

**CITY OF NORWALK
ORDINANCE COMMITTEE
REGULAR MEETING
OCTOBER 15, 2019**

ATTENDANCE: Eloisa Melendez, Chair; Michael Corsello; Douglas Hempstead;
Thomas Livingston; Beth Siegelbaum; Chris Yerinides

STAFF: Brian Candela, Assistant Corporation Counsel

ROLL CALL

Ms. Melendez called the meeting to order at 7:01 p.m. and called the Roll.

PUBLIC HEARING

Ms. Melendez opened the public hearing for the following item at 7:04 p.m.

Discuss and Vote on Code of Ethics Section 32-16 – Incurring costs by Board of Ethics Staff

No members of the public were present and the public hearing was closed at 7:04 p.m.

Ms. Melendez opened the public hearing for the following item at 7:04 p.m.

Discuss and Vote on Code of Ethics Section 32-17 – Representation of Respondent by City

No members of the public were present and the public hearing was closed at 7:04 p.m.

Ms. Melendez opened the public hearing for the following item at 7:04 p.m.

Discuss and Vote on Bike Walk Advisory Commission Section 20-1B – Composition; Appointment; terms; vacancies; compensation

No members of the public were present and the public hearing was closed at 7:04 p.m.

Ms. Melendez opened the public hearing for the following items at 7:04 p.m.

Discuss and Vote on New Provision of Chapter 26 – Building Code – Fees Accessed

Discuss and Vote on Chapter 21, Section 21-2 – Permit Obtained from Building Inspector

Discuss and Vote on Chapter 95A, Section 95A-3 – Littering and Illegal Dumping Prohibited

Discuss and Vote on the Following Sections in Chapter 95:

Section 95-1 – Definitions

Section 95-5 – Littering Prohibited

Section 95-7 – Grass and Weeds

Section 95-10 – Snow and Ice Removal from Sidewalks and Driveways

No members of the public were present and the public hearing was closed at 7:05 p.m.

PUBLIC HEARING DISCUSSION

The Committee members discussed the following two items:

Discuss and Vote on Code of Ethics Section 32-16 – Incurring costs by Board of Ethics Staff

Discuss and Vote on Code of Ethics Section 32-17 – Representation of Respondent by City

Mr. Hempstead said if anyone is found to be not guilty, he wanted it to be automatic that they would be reimbursed. He said past practice was that if anyone was found to be not guilty, their fees were all covered.

Mr. Corsello suggested letting the Ethics Board weigh in on this. Mr. Livingston agreed.

**** MR. LIVINGSTON MOVED TO TABLE THE ITEMS
** MOTION PASSED UNANIMOUSLY**

**** MR. LIVINGSTON MOVED THE FOLLOWING ITEM TO THE FULL
COMMON COUNCIL**

Discuss and Vote on Bike Walk Advisory Commission Section 20-1B – Composition; Appointment; terms; vacancies; compensation

**** MOTION PASSED UNANIMOUSLY**

**** MR. HEMPSTEAD MOVED THE FOLLOWING ITEM TO THE FULL COMMON COUNCIL**

Discuss and Vote on New Provision of Chapter 26 – Building Code – Fees Accessed

**** MOTION PASSED UNANIMOUSLY**

The Committee members discussed the following items and made recommendations:

Discuss and Vote on Chapter 21, Section 21-2 – Permit Obtained from Building Inspector

Discuss and Vote on Chapter 95A, Section 95A-3 – Littering and Illegal Dumping Prohibited

Discuss and Vote on the Following Sections in Chapter 95:

Section 95-1 – Definitions

Section 95-5 – Littering Prohibited

Section 95-7 – Grass and Weeds

Section 95-10 – Snow and Ice Removal from Sidewalks and Driveways

**** MR. LIVINGSTON MOVED THE ITEMS TO THE FULL COMMON COUNCIL AS AMENDED**

**** MOTION PASSED UNANIMOUSLY**

PUBLIC COMMENT

There were no members of the public present who wished to speak this evening.

ACCEPTANCE OF MINUTES

September 17, 2019

The following corrections were made to the minutes:

Page 2: Correct Ms. Price to Mr. Price

Page 3: Replace Mr. Corsello Seconded to Motion Passed Unanimously

Page 5: Correct Mr. Rosett to Ms. Rosett

Page 5: Correct 10-1 (B) as amended to 20-10 as discussed

**** MS. SIEGELBAUM MOVED TO ACCEPT THE MINUTES AS CORRECTED
** MOTION PASSED WITH ONE (1) ABSTENTION (MR. HEMPSTEAD)**

OLD BUSINESS

The Committee members discussed the following item:

Discuss and Vote on Tax Exemptions for Solar Energy, Chapter 103, Article II. Sections 103-3 and 103-4

**** MR. CORSELLO MOVED THIS ITEM TO A PUBLIC HEARING ON
DECEMBER 17, 2019
** MOTION PASSED UNANIMOUSLY**

The Committee members discussed the following item:

Discuss and Vote on Chapter 94, Section 94-6 – Unlawful deposit

Mr. Hempstead said the City of Norwalk has its own fracking Ordinance. Mr. Candela added that the State of Connecticut has its own Ordinance which overrides the City's Ordinance.

No action was taken on this item.

The Committee discussed the following items and made recommendations:

Discuss and Vote and Receive Update on Chapter 68- Noise Ordinance

DEEP's Response and Conditional Preapproval of Norwalk's Proposed Noise Ordinance

DEEP has Requested All Standards Cited by Mr. Zwerling Before Final approval

DEEP Issue with Section 68-5 – Table 2

DEEP Issue with Exclusion for Construction Noise

Mr. Zwerling's Response and/or Comments to DEEP's Conditional preapproval

Mr. Zwerling's Response to the Issues and/or Requests raised by DEEP

Mr. Candela read Mr. Zwerling's response. In his letter he states that the DEEP still believes the standard for a commercial zone should be 64dBA. He recommended changing the limit from 65dBA to 63dBA.

**** MR. LIVINGSTON MOVED THE ITEMS AS AMENDED TO A PUBLIC
HEARING ON DECEMBER 17, 2019
** MOTION PASSED UNANIMOUSLY**

NEW BUSINESS

There was no discussion on the following items.

Discuss and Vote on Code of Ethics Section 32-4 – Conflicts of Interests, interferences with duties; prohibited interests; exceptions

Discuss and Vote on Code of Ethics Section 32-8 – Prohibited Gifts

Discuss and Vote on Code of Ethics Section 32-12 – Board of Ethics

DISCUSSION ITEM

Mr. Livingston thanked Ms. Melendez for her hard work over the past four years. Ms. Melendez thanked the members of the Committee. Mr. Hempstead said he has been on the Ordinance Committee on and off over the years and said Ms. Melendez did a yeoman's work. He also thanked Mr. Candela. Mr. Candela thanked the Committee members and expressed his appreciation for their hard work.

ADJOURNMENT

**** MR. HEMPSTEAD MOVED TO ADJOURN
** MOTION PASSED UNANIMOUSLY**

There was no further business and the meeting was unanimously adjourned at 8:50 p.m.

Respectfully submitted,

Rosemarie Lombardi
Telesco Secretarial Services

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Discuss and Vote on Chapter 21, Section 21-2 – Permit Obtained from Building Inspector

Discuss and Vote on Chapter 95A, Section 95A-3 – Littering and Illegal Dumping Prohibited

Discuss and Vote on the Following Sections in Chapter 95:

Section 95-1 – Definitions

Section 95-5 – Littering Prohibited

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** MOTION PASSED UNANIMOUSLY**

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