



BOARD OF ALDERMEN
SPECIAL
S T R E E T C O M M I T T E E M E E T I N G
TUESDAY, OCTOBER 21, 2014
AT SHELTON CITY HALL, AUDITORIUM
54 HILL STREET, SHELTON, CT
AT 6:00 P.M.

PLEDGE OF ALLEGIANCE/CALL TO ORDER

Chairman Alderman McPherson on Tuesday, October 21, 2014 called the Regular Meeting of the Board of Aldermen Street Committee to order at 6:00 p.m. in the Room 104, of Shelton City Hall and led the group in a pledge of allegiance to the flag.

Present

Alderman McPherson, Chairman

Alderman Kudej

Alderman Farrell

Also Present

Alderman Finn

AGENDA ITEMS:

1. MINUTES FOR APPROVAL

1.1 NO ITEMS

2. NEW BUSINESS

2.1 REVISIONS TO CODE OF ORDINANCES ARTICLE III. ANTI-BLIGHT SEC. 3-41 TO SEC. 3-45

DISCUSSION:

Chairman McPherson: This is just something now that we are going to be doing a little work on. From time to time, there are ordinances that we have to bring back to clear up any loopholes, and/or tidy up the ordinance. In your copies, you will either see areas that are crossed out, re-typed and underlined. Basically, what we did three

years ago, we have attempted to reduce the amount of time that it takes between when the violator is notified, and by the time they would take action. Under the old ordinance that was originally proposed, there were time periods up to 180 days in the ordinance. Counsel, myself and Mrs. DeFilippo felt it was better to reduce some of those time periods, which is being proposed from 90 days to 45 days. There are some that go down to 60 days, from 90 down to 60 days. I believe there are some changes where we went from 60 days to 30 days.

On page 4, we have to make sure there is a provision for a hearing officer, for anyone that has the need to appeal; they will have that recourse to do so. This is generally cleaning up of the ordinance. I am not asking for this to be voted on tonight from the Full Board, because there are other things that we need to work on as far as the enforcement part of the ordinance. Keep this for your records, for, as we get further along in the process it will be coming back here. I felt that it was important to update the committee on what we are trying to do with this ordinance. There is going to be a second ordinance coming, which again, is going to be a sign ordinance dealing with any kinds of signs on city property. That will be coming very soon.

There are also some changes in this ordinance. Counsel had become aware that there is a new state statute. I do not know how new it is, or how long it has been on the books, but it has to do with liens. We have to do a search every time to make sure what liens are on because a blighted premises may have various liens. It could be a contractor's lien; a city lien so there is a new provision for that.

Then, as you go through it you will see some areas that were just taken out completely because it is something that we may not need. There are also some redundancies in here, as well. We toughed up the part of the ordinance where it discusses the fines; we can only go as high as \$250.00. That amount is set forth by state statute, and the minimum fine to be imposed will be \$50.00. That amount used to be \$10.00, but now it is up to \$50.00. Also, the enforcing agencies will have the discretion as to if there are any repeat offenders, and then they can be fined up to the highest amount. From the ordinance it reads, "The director or its designee shall impose a fine of not less than \$50.00, and not more than \$100.00 per day, per violation". There is a clause that we have in there that "it may be retroactive". Then we added a clause in the same paragraph, "further if the condition exists on the premises that is similar to a condition which existed in the prior 24-month period on the premises, and was subject to action pursuant to the ordinance, the director shall impose maximum fine". If you are a repeat violator, then you are going to start out with the maximum fine so that is what that section means.

Alderman Kudej: I got my packet today, so I assume that we are not going to be voting on this until next month?

Chairman McPherson: No, this information is here to update everyone as to what is going on with the ordinance. We want to concentrate on the enforcement part of the ordinance, because coming with the second ordinance that I will be bringing, we would like to include in the ordinance itself that the people doing the enforcement shall

by ordinance, given the authority to issue fines. It used to be where the Chief of Police would give the authority, and Chief Voccola at the time, took away that authority, as I understand it to be. Now, I believe it is best to put it into the ordinance itself. Whoever is going to be doing the enforcing shall be empowered by the ordinance to issue fines.

