

**CITY OF NORWALK
ORDINANCE COMMITTEE
REGULAR MEETING
MARCH 18, 2025
VIA ZOOM VIRTUAL MEETING.**

ATTENDANCE: Margaret (Lisa) Shanahan; Chair, Anne Wennerstrand, Heather Dunn, Jalin Sead, Nora Niedzielski-Eichner, Johan Lopez

STAFF: Brian Candela

OTHER: Donald Overton; Board of Assessment and Appeals, James Walsh; Police Chief, Garrett Bolella; Assistant Director, TMP, John Livingston, Bryan Lutz; Assistant Director of Parking, Nathan Fankhanel, Vannessa Valadares; Chief of Operations and Public Works, Chris Torre; Superintendent of Operations, Thomas Szabo; Waste programs Manager.

I. CALL TO ORDER

Ms. Shanahan called the meeting to order at 7:00 p.m.

II. ROLL CALL

The roll was called as reflected above. A quorum was present.

III. PUBLIC HEARING

A. • Discuss and vote on Section 103-14 Appointment of members; increase in membership (Board of Assessment Appeals)

There were no members of the public who wished to speak on the matter.

**** MS. DUNN MOVED TO SEND SECTION 103-14 TO THE COMMON COUNCIL.**

**** THE MOTION PASSED UNANIMOUSLY.**

B. • Discuss and vote on Vape Shop ordinance.

Diane Lauricella
21 Little Fox Lane

Ms. Lauricella said she was happy the committee was looking into vape shops. She stated in light of the mission and purpose of the ordinance, Ms. Lauricella would like to see an amendment related to who is in charge of educating the public on the dangers of smoking and vape shops. She expressed her fears that transferring the bulk of the responsibility to the city clerk's office would be less of an effort to inform the public. She noted her agreement with others that there are too many vape shops, and she felt their numbers should be controlled just like cannabis shops.

**** MS. DUNN MOVED TO SEND THE VAPE SHOP ORDINANCE TO THE COMMON COUNCIL.**

**** THE MOTION PASSED UNANIMOUSLY.**

IV. PUBLIC PARTICIPATION

Diane Lauricella
21 Little Fox Lane

Ms. Lauricella commented that agenda items 6 A. and 6 B. should not be voted on at this time. She gave her list of comments on Chapter 94. She stated that the language of the document made little attempt to emphasize reducing and recycling waste. She said she would love to see an amendment to the language that includes the use of reuse and recycle especially in the areas of food and bulky waste. She went on to list language she felt was missing that should be included. Ms. Lauricella also commented on violations and penalties. She indicated she had seen multiple violations that to her knowledge had not received any penalty. She also listed her complaints about the current citation procedures and a lack of hearing officers.

**CITY OF NORWALK
ORDINANCE COMMITTEE
REGULAR MEETING
MARCH 18, 2025**

Mr. Candela explained that no ordinance can be approved without first having a public hearing. He then stated they had already had a public hearing on this ordinance.

Diane Cece
37 Olmstead Place

Ms. Cece told the committee the public shouldn't be compelled to sit through or watch hours of meetings to understand what's being done. She stated a staff member or someone from the committee produces executive summary-type statements for the public.

V. ACCEPTANCE OF MINUTES

A. • February 18, 2025 – regular meeting of the ordinance committee

**** MR. SEAD MOVED TO APPROVE THE MINUTES FOR THE
FEBRUARY 18, 2025 MEETING.**

Ms. Niedzielski-Eichner said on the top of page five the term *judgment lean* should be changed to *judgement lien*

**** THE MOTION TO APPROVE THE MINUTES AS AMENDED PASSED
UNANIMOUSLY.**

Ms. Shanahan asked for a motion to move the items listed under new business ahead of the items listed under old business.

**** MS. DUNN MOVED TO DISCUSS THE TWO NEW BUSINESS ITEMS
BEFORE THE DISCUSSION OF OLD BUSINESS.**

VI. OLD BUSINESS

A. • Discuss and vote on Chapter 94: Solid Waste Collection & Disposal; Transfer Station & Yard Waste Site

Ms. Valadares discussed the changes made to the proposed ordinance. She said the changes reflect what's in the draft of the Strategic Plan presented to the common council. She highlighted

**CITY OF NORWALK
ORDINANCE COMMITTEE
REGULAR MEETING
MARCH 18, 2025**

the major changes to the ordinance. The first item is the removal of the option to opt-out in all four tax districts. The second item deals with the standardization of the containers used. She noted they would be issuing new bins to residential properties defined as having four or fewer units. She added the vendors will only pick up garbage from those bins. Ms. Valadares also explained they wouldn't collect overflow garbage in bags on the sidewalk. She then went on to discuss various definitions used in the ordinance making sure they align with local, state, and federal definitions. She stated they defined what is acceptable solid waste, bulky solid waste, hazardous waste, and recyclable waste. Ms. Valadares told Ms. Niedzielski-Eichner that the noise issue that concerned her had been addressed. She also mentioned the change in language that allows them to fine those in violation of the ordinance.

