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Members of the public who wish to provide public comments are encouraged to submit those via email in advance of the meeting. For these comments to be included into the record, they must be submitted by 12:00 p.m. the day of the meeting. Please email Irene Dixon at idxon@norwalkct.gov with the subject line "Public Comment" to provide written public comment prior to the meeting.

Mayor Rilling called the meeting to order at 7:30 p.m. and led the Assembly in reciting the Pledge of Allegiance. He noted that during the past week-end they had honored those who had served and given their lives for their country. Over 500 Norwalk residents died in those wars. There were two parades held and both were well attended. He requested that the Council observe a moment of silence in honor of those who died during those wars.

Ms. Dixon called the Roll:

Council at Large:

Mr. Joshua Goldstein

Ms. Nora Niedzielski Eichner

	Ms. Barbara Smyth	Mr. Johan Lopez
District A:	Ms. Nicol Ayers	Mr. Jalin Sead
District B:	Mr. Dajuan Wiggins	Ms. Darlene Young
District C:	Ms. Jenn McMurrer	
District D:	Ms. Heather Dunn	Mr. Douglas W. Sutton
District E:	Mr. James Frayer	Ms. Lisa Shanahan

At Roll Call there were thirteen (13) Common Council Members present and two (2) absent (Burnett, Murray) A quorum was present.

Also present were Mayor, Harry Rilling; City Clerk, Irene Dixon and Corporation Counsel Mario Coppola.

II. ACCEPTANCE OF MINUTES

• Special Meeting: May 13, 2024

**** MS. SHANAHAN MOVED THE MINUTES OF THE MAY 13, 2024 SPECIAL MEETING.**

**** THE MOTION TO APPROVE THE MINUTES OF THE MAY 13, 2024 SPECIAL MEETING PASSED WITH ELEVEN (11) IN FAVOR AND TWO (2) ABSTENTIONS (LOPEZ & GOLDSTEIN).**

• Regular Meeting: May 14, 2024

**** MS. MCMURRER MOVED THE MINUTES OF THE MAY 14, 2024 REGULAR MEETING.**

The following corrections were noted:

Page 8, paragraph 4, line 1, please change the following from:

“Ms. McMurray said she heard” to “Ms. McMurrer said she heard”

Page, paragraph 9, line 1, please change the following from:

“Ms. Niedzielski Eichner said she will vote in favor this time,”

To: Ms. McMurrer said she will vote in favor this time,”

**** THE MOTION TO APPROVE THE MINUTES OF THE MAY 14, 2024 REGULAR MEETING PASSED WITH TWELVE (12) IN FAVOR AND ONE (1) ABSTENTION (LOPEZ).**

III. PUBLIC PARTICIPATION

Ms. Lisa Henderson, of Apple Tree Lane came forward. She spoke about the leaf blower ordinance. The details of the updated leaf blower ordinance had not been communicated to the community clearly. She noted that it was unfairly focused on the landscapers while it exempt private home owners and asked for the specific OSHA references and ordinances to be provided.

Ms. Henderson had several questions about how they expected to implement the ordinance and supervise the PPE equipment. She pointed out that the Oak Hills Authority would be requesting an exemption to this ordinance because it will be nearly impossible to maintain the course with these regulations.

Mr. Tyson Canveri of Esquire Road, owner of Signature Landscaping came forward and wished to know why the landscapers were being targeted and not the construction workers. It is a personal choice for the workers to wear the PPE. He said that the City keeps adding the requirements and costs, but these are small businesses. He is waiting to see the City DPW workers use the electric blower.

People are beginning to be hostile toward the landscapers. First the reason was noise and then it became a safety issue. He asked what the real issue was. Electric backpacks make noise, also. If it doesn't work in two years, what will happen with all the new, expensive equipment? Everyone is worried about the gas powered leaf blowers, but not the fire houses with mold and other issues.

The ordinance has not been written in Spanish and many of the landscapers only read Spanish. People go to him for clarification because they don't know what the rules are. The Council keeps passing the rules and laws, but he asked the Council to consider what they were voting for.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

APPOINTMENTS:

• Ronald J. Palladino, Police Commission

Ms. McMurrer said that she knew Mr. Palladino for many years and she has seen him interact with people and children. She felt that he would be objective and passionate.

**** MS. MCMURRER MOVED TO APPROVE THE APPOINTMENT OF RONALD J. PALLADINO TO THE POLICE COMMISSION**

**** THE MOTION PASSED UNANIMOUSLY.**

• **Kathleen Olsen, Zoning Board of Appeals, Alternate**

Mr. Goldstein said that many of the Council Member know Ms. Olsen and has experience. Many Council Members have worked with Ms. Olsen regarding the Lockwood Mathews Mansion.

**** MR. GOLDSTEIN MOVED TO APPROVE THE APPOINTMENT OF KATHLEEN OLSEN TO THE ZONING BOARD OF APPEALS AS AN ALTERNATE.**

**** THE MOTION PASSED UNANIMOUSLY.**

• **Janay Sylvester, Arts and Culture Commission**

Ms. Niedzielski Eichner nominated Ms. Sylvester has an artistic background and has worked in marketing. She also worked on a project gathering African American stories at her alma mater.

