

**CITY OF NORWALK
ORDINANCE COMMITTEE
REGULAR MEETING
APRIL 15, 2025**

ATTENDANCE: Lisa Shanahan, Chair; Joshua Goldstein, Johan Lopez, Nora Niedzielski-Eicher, Jalin Sead, Anne Wennerstrand, Heather Dunn (7:13 p.m.)

OTHERS: Atty. Brian Candela, Tom Livingston, Garrett Bolella, Ryan Pothering, State of Connecticut Office of Traffic Administration; Jim Travers, Transportation, Mobility and Parking Director; Vanessa Valadares, Public Works Director; Tom, DPW

CALL TO ORDER

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

ROLL CALL

Ms. Shanahan called the roll. A quorum was present.

PUBLIC HEARING

A. Discuss and vote on Chapter 73A: Parking Authority, sections 73A-1 through 73A-9

Mr. Travers came forward to greet the Committee. This proposal would allow the Parking Authority to issue parking citations city wide. Currently they are restricted to metered areas and managed parking areas. There have been frequent requests from residents about vehicles parked too close to the corner or other parking violations. Those requests are sent to the Police Department who often don't have the resources or manpower to deal with the issue. He also mentioned resident parking issues, which have been discussed in the past.

Ms. Shanahan asked if there was anyone from the public present who wished to address the Committee on this issue. Hearing none, Ms. Shanahan closed the Public Hearing on the Parking Authority Sections 73A-1 through 73A-9.

Ms. Niedzielski-Eicher said that she remained unclear as to what the parking regulations were and where they could be found. She asked for clarification. Mr. Travers gave a brief overview. Ms. Niedzielski-Eicher had several questions about who had the authority to approve these and ordinance is located in the City Ordinances. The procedural are handled through the Parking Authority. Mr. Livingston said that the parking ordinances are in Chapter 98.

**** MS. NIEDZIELSKI-EICHER MOVED TO FORWARD CHAPTER 73A: PARKING AUTHORITY, SECTIONS 73A-1 THROUGH 73A-9 TO THE FULL COUNCIL FOR APPROVAL.**

**** THE MOTION PASSED UNANIMOUSLY.**

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

Ms. Shanahan explained that they were requesting Departments to give short synopsis of the ordinance before they open the Public Hearing.

Ms. Valadares said that this was a reflection of a new contract that will go into effect on July 1st. The ordinance changes are needed because of the new vendor's requirements.

Ms. Valadares said that the Fourth District will no longer have an opt out option because it is too confusing when properties are sold to new owners. The ordinance clarifies what is considered residential from commercial properties. The City will be replacing the current garbage collection containers and will not allow bags to be placed on the floor or in different bins.

Ms. Shanahan asked if there was anyone from the public present who wished to address the Committee on Chapter 94.

Atty. Candela noted for the record, that they had not received any emails after the first Public Hearing on Chapter 73A. They have not received any emails concerning Chapter 94.

Atty. Candela asked if there was anyone from the public present who wished to address the Committee on Chapter 94. There were no response.

Ms. Shanahan closed the Public Hearing on Chapter 94 Solid Waste Collection & Disposal; Transfer Station & Yard Waste Site.

Atty. Candela said that this was a time sensitive matter because DPW needs time to prepare for the change.

**** MR. SEAD MOVED TO FORWARD CHAPTER 94 SOLID WASTE COLLECTION & DISPOSAL; TRANSFER STATION & YARD WASTE SITE TO THE FULL COUNCIL FOR APPROVAL.**

**** THE MOTION PASSED UNANIMOUSLY.**

PUBLIC PARTICIPATION

Ms. Shanahan asked if there was anyone from the public present who wished to address the Committee.

Mr. Bonnefant of Park Hill Avenue, then addressed the Committee. He expressed concerns about the automated traffic signals that were being considered. He said that they would be giving out tickets to the owners of the vehicles, not the operators. He asked what locations would be selected and which would be avoided under the guise of equity. He wished to know if an individual could pay in person rather than by credit card. Mr. Bonnefant said that he did not think that people were asking for red light cameras all over town and felt that this might create a market for stolen plates.

He said that he had noticed a number of temporary plates on vehicles that were from Texas. Traffic violation revenue goes to the State of Connecticut and parking fines stay with the Parking Authority. Norwalk won't get anything from this ordinance. He asked how they would handle tracking down mopeds or Vespa's that don't have plates.

Mr. Bonnefant thanked the Committee for their time.

Ms. Dunn joined the meeting at 7:13 p.m.

Atty. Candela asked if there was anyone from the public present who wished to address the Committee. There were no response. Ms. Shanahan closed the Public Comment portion of the meeting.

