils is 738,000.00 taxes are 132841.00.

Hemlock Drive 2007 grand list assessment at 18 mils is \$1, 973,610 and taxes are 355,249.00.

We feel that this problem could be corrected by Fairchild residents using their official address from the city of Shelton assessors and tax office which is Hemlock Drive, Fairchild trailer park, Shelton, Ct

An example of this same situation is in Milford Ct, where there are three First Ave's. Ryder trailer Park First Ave., Fist Ave, bay view and first Ave, Laurel Beach, Milford Ct.

We feel that this is a practical solution for all concerned.

Brian Belvin, 39 Hemlock Drive (Fairchild Trailer park)

The city engineers should never have approved Hemlock Drive on the other side of town. We had it first, we had it for many years before you had it, whether we pay a Nichol or a million dollars in taxes makes no difference. We are still people and human beings and I am sick and tired of my mail being sent to the wrong direction, my heart medication getting returned to my insurance company, my next door neighbors insulin going possibly to someone here's house. If you're all from Hemlock one of you guys got my neighbors insulin. A point of example is if a child had opened a bottle up and taken a sip he would have been dead in 20 min.

Last year my fire alarm went off. The alarm company was testing the alarm at my house and they forgot to call central station. They opened up the door set the burglar off went the police. Well you take a guess which Hemlock Drive they went flying. My legal deed on my property is 39 Hemlock Drive. My legal registration voter card is 39 Hemlock Drive. My legal mailing address is 39 Hemlock Drive. Not Fairchild Heights Trailer Park. They are not trailer parks, it is a derogatory word to call them a trailer park, the are mobile homes and some of those mobile homes are nicer than most houses including mine.

Once again, what we pay what we don't, this is not an issue of what's right or wrong this is an issue of liability. Some of you'll might have children; some of you all have lived in your house, so do we. God forbid in the middle of the night there was ever a fire and some passerby on a cell phone called up 011 and said there is a house on Hemlock drive ...it's on fire or you call because you switched from your home phone to vonage or gone as a lot of our senior citizens have and gone with just a cellular phone.

Vonage and the cellular phones did not work with the 911 systems. Neither did the alarm company or the alarm (Inaudible) work with the 911 system.

Alderman Olin asked Mr. Belvin to address the board not the audience.

This is a matter, god forbid that is there is ever a life threatening, I've had three heart attacks, god forbid I ever need to push the panic and ambulance button on my alarm and the ambulance goes to the wrong Hemlock and I die . Then this city has one heck of a liability issue. The same goes if there is ever a fire with the other Hemlock Drive and the fire dept. goes to our neighborhood., It is a back and forth thing.

I have gotten mail from them and handed it back to my mail man. I have picked up my packages from peoples houses at that street and this is now beginning to be quite an inconvenience. I was in a restaurant with guests and had a \$400.00 tab, put a credit card down and the lady came back and said Sorry sir this card is cancelled. When I called the company and said what the heck is going on? My bill was sent back address not deliverable. So therefore they shut the card right off.

I have a business. I am tired of paying overnight fees so I can see my package two days later because the first day they go to the wrong Hemlock and the second day they go to the right street. I get over \$100,000 worth of deliveries every year to my house and it is about a 50/50 shot as to whether they are delivered on time or they are delivered to the wrong Hemlock. This is a liability issue on the city, we had the name first. If we are going to inconvenience on the other side, two things, if we have to inconvenience somebody by changing a name we have twice as many residents on our Hemlock Drive. We were named first and ¾ of the residents on that Hemlock drive are elderly people without a car, without a phone and would not be able to make the necessary ability to travel to change things like there social security and their income and adjuster of things because they are elderly people.

On the other Hemlock Drive we are talking million dollar taxes, bigger houses , means bigger incomes, more fundability and means much more accessibility to changing their address. If you are going to inconvenience people, inconvenience the least amount as possible. This is not something as a punishment, or something that is fair. I understand everybody on the other Hemlock Drives opposition to this but a liability issue sits here and I cannot sit back and have my panic alarm and my medic alert go to the wrong address and I refuse to change to change my name to Hemlock Drive Trailer Park or Fairchild Heights because that's not my legal street name. We got it first, they got it second. The engineer who gave permission to put Hemlock Drive should have been shot and fired. I agree.

It has to happen, and if it is a north Hemlock drive. It's not the end of the world. At least the fire dept , police dept and your EMS with out a doubt no matter who calls, what type of phone, what type of service, at least they can say the correct street address, will make to the right street. That is it.

Charles Kelly, 15 Hemlock Drive

The 911 problem from the home phone was settled in 1994. There is a letter on file in the police dept., I called down there today and they have it. Supposedly anybody who calls from the Hemlock Drive in the trailer park it registers that they are from the trailer park and if it is Hemlock Drive up in the white hills section. That's it. I don't know about cell phones hoe they work but the land lines still register up at the police station.

Mr. Belvin interrupted Mr. Kelly. Alderman Olin asked Mr. Belvin to let Mr. Kelly talk.