Alderman Kudej: Who is working on this ordinance?

Chairman McPherson: Counsel, myself, Charlene.

Alderman Kudej: Are you going to someone else that has something else to say?

Chairman McPherson: No, because Charlene DeFilippo has been the Blight Officer so her input is important. Fred Wills, who also does work in that department; he splits his time between zoning and blight. This is to try to make the ordinance simple, understandable and enforceable. I think we have seen way too many 20-page to 30-page ordinances that just go on. I think the simpler, the better.

2.2 BIRCHBANK ROAD- RIGHT OF WAY

DISCUSSION:

Chairman McPherson: Alderman Finn is in the audience. Do you have anything that you can add to this?

Alderman Finn: No I did not file a complaint.

Chairman McPherson: I understand that, but my thought was that you have talked to the resident.

Alderman Finn: I did speak to the resident when they were sitting down, when they were having a discussion with Planning & Zoning with Tom Dingle, Rick Schultz. Charlene was there as well. I happened to be there on another issue, so I listened to the conversation.

Chairman McPherson: I did speak with Paul DiMauro on this, and he has told me that this road is a priority. This road is high up on their radar to get this taken care of. I think we need more information on this, and if there are any line of sight issues then that is something that can be looked at, as well. They are going to try very hard to get it done this season. We will follow up on that, and we will ask our clerk to contact the party, if they have pictures they can take to give us a better description so I can get that to Paul. He has already told me they are aware of the situation down there, and it is high on their priority list.

Alderman Finn: What about Planning & Zoning? They have photographs.

Chairman McPherson: Then I will have to contact Mr. Schultz, to get copies of those; we need to see those here. I have been told though, that the aim is to get this taken care of this season.

2.3 UPDATE ON TRASH & RECYCLING VIOLATIONS

DISCUSSION:

Chairman McPherson: This has been near and dear to my heart because all of the violations are in my ward and your (Kudej's ward). Paul has told me that they have made a lot of strides in reducing the amount of violations of these items that are not collectable by our trash and recycling pickup. Most of the violations that have occurred are mostly in rentals, out of town landlords, etc. They have a process in which violators are contacted, they go out and take pictures, and they will be notified and given so much time to deal with it. If we have to go and remove it, then we send them a bill and fine them. Then again, here is another ordinance with trash and recycling the state allows us to fine the higher amount, I believe. We cleaned up those fines when we last had that ordinance; we made it all consistent whether it was a two-family, four-family or six-family, we have made those fines under one roof.

With the one staged amount in the existing ordinance, there were two different paragraphs with two different fining amounts. I felt that was too confusing and we needed to hold everyone to the same standard. We took out one of the paragraphs, and we went with the higher fines. This is to keep on top of it, and to make sure that people comply. If they do not comply, you are given your courtesy warning and after that, you will start paying because you are going to get fined.

Alderman Kudej: Speaking on recycling, I am still having that problem of people coming in, picking up soda cans, beer cans, etc. out of the recycle bins. I talked to the people that dive in, and they tell me to go fly a kite. This is not being enforced. Why have ordinances if we are not going to enforce them?

Chairman McPherson: I agree with you, whole-heartedly. I think this is a two-step process. The first thing is to notify Mr. Hutchinson, or you can actually notify Paul.

Alderman Kudej: I did that at a previous meeting, and I gave the marker numbers to them.

Chairman McPherson: You need to call the Chief of Police, and say that you have the plate number. Under the current ordinance, I believe it is a \$250.00 fine. So at that point if you have a vehicle plate number, they can run it and they can call that individual because they are not going to stop until they receive a call from the police department. If that person gets called again, they can send a unit out with an officer to issue the fine. It is in the ordinance, and if it is not being followed then maybe the police department come to the next Street Committee meeting to explain to us why that is not being done.

Alderman Kudej: Well they may need to come.

Chairman McPherson: That will be the next option. It is important to keep on it. Most of the violators are out of town landlords. We had a big case on Howe Avenue, with an out of state landlord, who lived in Florida on a beautiful cul-de-sac in a 4,000 square foot house. That was quite a battle to make them clean up their trash situation. Again, we have to keep up on it and follow through with enforcement. I agree with your point, if you are not going to enforce it, then why have an ordinance?