ACCEPTANCE OF MINUTES

A. Regular Meeting: Vote to accept and approve draft minutes from the March 18, 2025 regular meeting of the ordinance committee

1. Vote to accept and approve draft minutes from the March 18, 2025 regular meeting of the Ordinance Committee

The Committee reviewed the minutes and made the corrections online.

**** MS. NIEDZIELSKI-EICHER MOVED THE MINUTES OF THE MARCH 18, 2025 REGULAR MEETING AS CORRECTED.**

**** THE MOTION PASSED WITH SIX (6) IN FAVOR (DUNN, LOPEZ, NIEDZIELSKI-EICHER, SEAD, SHANAHAN AND WENNERSTRAND) AND ONE (1) ABSTENTION (GOLDSTEIN).**

OLD BUSINESS

A. Discuss and vote on new proposed ordinance: Use of Automated Traffic Enforcement Safety Devices

Mr. Livingston said that the administration was recommending the implementing the use of the automated traffic safety devices. The State has authorized the use of these cameras.

Mr. Pothering, the Transportation Supervising Engineer, was present to discuss this. He greeted the Committee members and said that the department regulates speed limits on both State and local road, along with passing lanes on State Highways. He spoke about the Traffic Safety program and the Vision Zero Council in 2021 that were developing State policies to eliminate fatalities and serious injuries for pedestrians, bicyclists, transit users, motorist and passengers on all public roads in Connecticut. The ATSD program in 2023 allowed towns to use these devices in school zones and other areas. There are certain requirements needed to use the devices. He reviewed the various items with the Committee. The first step is creating the ordinance. Along with a number of other requirements, a public hearing must be held for public comment about each location of the devices as part of the plan.

The City will have to vote to approve the plan itself before it goes to the OSDA as part of their review process. The State then reviews the plan and either accepts or denies the plan, and will include equitably distributed locations. To date, the State has received eight applications and approved one, which is for the Town of Washington. The State is working with the other municipalities on their plans. Then there is a public awareness campaign and training for the operators of the devices. After 18 months of operation, a report needs to be submitted to the OSA and the Committee on Transportation on the effective of the device. He outlined the data to be included in that report including the handling of the fines and what they can be used for. Personal data will be destroyed after a certain period of time.

Mr. Livingston pointed out the fines will be given to the City and must be used for specific TMP purposes. There is the ability to add additional amounts for administrative costs.

He also said that traffic and speeding are issues citywide and that the administration believes that these devices will help.

Mr. Travers said that the number one issue is speeding complaints from residents. The Police Chief is aware of this and this will not bypass the police officers. Officer will still be able to issue citations. This will allow for citations on streets where it is not safe to pull someone over or near school zones. This will encourage students to walk to schools. He said that this was fair and unbiased.

Mr. Bolella said that this was basically a safety program and mentioned the Norwalk crash database. In the last 10 years, there have been over 15,000 crashes related to aggressive driving and over 1,000 crashes directly related to speeding. This is part of a broader speed management strategy but doesn't replace traditional speed enforcement. The funds will go into the TMP investments based on the City's Safety Action Plan.

Mr. Goldstein asked for details about the fines and whether the State or local fines would supersede the other. Mr. Travers said that the officer issuing a ticket would be writing the citation to the individual where the device would be issuing it to the vehicle. Discussion followed.

Ms. Wennerstrand said that she supports it from a Public Safety standpoint. However, she had concerns about the public trust and developing public awareness. She asked how the other municipalities worked with the residents on this. Mr. Pothering said that having the public hearing on the locations. He added that they need the minutes from the meeting to approve the ATSD plan. Other municipalities have YouTube videos available and this is part of the public awareness. Ms. Wennerstrand asked about using social media. Mr. Pothering said that New Haven had a rather extensive public awareness campaign. Discussion followed.

Mr. Travers said that the TMP does everything as transparently as possible and will reach out to other municipalities to find out how they handled it. He went on to give an overview of their tracking of the traffic data.

Mr. Livingston said that this was not a gotcha moment. Mr. Bolella agreed and said that there would be a lot of opportunities to get the word out. There will be signage and a 30 day period when no citations will be given out.

Ms. Niedzielski-Eichner said that she had a lot of privacy concerns about this including from an immigration perspective as well. She wished to know how they would verify that the vendors would be deleting or destroying the personal data. Mr. Bolella said that there were guidelines in the statutes and it was also included in the RFQ.

Ms. Niedzielski-Eichner wished to know what remedies would be available for residents if the data was not being handled properly or the cameras were not being properly operated. Mr. Livingston said that he did not think that anyone was legally prepared to answer that question.

Ms. Niedzielski-Eichner asked what would happen if the driver of a vehicle was not the owner of the vehicle and the citation was later used against the owner of the vehicle. She asked what the remedy would be for that individual. Mr. Pothering said that the information would not be disclosed to any other agency. She said that this was against the vehicle and someone who was the owner and had not done anything wrong was being dinged. Mr. Travers said that this was no different than getting a parking ticket. Discussion followed.

