



**BOARD OF ALDERMEN  
S T R E E T C O M M I T T E E M E E T I N G  
TUESDAY, FEBRUARY 2, 2016  
AT SHELTON CITY HALL, AUDITORIUM  
54 HILL STREET, SHELTON, CT  
AT 6:00 P.M.**

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**PLEDGE OF ALLEGIANCE/CALL TO ORDER**

Chairman Alderman McPherson on Tuesday, February 2, 2016 called the Regular Meeting of the Board of Aldermen Street Committee to order at 6:00 P.M. in the Auditorium, of Shelton City Hall and led the group in a pledge of allegiance to the flag.

**Present**

Alderman McPherson, Chairman

Alderman Kudej

Aldermen Farrell

**Also Present**

Ernie Hutchinson, Highways & Bridges

**PUBLIC PORTION:**

Ethan Fry, 166 Prospect Avenue, Shelton

I saw on the agenda that there were a few winter-related parking items. I am also a reporter for the Valley Independent Sentinel. Whenever we post, the Police Department sends us the winter parking rules every year and we then post them. We always get comments from people that say that the Police Department does not enforce them; the Police Department needs to enforce them. I do not know how true those statements are, but I hear that based on living on Prospect Avenue. It is obviously not a problem because it is 50 degrees outside and there is no snow on the ground but when it does snow, that road basically becomes a one lane road. This is not new to Shelton because other towns receive similar complaints like these all over the valley; there are old downtowns with narrow streets and everything. Whatever you propose to discuss, that enforcement would be a key aspect of it. Thank you.

**ADD-ON:**

*Alderman Kudej MOVED to add the following item to the agenda:*

➤ **2.3 ABANDONMENT OF A PORTION OF HIAWATHA TRAIL**

*SECONDED by Alderman Farrell. A voice vote was taken and the motion passed.*

**AGENDA ITEMS:****1. MINUTES FOR APPROVAL****1.1 STREET COMMITTEE MEETING- DECEMBER 1, 2015**

Alderman Kudej MOVED to waive the reading and approve the Street Committee Meeting Minutes of December 1, 2015.

SECONDED by Chairman McPherson. A voice vote was taken and the motion passed.

## **2. NEW BUSINESS**

### **2.1 AMENDMENT TO CODE OF ORDINANCE CHAPTER 16 ARTICLE II SEC. 16-34 WINTER PARKING RESTRICTIONS**

Chairman McPherson MOVED to send the Amendment to Code of Ordinance Chapter 16 Article II Sec. 16-34 Winter Parking Restrictions to the Full Board, to then go to Public Hearing with the changes made in Paragraph A, section 1 and 2: Changing it back from odd-numbered months to odd-numbered days, and in Section 2 from even numbered months to even numbered days.

SECONDED by Alderman Kudej.

### **AMENDMENT TO CODE OF ORDINANCE CHAPTER 16 ARTICLE II SEC. 16-34 WINTER PARKING RESTRICTIONS**

- A) No person shall park or cause to be parked any motor vehicle on the streets of the city between the hours of 12:01 a.m. and 6:00 a.m. during the months of January, February, March and December, except as follows:
- 1) On odd numbered ~~months~~ **days**, parking shall be permitted during the aforementioned hours, only on the odd numbered side of any street.
  - 2) On even numbered ~~months~~ **days**, parking shall be permitted during the aforementioned hours only on the even numbered side of any street, provided any previously established parking regulation shall remain in effect and shall be superior to the provisions of this section.
- B) No parking shall be permitted on any street during any snowstorm where the parking interferes with snow removal or cleaning operations.
- C) This section is supplemental to any previously enacted ordinance concerning the parking of motor vehicles.

- D) Any vehicles towed shall be stored at the police authorized towing company address. The fees for towing are regulated by the State of Connecticut.
- E) A snow/winter storm emergency may be declared by the mayor of the city or the mayor's designee. The Mayor shall cause each declaration made pursuant to this chapter to be publicly announced by means of broadcast, telecasts from stations with normal operating range covering the city. Additionally, posting said declaration notice in newspapers of general circulation, and on the city's official web page. Each announcement shall describe the action taken by the mayor including the time it became or will become effective. Said notice may be issued by use of media, by the posting of signs or by any other appropriate means. The mayor or the Mayor's designee may further announce when said snow emergency will cease.
- F) When such snow emergency is in effect, there shall be no on street parking in sections of the city where access to off-street parking is available including driveways and parking lots, unless otherwise exempted by the police department.
- G) Any person violating the provisions of this ordinance may be fined \$25.00 for the first violation and \$50 for repeat violations.

