



REVISED

BOARD OF ALDERMEN REGULAR MEETING AGENDA
THURSDAY, APRIL 11, 2024 AT 5:30 P.M. IN AUDITORIUM
SHELTON CITY HALL, 54 HILL STREET, SHELTON CT
Live-Streamed at www.cityofshelton.org

The Board of Aldermen Regular Meeting will be live-streamed on the City of Shelton's website: www.cityofshelton.org. Members of the public may also attend the meeting in person at Shelton City Hall.

- CALL OF THE MEETING
- PLEDGE OF ALLEGIANCE
- ROLL CALL
- PUBLIC PORTION
- AGENDA ITEMS

MINUTES FOR APPROVAL

1. MINUTES FOR APPROVAL

1.1 BOARD OF ALDERMEN REGULAR MEETING – MARCH 14, 2024

5.1 FINANCE COMMITTEE

5.1.1 NO ITEMS

5.2 PUBLIC HEALTH & SAFETY COMMITTEE

5.2.1 NO ITEMS

5.3 STREET COMMITTEE

5.3.1 NO ITEMS

REPORT OF THE MAYOR

REPORT OF THE PRESIDENT

6- LEGISLATIVE – OLD

6.1 ITEMS FROM PUBLIC HEARING

6.1 A. NO ITEMS

7 – FINANCIAL BUSINESS – OLD

7.1 NO ITEMS

8 - FINANCIAL BUSINESS - NEW

8.1 APRIL STATUTORY REFUNDS

- 8.2 WAIVER OF BID FOR PURCHASE OF FLEXTRAX CAMERA FOR SEWER DEPARTMENT
- 8.3 RESCISSION OF ITEM 8.5 FROM 12/14/2023 BOA MEETING & REAPPROPRIATION OF FUNDING FOR PINE ROCK PARK FIREHOUSE ROOF REPLACEMENT
- 8.4 OVEREXPENDITURE FOR REGISTRAR OF VOTER'S OFFICE - APRIL 2, 2024 PRIMARY & EARLY VOTING
- 8.5 FUNDING FOR SPECIAL EDUCATION SCHOOL
- 8.6 WAIVER OF BID FOR PURCHASE OF 2013 FORD TRUCK FOR H&B DEPARTMENT**

9 – LEGISLATIVE – NEW

- 9.1 ITEMS TO PUBLIC HEARING
 - 9.1 A. PROPOSED ORDINANCE PROHIBITING ALL TYPES OF CANNABIS ESTABLISHMENTS & RETAIL SALES OF CANNABIS OR CANNABIS-RELATED PRODUCTS WITHIN THE JURISDICTION/BOUNDARIES OF THE CITY OF SHELTON
- 9.2 APPOINTMENT TO WATER POLLUTION CONTROL AUTHORITY

10 - EXECUTIVE SESSION

- 10.A. REQUEST TO MOVE TO EXECUTIVE SESSION
 - 10.1 CONDEMNATION LAWSUIT

ADJOURNMENT

1. MINUTES FOR APPROVAL

Move to waive the reading and approve the following meeting minutes:

1.1 BOARD OF ALDERMEN REGULAR MEETING – MARCH 14, 2024

Minutes can be viewed on the city website: www.cityofshelton.org.

5.1 FINANCE COMMITTEE

5.1.1 NO ITEMS

5.2 PUBLIC HEALTH & SAFETY COMMITTEE

5.2.1 NO ITEMS

5.3 STREET COMMITTEE

5.3.1 NO ITEMS

REPORT OF THE MAYOR

REPORT OF THE PRESIDENT

6– LEGISLATIVE – OLD

6.1 ITEMS FROM PUBLIC HEARING

6.1 NO ITEMS

7 – FINANCIAL BUSINESS – OLD

7.1 NO ITEMS

8 – FINANCIAL BUSINESS – NEW

8.1 APRIL STATUTORY REFUNDS

Move that the report of the Tax Collector relative to the refund of taxes for a total amount of \$5,093.84 be approved and that the Finance Director be directed to make payments in accordance with the certified list received from the Tax Collector with funds to come from the Statutory Refunds Account 001-0000-311.13.00.