Mr. Belvin returned:

Vonage internet, right on their commercial says the 911 system operates differently than the standard 911. Next time you watch the commercial pay very close attention. Comcast phone service has the exact same statement. Verizon, DSL phone service has the exact same statement about 911. There are now a lot of land line phone changes that are no longer tied to just a phone. Given the choice of people who are affording, I know people that are getting rid of hard phones and keeping just the cellular phone because when you got great service with a cell phone in your house, why do you need a hard line when you can get enough minutes and you don't have to pay for two phones.

Agenda Items

1. Approval of Minutes

Alderman Kudej moved to recommend to the full board to waive the reading of and approve the minutes of the October 4, 2006 Special Street Committee; Seconded by Alderman York. A voice vote was taken and the motion passed 3-0.

2.0 New Business

2.1 Drainage on Monroe Road

Alderman Kudej moved to recommend to forward to the highways & Bridges Dept. as well as the City Engineer for review and recommendation;

Seconded by Alderman York. A voice vote was taken and the motion passed 3-0.

3.0 Old Business

3.1 Drainage Problems - 93 Beardsley Road down to Perch road

Alderman Kudej moved to forward to the Highways & Bridges dept and the City Engineer for review and recommendation; Seconded by Alderman York. A voice vote was taken and the motion passed 3-0.

Alderman Finn, 17 Princess Wenonah Drive

If you remember when you had the discussion and the proposed ordinance in effect about drainage onto public streets. At the time I indicated to you that yes it was a worthwhile ordinance but this I believe in this instance would not be working. I grew up in White Hills, am almost a lifetime resident. I know the lay of the land. After the ordinance was passed the home owner at 93 Beardsley Rd. indicated that they would be putting in a dry well. With that I informed the homeowner at the bottom of the hill that the homeowner at the top was putting in a dry well and they were very pleased with that. Then all of a sudden another Alderman from the second ward gets involved and says have your neighbor arrested. The next thing we knew there was a ticket issued to Bob Holcomb and a 100.00 fine on November 17th. But yet on October 13th he put a dry well in, I have the invoice, almost a month prior to receiving the issue for the ticket. The police dept. did there job and issued a ticket. They had a number of phone calls to the city engineer and the city engineer did not respond to any of the phone calls.

I went up there and reviewed it; Alderman Panek also went up there. The invoice basically stated that they hired the M&R Construction Company, invoice dated Oct. 13th, and the ticket was issued Nov. 17th. We dug a trench approximately 20 feet long, six feet deep and 2 feet wide. They cut the pipe. There was no water coming from the property onto the road out of that pipe. E pipe was capped. The city dug the pipe up and the cap was still on it. I myself saw the pipe cap in the ground; the homeowner retained it when he removed it from the ground. What he did was remove the gravel and put dirt down in its place.

They ran a pipe and put stone on the bottom 1' stones, and ran a pipe about 15 feet and back hoed with stone. He had corrected the situation and the Alderman from the second ward not knowing this told the man to have him arrested. So that's what happened.

What I indicated to you back then when you were having discussion was they we needed catch basins on this part of the road. Catch basins should be put in from Markut Drive all the way down to Perch. Again, that is what I am requesting that the City engineer and the Highways & bridges dept review the situation put the catch basins in. As I stand here talking to you tonight, we still have water running in that street and it is coming out of the ground. It is not coming from 93 Beardsley Rd. Nothing is coming out of a pipe.

Alderman Panek stated; in speaking with the homeowner when Jack and I met with her. She wants the Cit Engineer to review and make sure that they aren't going to be susceptible to any further ordinance violations by the police dept. It is clear just by going and viewing it that the pipes gone. That section of Beardsley, there is a lot of water, its just coming right out of the dirt of the yards over there. She just wants the city engineer to say the pipe is removed; you guys are all set and won't get another ordinance violation.

Alderman Finn Continued; a number of phone calls went to the city engineer's office and none of the phone calls were returned. Now the homeowner has to take a day off of work to go to court to, fight the ticket and lose a days pay.

Alderman Olin asked the clerk to make a note for him to talk to Bob Kulacz and the Mayor about this.

He continued; I don't think want to go fining everybody on that. I don't think its right. If the guy is trying to solve the problem we should try to help him.

3.2 Hemlock Drive

Alderman Kudej moved to forward to the full board for public hearing; Seconded by Alderman York. A voice vote was taken and the motion passed 3-0.

Alderman Olin asked the clerk to read a copy of a memo from Corporation Counsel Tom Welch

Memo Dated September 12, 2006

To: Street Committee

From: Attorney Welch

Please be advised that I have had the opportunity to review correspondence relative to the issue of Hemlock Drive attached. Please note that the conclusion drawn by the City engineer in his June 9, 2006 letter is accurate. That the board determines that a change of name is necessary to protect the public health and safety of the community we would suggest that a public hearing be held and the persons affected by provided with notice and an opportunity to be heard regarding a new name and time frame prior to effectuating the change. Please further note that the McQuillan Treaties and Municipal Corporations specifically indicates that the right to change the name of a street is an attribute of legislative power which is not exhausted by it's previous exercise.