Discussion:

Alderman McPherson: I know in the past that we had a lot of discussion on this item. A couple of years back there was a recommendation from the former Police Chief, but since then we had a lot of issues back and forth with it. We originally had it on odd numbered days that parking should be permitted during the stated hours on the odd side. On the even numbered days you would have to alternate back and forth. The purpose was to get one side cleared so we could go down, and then to go down the other side to clear it as well. In the prior discussions, it was stated that some of the other towns went with the odd numbered/even numbered month. Recently we were having more discussion on this thinking that it may make the problem worse, so we are going to return it to the original wording which was the odd numbered days and then the even numbered days. We think that will work much better, and as the gentleman said with better enforcement. I had a discussion with the Acting Police Chief this morning as well, and in the snow emergencies we could enact Code Red which even could be down to a specific street. I have discussed this with Paul that if anyone has access to off street parking for a snow emergency, then park your car in the driveway. The object of this is to get the roads cleared, but as I have discussed with the Acting Chief this morning is that they could enact Code Red and all that we would have to tell him are the names of the problem streets.

Ernie Hutchinson: Eric, did the Chief make any mention that in the Emergency Operation Center, prior to the storm we had an EOC meeting and I insisted to the Administrative Assistant who actually put Code Red into force. We always need the

support from the Police Department to help enforce the winter parking bans to help clear the roads.

Chairman McPherson: I had made the request from them to come down, and they had posted no parking, and I said whomever did not comply then they would get towed. We had it done on Hull Street, because it would be a major problem to get fire apparatus done there because it was so narrow. We got the Police Department down there to post the no parking signs and that was part of the discussion as well. If it is needed, then it has to get done. Going forward there will be enforcement.

Alderman Kudej: The day after the snow storm, I was on Prospect Avenue. I had received a phone call the night before for the emergency snow removal was on even numbered streets. I then came down on Prospect to see that there were no cars parked on the even numbered side of the street. My son lives on Prospect and there were plenty of cars that were parked on the odd side of the street that they did not move. That side was not plowed and created a problem on the street.

Chairman McPherson: This item will have to go back to Public Hearing and that is why this item is here tonight, so when send it to the Full Board next week and then it will then go to Public Hearing. It will get passed at the next Full Board meeting. We should get the notice out on the City's website, Valley Independent or any of the other outlets so people know and will come to the Public Hearing; the object is to keep the roads cleared. Historically in the downtown area of town it has always been a problem with the snow and parking. This item will go to the Full Board and will also go to the Public Hearing, and we will then vote on this item for our March meeting. I am assuming that Highways and Bridges is in agreement with this change to the ordinance?

Ernie Hutchinson: Yes, anything that could be done to better the situation. You have all of our support with this.

A voice vote was taken and the motion passed unanimously.

## 2.2 KEEPING HANDICAPPED PARKING SPOTS CLEAR OF SNOW – DISCUSSION

Chairman McPherson: We have several handicapped parking spots but they are on the street. When we are plowing we have to be aware of keeping these handicapped spots cleared from the snow because we need to adhere to the federal guidelines as well.

Ernie Hutchinson: That is something that we want to reach out to Parks & Recreation to take care of things such as this, and to clean these spots thoroughly.

Chairman McPherson: You need to make sure that the emergency services are plowed out first; that is the main priority.

Ernie Hutchinson: What would be the best way to find out where these handicapped spaces are located? Does the Police Department have a record of what they requested for signage?

Chairman McPherson: They should have that information.

Ernie Hutchinson: Okay, I will reach out to them tomorrow.

Chairman McPherson: There is one other comment that I did talk to George about before, and that is before you get the first snowstorm to go as far over as they can because that sets the bar for any remaining snowstorms.

### 2.3 ABANDONMENT OF A PORTION OF HIAWATHA TRAIL

Alderman Kudej MOVED to recommend to the Full Board for a Public Hearing, to abandon a portion of Hiawatha Trail beginning at the southerly street line of Jodie Lane intersection and running in a southerly direction a distance of approximately 305 feet more or less and terminating at the end of the Hiawatha Trail right of way is no longer a City accepted and maintained street.

SECONDED by Chairman McPherson.