(Supporting documentation from the Tax Collector is on file with the BOA Clerk or Town Clerk's Office)

8.2 WAIVER OF BID FOR PURCHASE OF FLEXTRAX CAMERA FOR SEWER DEPARTMENT

Move, per the recommendation of the Finance Director, to waive the bidding process for the purchase of Flextrax Camera for the Sewer Department.

8.3 RESCISSION OF ITEM 8.5 FROM 12/14/2023 BOA MEETING &
REAPPROPRIATION OF FUNDING FOR PINE ROCK PARK
FIREHOUSE ROOF REPLACEMENT

Move to rescind Item 8.5 “Funding for Pine Rock Park Firehouse Roof Replacement” passed at the December 14, 2023 meeting.

Further, move to add the Pine Rock Park Firehouse to the Capital Improvement Plan in an amount of \$49,000 with funding to come from LoCIP and \$25,750 from American Rescue Plan Act.

8.4 OVEREXPENDITURE FOR REGISTRAR OF VOTER'S OFFICE -
 APRIL 2, 2024 PRIMARY & EARLY VOTING

Move, pursuant to Charter Section 7-10(b), to approve the over-expenditure of the following Registrar of Voter's accounts for the April 2, 2024 primary and early voting expenses through the end of fiscal year 2023-2024.

<i>ACCOUNT NUMBER</i>	<i>ACCOUNT NAME</i>	
0500-413.30-07	Printing & Advertising--- Ballots. memory cards, posters, post cards for primary	
0500-41310-02	Part Time Employees for primary and election prep and adding an additional voters to system.	
0500-413.60-27	ELECTION EQUIPMENT	
0500-413.80-41	Commissary	
0500-413.80-41	Poll workers	
0500-413.40-05	Postage	

8.5 FUNDING FOR SPECIAL EDUCATION SCHOOL

Move to appropriate an amount of \$65,000 for a Special Education school with funding to come from American Rescue Plan Act.

8.6 WAIVER OF BID FOR PURCHASE OF 2013 FORD TRUCK FOR H&B DEPARTMENT

Move, per the recommendation of the Finance Director, to waive the bidding process for the purchase of a used 2013 Ford F250 Truck for Highways & Bridges.

9 – LEGISLATIVE – NEW

9.1 ITEMS TO PUBLIC HEARING

PUBLIC HEARING TO BE HELD ON APRIL 23, 2024

9.1 A. An Ordinance Prohibiting All Types of Cannabis Establishments and Retail Sales of Cannabis or Cannabis-Related Products Within the Jurisdiction/Boundaries of the City of Shelton

1. Authority

This ordinance is adopted pursuant to the Connecticut General Statutes section 7-148 (c) (7) (a) (ii), 7-148 (c) (7) (h), and 7-148 (c) (10) (a), as amended by public act 21-1, section 148 (June 2021) Special session, which authorizes municipalities to regulate activities deemed harmful to public health.

This statute permits municipalities to prevent cannabis establishments within their jurisdictions by identifying such uses as a “prohibited use” in their local zoning regulations or land use ordinances.

Section 148 (b) of said law provides that any municipality may, by amendment to such municipality’s zoning regulations or by local ordinance, prohibit the establishment of a cannabis establishment.

2. Definitions The following definitions shall apply to this article:

Cannabis establishment: A producer, dispensary facility, cultivator, micro-cultivator, retailer, hybrid retailer (i.e., licensed to sell both recreational cannabis and medical marijuana) of products containing cannabis, or a manufacturer, packager, delivery service, or transporter of products containing cannabis, including cannabis-infused food and beverage products.

Cannabis producer: An individual or business that possesses a state or municipal license to grow, harvest, dry, trim, cure, and package cannabis.

Cannabis cultivator: An individual or business that produces cannabis flowers.