Alderman Kudej: We put out the recycle bins, and the people from Parks & Recreation pick them up. They pick them up; bag them, taking the cans, etc. They are collecting money on it, but when other people come in and empty them out before Parks & Recreation get there, they are actually stealing income from the City. I do not care if it is a nickel, or five dollars.

Chairman McPherson: That is why if you have not received results, the Police Chief needs to be contacted, and say this is the ordinance, this is what it says and this is what needs to be done. I think you have to go that route, and if nothing is getting done then we might need him before this committee and explain why it is not being done. If we have to do that, then that is fine. Anyone have anything else for Old Business?

Alderman Kudej: I have something for the paving for the parking area of Riverview Park, which was damaged by the snow removal. It has not been repaired as of yet. There are big holes over there. It seems to be a problem; Parks and Recreation is not going to do it because they think it is of the fault of Highways & Bridges. The holes are quite big, and someone should address it.

Chairman McPherson: Passing the blame from department to department is not going to get the problem resolved. We will call Paul. Where is this again?

Alderman Kudej: Riverview Park, in the basketball courts and where the little league field is. As well as, where the parking area is. That is where they dumped all of the snow last year.

Chairman McPherson: We can ask Paul to look into that, to see if we can get it done this year. He is also working on updating the map that we were talking about earlier, as to the roads that have been done. They are trying to get so much done, in terms of the roads. We have around 300 miles of roads in the city. I think we have reached a good point where a lot of these roads have been done, and are going to be done. They will work up until the asphalt plants stay open later. They are taking advantage of all of the good weather that we get. I was asked to convey that they are working to try to get to all of these areas. They will update a map, to show exactly what has been done and what is planned. Also, I would ask this committee, and all of the other aldermen to really go out and push the bond issue that is on the referendum, for Election Day. We get that approved. In the past, I believe, there has been a 3-1-voter support so we can do what we need to do, to get these roads taken care of. I am

going to try to put a letter together to the editor, but I am going to ask all of the other aldermen also, to go out and push for this so we can be approved and continue to have these roads taken care of.

3. OLD BUSINESS

3.1 NO ITEMS

4. REPORT OF THE CHAIRMAN

None presented.

5. STREET COMMITTEE MEMBERS

REPORTS OF:

D. STREET COMMITTEE MEMBERS

Alderman Kudej: What has been the Highways & Bridges position on replacing curbs?

Chairman McPherson: I think curbs are a tricky issue.

Alderman Kudej: I have seen them replace certain areas, and certain areas that are just bypassed. If there was a curb there originally because of the re-doing of the roads, and if curbing has been damaged removed, they should be replacing them.

Chairman McPherson: I think it can be a combination of two things. I think if they are working in that area and there is a curb, then they will replace it. If not, they go to another area. I know when they did Wheeler Street before I was back on the board, a lot of the residents over there did not want curbing. Some on the street wanted curbing, and they got it. Some did not want the curbing, so they left it.

Alderman Kudej: That question pops up quite frequently. We have done quite a bit of roads last year, especially in the Coram Gardens area. Some of the places had curbs to start off with, and over the years the curbs have been deteriorated or have been moved with our improvement. People are asking whether they are going to come back and replace the curbs, or forget it? That is something that I would like to convey to the constituents.

Chairman McPherson: We can contact the Director of Public Works on that, and if they are planning to go out to replace the curbs then we will see if we could get that done.

Alderman Kudej: I knew that we have talked about it in the past.

Chairman McPherson: I understand that some do not want the curbing, so we will try to get to the bottom of that as well.

Lynne, do you have anything that you may want to add?

Alderman Farrell: No.

ADJOURNMENT

Chairman Alderman McPherson made a motion to adjourn the Board of Aldermen Street Committee meeting. The motion was seconded by Alderman Kudej. A voice vote was taken; all were in favor motion passed 3-0.

Meeting adjourned at 6:25 p.m.

Respectfully Submitted;

Brittany Gannon
Brittany Gannon