Discussion:

Chairman McPherson: You have the documentation from Rick Schultz, Planning & Zoning Administrator, regarding this item. A map is also included, and minutes that were documented from a Street Committee meeting in 1989. I am not sure how long it has exactly been since it was no longer an accepted and maintained street.

Alderman Kudej: Has it ever been maintained?

Chairman McPherson: It must have been at some time, because there was a recommendation at that time to release the maintenance bond. Now we have not been maintaining it, and so this is why we have the motion before us.

A voice vote was taken and the motion passed unanimously.

## **3. OLD BUSINESS**

### 3.1 AMENDMENT CODE OF ORDINANCE CHAPTER 9 ARTICLE II SOLICITORS AND CANVASSERS SECTION 9-16

Chairman McPherson MOVED to recommend to the Full Board Amendment Code of Ordinance Chapter 9 Article II Solicitors and Canvassers Section 9-16.

SECONDED by Alderman Farrell.

Chairman McPherson: Several people had complaints on this item; this has to do with people going around neighborhoods soliciting, etc. We have had residents call the police, or even had called some of the aldermen where it is beyond the normal hours of business. We had Counsel look at it and make a change into the ordinance. The change comes in Section 9-16, but the real change is: *“For the purpose of securing an audience with an occupant thereof and engaging in soliciting as herein defined prior to 9 AM or one-half hour before sunset on any week day or at any time on a Saturday, Sunday or a national holiday.”* The key change is one-half hour before sunset. Stan and I had a discussion a few weeks ago because the Acting Police Chief also had concerns about it, so again that was a recommendation also from the Police Department and it will again go to Public Hearing. Then it will come back to the Street Committee to be voted on, for the March meeting. Apparently we had some calls about that, and this will be something that will have to get out there.

A voice vote was taken and the motion passed unanimously.

Be it ordained by the Board of Aldermen of the City of Shelton to amend Ordinance #812 entitled “Solicitors and Canvassers” as follows:

*Section 1. Definitions. For the purpose of this article, the following words as used herein shall be considered to have the meaning herein ascribed thereto:*

*Registered solicitor shall mean and include any person who has obtained a valid certification of registration as hereinafter provided, which certificate is in the possession of the solicitor or his or her person while engaged in soliciting.*

*Residence shall mean and include every separate living unit occupied for residential purposes by one (1) or more person, contained within any type of building or structure.*

*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.

2) "Residence" shall mean and include every separate living unit occupied for residential purposes by one or more person, contained within any type of building or structure.

3) "Registered Solicitor" shall mean and include any person who has obtained a valid certificate of registration as hereinafter provided, which certificate is in the possession of the solicitor or his or her person while engaged in soliciting.

Section 2. Certificate of registration. Every person desiring to engage in soliciting as herein defined from persons in residences within this municipality, is hereby required to make written application for a certificate of registration as hereinafter provided. Such certificate shall be carried by the solicitor.

Section 3. Application for certificate of registration. Application for a certificate of registration shall be made upon a form provided by the municipality. The Certificate of Registration shall be obtained from the Shelton Police Department. The applicant shall truthfully state in full the information requested on the application, to wit:

- a) Name and address or present place of residence and length of residence at such address; also business address if other than present address;
- b) The address of place of residence during the past three (3) years if other than present address;
- c) Age of applicant;
- d) Physical description of the applicant;
- e) Name and address of the person, firm or corporation or association or other entity by whom the applicant is employed or otherwise represents, and the length of time of such employment or representation;
- f) The name and address of applicant's employer during the past three years if other than the present employer;
- g) A description sufficient for identification of the subject matter of the solicitation in which the applicant will engage;
- h) The period of time for which the certificate is applied;
- i) The date, or approximate date, of the latest previous application for certificate under this ordinance, if any;
- j) A statement as to whether or not any certificate or registration issued to the applicant under this ordinance has ever been revoked;
- k) A statement as to whether the applicant has ever been convicted of a violation of a felony under the laws of the state or any other state or federal law of the United States.
- l) The names of three most recent communities where the applicant has solicited house to house;
- m) A description of the proposed method of operation;



- n) The signature of applicant;
- o) The social security number of applicant.

All statements made by the applicant upon the application or in connection therewith shall be under oath.