Mr. Candela gave a synopsis of the changes that include:

- No more opt-outs for residential dwellings
- Commercial operations must submit proof of a garbage contract
- Bins must be placed out and removed from the street in a timely fashion
- One ton of free garbage is for all garbage
- Standardized bins

Ms. Valadares said the new contract that goes into place on July 1, 2025, will reflect everything covered in the ordinance.

Ms. Niedzielski-Eichner wanted to know why the new language in 94-16 and 94-17 was sufficient to allow for fining those who violated the ordinance. Mr. Candela was confident the change of language would be enough. He indicated the process would allow people to go before a citation hearing officer and appeal. Ms. Niedzielski-Eichner wanted clarification on whether changes could be made to the ordinance if necessary. Ms. Valadares said yes and then cited an example. Ms. Niedzielski-Eichner then asked about the ability of public outreach to cover more than just new bins. Ms. Valadares discussed what they have planned for public outreach. She stated as soon as the ordinance was in place they would finalize the plans for public outreach. She also noted they were working with the vendor's marketing staff.

Mr. Sead asked if it would be possible to create a one-page summary as suggested by Ms. Cece to inform the public about the changes. Ms. Shanahan said she would talk the matter over with Mr. Candela.

**** MR. SEAD MOVED TO TAKE CHAPTER 94: SOLID WASTE
COLLECTION & DISPOSAL; TRANSFER STATION & YARD WASTE
SITE TO A PUBLIC HEARING ON APRIL 15, 2025.
** THE MOTION PASSED UNANIMOUSLY.**

- B. • Discuss and vote on new proposed ordinance: Issuance of Citations; Hearing Procedure

Mr. Candela provided clarification to multiple points brought up by Ms. Dunn at the previous meeting. He said if they wanted they could take another month to look over the issuance of citations and hearings before sending it over for a public hearing. Ms. Shanahan was curious whether this was based on another city ordinance. Mr. Candela said it was a collection of between 12 and 15 other municipal ordinances describing a general citation and issuance process.

Ms. Niedzielski-Eichner asked if this was an answer to what happens if people ignore the existing blight and zoning process. Mr. Candela said it was his understanding. In response to Ms. Niedzielski-Eichner's question about the choice of 12 months, Mr. Candela said he based that on what was found in other ordinances. Mr. Candela felt it was probably a good idea to take another month to familiarize themselves with the material and the people involved before sending it to the public hearing. He said he would contact Attorney Sapienza who does blight enforcement to see what his thoughts about timing are.

Ms. Shanahan stated they would move this forward to the next meeting on April, 18th.

VII. NEW BUSINESS

- A. • Discuss new proposed ordinance: Use of Automated Traffic Enforcement Safety Devices

Mr. Livingston gave an overview of the use of automated traffic enforcement safety devices. He indicated the state has passed legislation authorizing municipalities to set up speed and redlight cameras providing they satisfied various conditions. Mr. Livingston discussed the various conditions required to satisfy state guidelines. He stated what they have to do as a municipality is adopt the ordinance. He noted the ordinance being brought before the committee was modeled on the New London, Stamford and Hartford ordinances.

Mr. Bolella described the devices as speed cameras and redlight cameras that collect alleged violations via recorded images. He pointed out the city had a significant number of crashes related to aggressive driving and speeding. He referred to this program as another way they can make the city's roadways safer. He went on to say any fees related to an ATD program are required to be reinvested into the community to improve mobility, safety of the roadways, and improvements to the transportation infrastructure. He also noted that the fees could be used to make the program self-sufficient. Mr. Bolella stated the Connecticut General Statutes are very specific on where the devices can be installed. He indicated the discussion of the ordinance was

the first step and would be followed by public hearings. He noted with its adoption they would go through the necessary steps to partner with a vendor and develop a plan. He made a point of stating nothing can be installed without a comprehensive plan, a public meeting related specifically to the plan, and it coming back to the council for approval before it can be submitted to the DOT. He explained that the DOT is the body that approves all the plans. Mr. Bolella proceeded to outline the next steps.