Mr. Sead said that he supports this but did have concerns. He said that a number of the emails that he gets are about speeding on the same streets over and over again. People want safe streets. He said that there have been people complaining about discretionary pull overs but this will move it away from that category.

Ms. Shanahan reminded everyone that this item was being approved for a public hearing.

**** MR. SEAD MOVED TO SCHEDULE THE NEW PROPOSED ORDINANCE: USE OF AUTOMATED TRAFFIC ENFORCEMENT SAFETY DEVICES FOR A PUBLIC HEARING.**

**** THE MOTION PASSED WITH SIX (6) IN FAVOR (DUNN, GOLDSTEIN, LOPEZ, SEAD, SHANAHAN AND WENNERSTRAND) AND ONE (1) ABSTENTION (NIEDZIELSKI-EICHER).**

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

Atty. Candela said that this has been previously discussed by the Committee. He said that they reached out to Blight and Zoning. He said that their concerns were that their processes were in place and would not change. This would include others so there would be more processes and hearings for health violations or other issues so that the public has the chance to challenge citations before it goes to before an appeal is taken to Superior Court. He gave a brief overview of the process and mentioned that the City would use an independent attorney similar to what they do with Blight and Zoning.

Ms. Shanahan said that the Committee just wanted to be compatible with Blight and Zoning. Atty. Candela said that as long as someone was not doing something malicious, intentional or reckless and were doing something normal and within the course of their scope of employment, they would be covered by this or 67A of the code. This will go for all the citation hearing officers and the City may have to retain additional officers for this.

Ms. Niedzielski-Eichner asked if this would be the process that would handle those who had speeding tickets or parking violations. Atty. Candela said that the Law Department deals with parking tickets issued by both the police and the Parking Authority. The Law Department would prefer to send this forward to a Citation Hearing Officer since the Law Department is small, so an independent attorney would be hearing these. Health violations would also be handled this way. The speeding tickets would most likely be handled this way since it is similar to a parking ticket. It would be good to have an attorney that understands the laws and could hear the arguments. Violations that are tied to real property may also be handled by this ordinance and could include leaf blowers. Discussion followed.

Ms. Dunn asked how they would find attorneys for these cases. Atty. Candela said that there were some attorneys that work with Blight and Zoning, so they would have to check into it. He said that he didn't have an answer to that question. He said that it would be important to know when the Committee would want to start. That would give the Law Department time to find volunteers to hear the cases.

Ms. Niedzielski-Eichner asked if there would be a per diem rater or if that would even be considered. Atty. Candela said that the Law Department sits as the arbiter of the parking tickets right now. He said that he would prefer to avoid this so there are no future conflicts. He mentioned former City Counsel Bob Maslin who was very good and knowledgeable.

Ms. Niedzielski-Eichner asked about Section 3 and said that 12 months seems very long to her. She suggested that it be made a shorter window. Atty. Candela said that the 12 month window is

from the State statute. The State wants to have these cases before the citation officer as quickly as possible. Atty. Candela said that there have been some times the citation officer is the one asking for a continuance.

Ms. Niedzielski-Eichner said that she believes 30 days is a little short. Atty. Candela said that if the State statute doesn't indicate 30 days, that is something that they can talk about and potentially change.

**** MS. NIEDZIELSKI-EICHNER MOVED TO SCHEDULE THE NEW PROPOSED ORDINANCE: ISSUANCE OF CITATIONS; HEARING PROCEDURE FOR A PUBLIC HEARING IN MAY.**

**** THE MOTION PASSED UNANIMOUSLY.**

NEW BUSINESS

A. Discuss and vote on Code of Ethics, Section 32-11, Subsequent Employment

Atty. Candela said that this was time sensitive and addressed issues about subsequent employment when an individual has served as an officer or employee and working for the same agency. He gave an overview of the problem with the Health Department retaining Medical Directors. She said that there was a candidate with a strong resume. They were requesting that this position be the one exception to the ordinance.

Ms. Niedzielski-Eichner said that allowing one particular position seemed strange, but she didn't see a conflict with having a Commissioner becoming an employee.

Ms. Wennerstrand asked if it would set a precedent for the future. Atty. Candela said that they had crafted the language for this specific position. Discussion followed. Atty. Candela said that he could develop some additional language to clarify this issue and bring it back to the Committee. He said that he would be happy to work with the Committee members on the language. He added that they could ask for an advisory opinion from the Ethics Committee about this and use that as a guide. Atty. Candela said that they had already presented this to the Ethics Committee.

DISCUSSION

There were no items for additional discussion at this time.

ADJOURNMENT

**** MS. NIEDZIELSKI-EICHNER MOVED TO ADJOURN.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:15 p.m.

Respectfully submitted

S. L. Soltes
Telesco Secretarial Services.