Section 4. Upon receipt of an application for a certificate of registration, the Chief of Police shall cause an investigation of applicant to be made in such a manner and to such extent as the Chief of Police deems advisable and within ten (10) business days of the filing of the application the Chief of Police shall issue the certificate applied for except that no permit shall be issued to an individual who has been convicted of a felony under the laws of this state or of any other state or the federal law of the United States within five (5) years prior to the date of the application nor to any person who has been convicted of a violation of any of the provisions of this article nor to any person whose prior certificate of registration issued under this article has been revoked.

Section 5. Fingerprinting. The applicant for a certificate of registration shall be required to submit to fingerprinting by the police department of the municipality in connection with the application for the certificate.

Section 6. The chief of police shall cause to be kept in the office of the police department an accurate record of every application received and acted upon together with all other information and data pertaining thereto and all certificates of registration issued under the provisions of this article, and of the denial of applications. Applications for certificates shall be numbered in consecutive order as filed, and every certificate issued, and any renewal thereof, shall be identified with the duplicate number of the application upon which it was issued.

Section 7. Term; revocation of certificate. Any certificate of registration issued under the provisions of this article shall be valid for a period of two (2) years from the date of issuance. Any certificate of registration issued hereunder shall be revoked by the chief of police if the holder of the certificate is convicted of a violation of any of the provisions of this article. Immediately upon such revocation, written notice thereof shall be given by the chief of police to the holder of the certificate in person or be certified United States mail addressed to his or her residence address set forth in the application.

Immediately upon the giving of such notice the certificate of registration shall become null and void.

The certificate of registration shall state the expiration date thereof.

Section 8. Certificate required to be carried. It shall be the obligation of every person who has obtained a certificate of registration under the terms of this article to carry the certificate upon his person at any time while soliciting within the boundaries of the city. Any such solicitor who gains entrance to any residence or any property shall immediately and peacefully depart there from when requested to do so by the occupant.

Section 9. Notice regulating soliciting. Every person desiring to secure the protection provided by the regulations pertaining to soliciting contained in this article, shall comply with the following directions, to wit:

Notice of the determination by the occupant of giving invitation to solicitors, or the refusal of invitation to solicitors, to any residence, shall be given in the manner following:

A sign or notice approximately three (3) inches by four (4) inches in size, shall be exhibited upon or near the main entrance door to the residence, indicating the determination by the occupant, containing the applicable words, as follows:

"Only Solicitors Registered in Shelton Invited"

or

"No Solicitors Invited"

The letters shall be at least one-third inch in height. For the purpose of uniformity a sign may be provided by the chief of police to persons requesting, at the cost thereof.

Such sign so exhibited shall constitute sufficient notice to any solicitor of the determination by the occupant of the residence of the information contained thereon.

Section 10. Duty of solicitors. It shall be the duty of every solicitor upon going onto any premises in the municipality upon which a residence as herein defined is located, to first examine the notice provided for in this article, if any is attached, and be governed by the statement contained on any if the notice states "Only Solicitors Registered in Shelton Invited", then the solicitor not possessing a valid certificate of registration as herein provided shall immediately and peacefully depart from the premises, and if the notice states "No Solicitors Invited," then the solicitor, whether registered or not, shall immediately and peacefully depart from the premises.

Any solicitor who has gained entrance to any residence, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.

Sec. 11. Uninvited soliciting prohibited. It is hereby declared to be unlawful and shall constitute a nuisance for any person to enter upon any premises and ring the door bell upon or near any door, or create any sound in any other manner calculated to attract the attention of the occupant of such residence, for the purpose of securing an audience with the occupant thereof and engage in soliciting as herein defined, in defiance of the notice exhibited at the residence in accordance with the provisions of section 9 of this ordinance.

Section 12. Time limit on soliciting. It is hereby declared to be unlawful and shall constitute a nuisance for any person whether registered under this article or not, to go upon any premises and ring the door bell upon or near any door of a residence located thereon, or rap or knock upon any door or create any sound in any other manner calculated to attract the attention of the occupant of such residence, for the purpose of securing an audience with the occupant thereof and engage in soliciting as herein defined, prior to 9:00 a.m. or after 9:00 p.m. of any weekday, or at any time on a Sunday or on a State or national holiday. after one-half hour before sunset of any weekday, or at any time on a Saturday or on a State or national holiday.

Section 13. Fee. Any person making application for a certificate of registration under the terms of this article shall be required to pay a fee of twenty-five dollars (\$25.00).