Alderman Olin continued; we are going to recommend, the street committee that we go for public hearing and then we'll make a decision. It is a matter of public safety; it is a matter if something should go wrong the City could be held liable for it. That is not my intention.

We were thinking of various names, the street committee, of what we could do on the Street Hemlock. It's not going to be, as far as I can see, a major change, It may be Hemlock Lane instead of Hemlock drive, or put a North just to verify up in Huntington versus the Fairchild Mobile Home park. This is the way we were thinking of going. It wouldn't be much of a change but it could help.

What I am concerned about is somebody getting sick and the ambulance not going to the right place. We'll recommend to the BOA that we hold a public Hearing. The people that live on Hemlock Drive up in Huntington will be notified. Therefore you can come to the meeting and you can speak out as you have done here.

We'll give you our basic reasoning's. I don't think that Hemlock will be gone. It will be up to the Board of Alderman and it should make it easier. You won't have to go through changing anything.

Attorney Welch stated; obviously there would be a problem for everybody in changing credit cards, bills, social security everything is going to be changed. It's going to be a difficult change for everybody.

I think if you got the emergency personnel, Postmaster, all involved if you did determine if it was necessary. Fir the Aldermen need to determine if it was necessary. If it was determined as necessary and based on communication as to what would make it the least problematic for everyone. That is why we thought a public hearing would be helpful if you did determine it was

necessary and only for the purpose just as you have indicated Mrs. O'Mahoney, in terms of social security, insurance bills, anything. It would have to be a rather substantial period of time that the postal service and the emergency service Peron of the town knew there was going to be change over so that it would happen gradually. So that the change wouldn't be to the detriment of anybody. We're trying to assist people not to try to cause some kind of detriment of more confusion, so it would have to be something that is worked out over a period of time to make it as easy as possible. If you did determine that it would happen it is not going to be easy. Those are the issues that have to be addressed with the proper parties involved in the process. If you called in Hemlock Lane or Hemlock Woods, whatever you determine to do, it's going to be for those persons that live on Hemlock Drive who live up in Huntington. They are going to have to go through a process, it won't be easy, but anything the Board can do to bring everyone together. It will have to be a gradual process.

Alderman Olin continued; as the chairman of the street committee feel that we have to do something. This is since 1994. We've been fortunate that nothing has happened. I think something has to be done. We have to go for public hearing for this type of change.

Alderman York commented; I would just like to make clear for my understanding is that the public hearing is not to determine which Hemlock Drive is going to change their name. That has already been established and it's got to be the Hemlock by Chamberlain. We don't have the authority to change a private street.

A member of the audience asked why.

Attorney Welch replied; the city engineer had done his research back and it is something that occurred how many years ago. It can't happen today because of how Planning & Zoning works, but it is a private street. It is not a public street. So a condominium association, a private park has the ability to name their street. They named it. However a name came after that. The same issues could not exist today. We don't have a right to say to a private organization, change the name. We can not force them to change a name because it is not ours.

Alderman York stated; I think I'm getting the feeling that we're all in agreement that there is a necessity to deal with this. We Re going to refer it to the full board of aldermen at which time we'll get the full boards input. We'll send it to the public hearing which will allow you input as to the type of change. Maybe somebody has an idea that we haven't thought of, that sits better with everyone living on Hemlock drive. I just

wanted to make it clear as to which Hemlock is going to change its name. That decision has already been made.

Mr. Belvin asked; is it also clear that there is definitely going to be a name change?

All of the Aldermen replied no. not necessarily.

Alderman York continued; no, among this committee that it is going to get addressed. I have my personal opinion but we're going to refer it to the board and make sure we get the whole board on board that there is going to be some kind of change and then send it to public hearing and get input from the residents as to what that change will be.

A member of the audience asked; can I just talk about the order of events in which this whole thing happened in the first place?

Alderman Olin stated the details as determined by the city engineer back in 1994.

Attorney Welch commented that the naming of the streets took place prior to the forming of planning and zoning.

Members of the audience spoke out.

Reports

No reports were made.

Alderman Kudej stated that at the last meeting a resident asked for a sign to be replaced. Bill Mooney stated he needed a memo from the police dept to replace the sign.

Alderman Kudej asked that a memo be sent to the Chief of Police to review the replacement of a "no parking" sign on Grove, going up towards Harvard on the right hand side. People are now parking on both sides and it is hard for people to get thru.

Adjournment

Alderman Kudej MOVED to adjourn the Street Committee Meeting,
SECONDED by Alderman York. All were in favor, MEETING ADJOURNED at
7:30 PM.

Respectfully submitted,
Brigitte Plucienik

Brigitte Plucienik
Clerk, Board of Aldermen

MAYOR MARK A. LAURETTI

DATE