Ms. Niedzielski-Eichner expressed her concerns about privacy issues being only as good as the vendor's reliability. She brought up what she felt were increasing national risks for surveillance. She asked who they have discussed privacy issues with and if there is an independent analysis of the data collection and disposal practices of the vendors being considered. Mr. Livingston stated they hadn't put out an RFP, but those are things they would be asking prospective vendors. He noted the state already has strict guidelines on the subject. Mr. Bolella reiterated the state already has strict guidelines for how the data can be used and it has to be destroyed 30 days after payment for the violation. He stated they could make sure the data is stored exclusively in the United States. In response to Ms. Niedzielski-Eichner, Mr. Bolella explained the devices will only take images if triggered. The data collected will then be used to generate a citation. I noted in response to Ms. Niedzielski-Eichner that there is a human review to be done by the vendor to screen each of the violations. It would then go to either the police department or the Traffic Authority before a citation is issued. Mr. Bolella then discussed the appeals process. Payment for the violation starts the 30-day clock. Mr. Livingston read the section of the state guidelines explaining how the data should be handled and destroyed. Ms. Niedzielski-Eichner said she still had concerns and wanted to do more research on the subject.

Ms. Wennerstrand commented on the issue of engaging the public trust in the program. She feels there's a lot that needs to be discussed if the program goes forward. Mr. Livingston suggested having a vendor come to a meeting to talk to the committee.

Mr. Sead said he understands the concerns but for public safety, he thinks this is a great thing to move forward. He stated that he felt public safety was the most important issue and he was excited to move the program forward.

Ms. Shanahan put forward bringing the issue up at the April 18th meeting at which time a vendor can address their concerns about data collection and disposal.

B. • Discuss Chapter 73A: Parking Authority, sections 73A-1 through 73A-9

Mr. Livingston gave some background on the amendment of the state statute which gives Parking Authorities statewide the ability to enforce local traffic laws. Previously this was handled by the police department a situation that was deemed a poor use of the city's resources. Mr. Livingston noted that Chapter 73A sections A-1 to A-9 give the Parking Authority the power

and authority to enforce the parking regulations and receive amounts remitted to the city for violations of the parking regulations.

Ms. Dunn had a question about who would be overseeing this in the long term. Mr. Lutz stated currently they were contracted with LAZ Parking, He noted should they contract with another party the responsibility would go to them. Ms. Dunn asked if it would come out of the TMP budget. Mr. Livingston stated the fees go to the Traffic Authority for the purpose of enforcement.

Ms. Niedzielski-Eichner wanted to know if the policy aspects of the ordinance would be handled by city employees and not be outsourced. Mr. Lutz explained the ordinance changes would give the Parkin Authority the operational capabilities to do enforcement. He then said he thought any policy or procedure that gets put in place to make things operational would go to the parking authority board for approval.

Ms. Niedzielski-Eichner brought up the addition of the director of the TMP and the removal of Public Works. Mr. Livingston noted that the removal of Public Works in the ordinance reflects the current city structure.

Ms. Wennerstrand requested Mr. Livingston elaborate on the potential benefits. Mr. Livingston noted that until now the Parking Authority could not implement a residential parking program. Mr. Lutz explained that previously the Park Authority could only issue violations on metered and time sensitive and time regulated spaces.

Ms. Niedzielski-Eichner was looking for clarification as to who would implement the establishment of zones. Mr. Lutz indicated the Parking Authority would have the ability to establish those rules. He cited the system used by Stamford as an example. Ms. Niedzielski-Eichner then asked if the parking regulations for the city would then be defined by the Parking Authority. Mr. Livingston pointed out the certain language is used in the State Enabling Statute. Still looking for clarity Ms. Niedzielski-Eichner wanted to know if the creation of zones would require the ordinance to be modified and go through the Ordinance Committee. Mr. Livingston said to her point they would have to look into all this as they move forward.

**** MR. LOPEZ MOVED TO SEND CHAPTER 73A: PARKING
AUTHORITY, SECTIONS 73A-1 THROUGH 73A-9 TO PUBLIC
HEARING ON APRIL 18, 2025.**

**** THE MOTION PASSED UNANIMOUSLY.**

VIII. DISCUSSION

There were no other items discussed.

IX. ADJOURNMENT

**** MS. NIEDZIELSKI-EICHNER MOVED TO ADJOURN THE MEETING.
** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:26 p.m.

Respectfully submitted
China Mayhew
Telesco Secretarial Services