Section 14. Penalty. Any person violating any of the provisions of this article shall be subject to a fine of not more than Two Hundred and Fifty Dollars (\$250.00) for each offense. Each sale or attempt to sell or contact with a residence in violation of this article shall be deemed a separate violation.

## Peddlers and Street Vendors

- (a) *License required.* No person shall peddle any kind of goods, wares, or merchandise about the streets, from house to house, or upon any public street, park, or common within the city without having a license therefor from the chief of police granted in accordance with the provisions of this section.
- (b) *Application for license.* No person shall receive a peddler's license unless he shall, before the time when he desires his license to be granted, make application in writing for such license over his own signature to the chief of police, in which application shall be truly stated:
  - (1) The name and residence of the applicant;
  - (2) The kind of goods, wares, or merchandise desired to be peddled;
  - (3) The length of time for which the license is desired, which application shall be kept on file in the office of the chief of police.
- (c) *License fee.* A fee shall be paid by an applicant for a peddler's license to the chief of police in a sum not to exceed twenty-five dollars (\$25.00) before the issue of the peddler's license.
- (d) *Term of license.* No peddler's license shall be granted for a longer term than one (1) year.
- (e) *Expiration date of license.* All peddlers' licenses shall expire on the first Monday of the March next succeeding the granting of the license.
- (f) *Refusal to show license.* Every person licensed under the provisions of this section who shall refuse or neglect to exhibit and show such license on the demand of any officer of the city shall be subject to the penalty provided in subsection (h) of this section.
- (g) *Exemptions.* The provisions of this section shall not apply to the sale within the city of provisions or farmers' produce, nor shall the same apply to or prevent the taking of orders by resident or nonresident merchants for goods, wares or merchandise, to be afterwards filled and delivered by them, their clerks or agents.
- (h) *Penalty.* Every person who shall violate any of the provisions of this section shall be subject to a fine of not more than Two Hundred & Fifty Dollars (\$250.00) and each sale or attempt to sell shall be deemed a separate violation.

## 3.2 GREENFIELD DRIVE UPDATE

Chairman McPherson: This item came to me back in December. We were just looking for an update on here.

Ernie Hutchinson: The Highway Department's position on this is that we are making plans to address Greenfield Drive in this year's plan. There are a couple of different ways that we could approach it, but at the moment it is planned for doing this street this year.

Chairman McPherson: So that will probably have to get ripped up?

Ernie Hutchinson: They are going to reevaluate it come spring if we go with a leveling course and then chip seal next year. Or, if we are going to overlay and then complete it this year.

Chairman McPherson: Do you know if they had done any temporary pothole fillings?

Ernie Hutchinson: What I did notice that on the agenda it is labeled as Greenfield Road, but really it should be Greenfield Drive, it is .44 miles long or basically 2300 lineal feet so it is something that is on our agenda that we will approach.

#### **4. REPORT OF THE CHAIRMAN**—None presented.

#### **5. STREET COMMITTEE MEMBERS**

REPORTS OF:

##### D. STREET COMMITTEE MEMBERS

Alderman Kudej: Where Laurel Heights Road and River Road meet there is construction going on over there. An individual has ripped out all of the trees, and as you come down Laurel Heights Road it bends and is very curvy. If you are not aware that the road is curved, you will go right in the ditch. This road was like this for quite a while. I talked to the individual who was related to the person who bought the property, and I had him put that yellow tape around so people know you cannot go around; people should know that you need to go left, not straight. The people that live in the area have gotten used to it but strangers who do not know the area, it could create a problem.

Ernie Hutchinson: I will visit that area tomorrow and get back to the board.

Alderman Kudej: The other thing that I wanted to mention was that there were a lot of potholes that are starting to pop up all over the place. Do you want me to call the City yard? Or wait for the next meeting?

Ernie Hutchinson: No please call the Highways & Bridges Department. We address potholes on an on-call basis. Are there any potholes that you are cognizant of right now?

Alderman Kudej: Right now I remember Pawtucket Avenue. Usually I like to take a drive and look at how bad it is before I call and report the pothole.

Ernie Hutchinson: Please do not hesitate to call us.

ADJOURNMENT

Alderman Kudej made a motion to adjourn the Board of Aldermen Street Committee meeting. The motion was seconded by Alderman Farrell. A voice vote was taken; all were in favor motion passed unanimously.

Meeting adjourned at 6:30 p.m.

Respectfully Submitted;

*Brittany Gannon*  
Brittany Gannon