

**MINUTES
PUBLIC HEARING
BOARD OF MAYOR AND BURGESSES
AUGUST 4, 2026**

The Borough of Naugatuck held the Board of Mayor and Burgesses meeting on a hybrid basis. Everyone was welcomed to attend in person, by Zoom Webinar or by phone.

1. Mayor “Pete” Hess declared the public hearing to order at **6:33 p.m.** with the following in attendance:

BURGESSES:

R. Vitale	R. Neth
M. Bronko	D. Neth-Kunin
K. Gallo, virtual	J. Rosenblatt
K. Kimball	J. Velazquez
C. Marenghi	

PRESS:

None

RESIDENTS:

Unable to determine due to the format

DEPARTMENT HEADS:

C. McAllister, Chief of Police
J. Kallipolites, IT Director
M. Chatfield, Deputy Fire Chief

J. Stewart, DPW Director
K. Hanks, Fire Chief

OTHERS:

E. Fitzpatrick, Borough Attorney
L. Passeck, Zoning Commission

J. Lennon, DPW Foreman

2. Burgess Robert Neth led in the Pledge of Allegiance to the flag.
3. Mayor Hess announced that the Public Hearing is to discuss the proposed adoption of **Ordinance #140 – Regulations of Smoke Shops and Related Items, Article VII – Regulations of Smoke Shops and Related Items, In General, Sections 12-120 – 12-134 in Chapter 12, Licenses, Permits and Miscellaneous Business Regulations** of the Code of Ordinances of the Borough of Naugatuck, Connecticut. Legal Notice of this hearing has been published in the Republican American Newspaper on August 2, 2026.

Mayor Hess stated there will be a recording of the public hearing and everyone will be given an opportunity to speak after stating their name and address for the record.

4. Mayor Hess asked Borough Attorney Fitzpatrick to give an overview of the proposed ordinance.

Attorney Edward Fitzpatrick – Borough Attorney

The borough has legislative jurisdiction to adopt this ordinance. **For the record:** “We are not proposing to prohibit vape and smoke shops.” We are not allowed to prohibit vape/smoke shops. It is a licensing ordinance made to be strong and enforceable. We have the strongest penalty provisions of any ordinance that has so far been adopted. We are in the forefront. Other towns are more lenient than our ordinance. If adopted, we may be one of the leaders for other towns to follow.

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Burgess Kaitlyn Kimball

The ordinance targets illegal activities such as sales to minors. Half of the town's vape stores are on Rubber Avenue; the high school is on Rubber Avenue and she believes that is not a coincidence. It is illegal to sell vape products to anyone under twenty-one years of age. If vape store owners are compliant, then there will be no issue.

Burgess Robert Neth

He asked Attorney Fitzpatrick if there are any laws at the state level that establish how many vape stores can be in a community.

Attorney Edward Fitzpatrick

The state provides no statutory guidance on this issue, unlike they do with liquor stores and cannabis establishments. The Zoning Commission is in the process of drafting zoning regulations regarding locations, distances and separation points. They adopted a moratorium. The commission has been waiting for this ordinance to be adopted first.

Burgess Kaitlyn Kimball

The Department of Consumer Protection is overwhelmed. They are doing quarterly visits. This ordinance gives the borough more authority to go to stores more frequently and not to rely on the state.

Burgess Jose Velazquez

He questioned the word *shareholder* in Sections 12-124 A,B and C and Section 12-126 (4). Section 12-125 has *notification of denial* in the heading yet nothing is about denial in that section but it is in the following section.

Attorney Edward Fitzpatrick

He said the sections that mention shareholders is for the majority owner of the establishment not all shareholders.

Burgess Kimberly Gallo

Without these ordinances, the police have very limited ability to police those who are selling things they shouldn't to minors. The ordinance is necessary to give the police the tools they need to keep kids safe and to require stores to follow the law.

Attorney Edward Fitzpatrick

There are rights to appeal. A due process for store owners. It goes to a hearing officer.

DPW Director James Stewart

In Section 12-130. Signage., add the word *Portuguese*.

The words *notification of denial* will be removed from the heading of Section 12-125 and added to the heading of Section 12-126. The word *Portuguese* will be added after the word *Spanish* in Section 12-130. Signage.

5. Public Comment – None
6. Mayor Hess declared the public hearing closed at **6:49 p.m.**

A digital recording of this meeting is available in the office of the Borough Clerk for further review.

Attest:

Nancy K. DiMeo, Borough Clerk