Cannabis micro-cultivator: An individual or business that produces cannabis flowers in a limited-sized grow space.

Cannabis food and beverage manufacturer: An individual or business that produces cannabis-infused food and beverages.

Cannabis product manufacturer: An individual or business that participates in any aspect of the cannabis extraction and infusion processes, including processing, repairing, holding, storing, packaging or labeling of cannabis products.

Cannabis manufacturing: Also includes any processing, preparing, holding, or storing of components or ingredients.

Cannabis product packager: An individual or business that focuses on assisting the proper and accurate packaging of cannabis products into pre-weighed containers and pre-rolled joints.

Cannabis dispensary facility: Regulated locations in which a person can purchase cannabis and cannabis-related items for medical or recreational use.

Cannabis retailer: An individual or business that sells, supplies, or offers recreational cannabis products for sale directly to customers.

Cannabis hybrid retailer: An individual or business that sells, supplies, or offers recreational cannabis or medical marijuana products for sale to customers.

Cannabis delivery service or transporter: Any number of companies or individuals that are involved in the distribution of cannabis by way of delivery either through mail-order or hand-delivery.

3. Cannabis-related land use prohibition:

- (a) Shall be deemed unlawful for any building, structure, or land anywhere within the boundaries of the City of Shelton to be used as a cannabis-establishment, cannabis producer, cannabis dispensary facility, cannabis cultivator, cannabis micro-cultivator, cannabis retailer, cannabis hybrid retailer, cannabis food and beverage manufacturer, cannabis product manufacturer, or cannabis product packager. The regulations in this section also include grocery stores, convenience stores, package stores, delicatessens, and smoke shops. Such products include cannabis, marijuana cigarettes, cigars, pipes, vaping devices/substances, and edible and liquid substances.
- (b) Fines: Fines for first-time violations shall be \$100. Fines for repeat violations shall be \$250. Each day in operation or each day in sale, whichever is greater, shall constitute a separate offense. Unpaid fines shall accrue interest of up to, but no more than 18% a year, and may result in liens being placed on the property of said violators.
- (c) The prohibition and fine in sections (a) and (b) shall not apply to any fully lawful cultivation, processing, manufacturing or sale of hemp and hemp products by an individual or entity including as applicable, licensure, and authorization to engage in such activity by the State of Connecticut Dept. of Agriculture or Dept. of Consumer

Protection. Such cultivation, processing, or manufacturing must comply with state law. Failure to comply with state law regulating the cultivation, processing, and manufacturing of hemp or hemp products shall void the application of exemption to such person(s) or entity in violation and shall be subject to the aforementioned fines.

4. Enforcement: The Chief of Police of the City of Shelton, and/or the Chief's designee, the Planning & Zoning Commission, and/or Zoning Enforcement Officers, shall have the authority to enforce all aspects of this ordinance, including the issuance of fines. In addition to fines, this article may be enforced by injunction, action or abatement, or other appropriate civil remedy.
5. Severability: Should any provision of this ordinance be declared invalid for any reason; such declaration shall not affect the validity of other provisions of this ordinance as a whole; it shall be the legislative intent that the provisions of this ordinance shall be severable and that remainder of said ordinance shall be valid.
6. Notice of adoption: Pursuant to Section 148 of Public Act 21-1 (June 2021 Special Session), the Mayor or Mayor's designee shall report the land use changes made by the ordinance in writing to the Secretary of the Office of Policy and Management and to the Dept. of Consumer Protection not later than 14 days after the adoption of said ordinance.

9.2 APPOINTMENT TO WATER POLLUTION CONTROL AUTHORITY

Move to appoint John Marsilio to the Water Pollution Control Authority effective immediately.

Mr. John Marsilio - D
53 Federal Road
Shelton CT 06484
Term Expires: Dec. 13, 2025

10 - EXECUTIVE SESSION

10.A. REQUEST TO MOVE TO EXECUTIVE SESSION

10.1 CONDEMNATION LAWSUIT

Adjournment