**** MS. NIEDZIELSKI EICHNER MOVED TO APPROVE JANAY SYLVESTER TO THE ARTS AND CULTURE COMMISSION.**

**** THE MOTION PASSED UNANIMOUSLY.**

• **Diana Lenkowsky, Planning and Zoning, Alternate**

Mayor Rilling noted that Ms. Lenkowsky lives in District A. Ms. Niedzielski Eichner said that Ms. Lenkowsky had many years of experience in real estate.

**** MS. NIEDZIELSKI EICHNER NOMINATED DIANA LENKOWSKY, TO THE PLANNING AND ZONING COMMISSION AS AN ALTERNATE.**

**** THE MOTION PASSED UNANIMOUSLY.**

REAPPOINTMENTS:

There were no reappointments to consider at this time.

B. MAYOR'S REMARKS:

Mayor Rilling noted that there had been two Memorial Day parades in Norwalk, the Norwalk and Rowayton Memorial Day Parade. Mr. Rich Olsen, the Commander of the Norwalk American Legion Post 12 was the Grand Marshal for the Norwalk Parade. All gave some, some gave all.

Mayor Rilling announced that there would be a Code Enforcement event at City Hall on May 30th for the residents to become familiar with the various aspects of Code Enforcement, such as the Fire Department and other departments involved in Code Enforcement

On May 31st, the Pride Flag will be raised at City Hall by the Mayor and members of the Triangle Community. Norwalk recognizes and celebrates the LGBTQ community.

On June 7th, at 10:30 a.m., there will be a proclamation ceremony to recognize National Gun Violence Awareness Day. This is to recognize the victims and survivors of gun violence and intends to spread awareness of how to reduce gun violence. He requested that the attendees wear orange because gun violence is on the rise.

Norwalk Spring Restaurant week is coming up from June 3rd to June 9th. The participating restaurants will be offering prefixed, reduced price meals.

V. COUNCIL PRESIDENT

A. RESIGNATIONS AND APPOINTMENTS

There were no resignations or appointments to consider at this time.

B. CONSENT CALENDAR:

REPORTS: DEPARTMENTS, BOARDS AND COMMISSIONS

A. CORPORATION COUNSEL

1. Settlement: Francesca Kurkjian File No. A37774

EXECUTIVE SESSION

There was no Executive Session required at this time.

**** MS. YOUNG MOVED TO APPROVE THE SETTLEMENT OF FRANCESCA KURKJIAN FILE NO. A37774.**

**** THE MOTION PASSED UNANIMOUSLY.**

VII. COMMON COUNCIL COMMITTEES

Council Member Goldstein read the Consent Calendar into the record:

A. PUBLIC SAFETY AND GENERAL GOVERNMENT

1. Authorize the Department of Public Works to have Eversource Electric to install four (4) new poles and the associated wire for four (4) new street lights on the north side of Cossitt Road to the intersection of Scribner Avenue within the City Right-of-Way in accordance with the attached plan, at an approximate one-time cost of \$10,000.00, to be paid for from Account No. 0140 21-5241.

2. Authorize the Department of Public Works to have Eversource Electric to install four (4) new poles and the associated wire for four (4) new street lights on the north side of Cossitt Road to the intersection of Scribner Avenue within the City Right-of-Way in accordance with the attached plan, at an approximate cost of \$100.00 per month, to be paid for from Account No. 0140 21-5241.

3. Authorize, the Mayor Harry W. Rilling, to execute a Contract with First Due Fire Department Records Management Software for a total not to exceed \$48,040.00. (Acct. # 011370-5742)

4. Authorize Mayor Harry W. Rilling to execute any and all documents and agreements necessary to accept grant funding under the Department of Justice, The Justice Education Center, Inc., FY22 Project Safe Neighborhoods Grant.

5. Authorize Chief of Police James Walsh to execute any and all documents and agreements as may be necessary to implement the Department of Justice, The Justice Education Center, Inc., FY22 Project Safe Neighborhoods Grant.

B. FINANCE AND CLAIMS

1. Accept and Approve the Report of the Claims Committee Dated: May 2024

2. For informational purposes only: Narrative on Tax Collection Dated: May 2024

3. For informational purposes only: Monthly Tax Collector's Reports Dated: April 2024

4. Approve FY 2024-2025 Water Pollution Authority Budget.

5. Authorize the Mayor, Harry W. Rilling, to enter into an agreement with the Norwalk Housing Authority, Sound Communities, Inc. and SC Meadow LLC for the abatement of real property taxes pursuant to C.G.S. § 8-215 and Norwalk Code 58-1 et. seq. at a rate of five percent (5%) of the aggregate rents collected with respect to the Meadow Gardens affordable housing development excluding any rental assistance subsidies, and reduced by direct costs of utilities and trash payments paid by the Developer for such fiscal year for the following Term:

(i) sixteen (16) years from the date of completion of the project as reflected by the issuance of the first certificate of occupancy or temporary certificate of occupancy for the last unit in the project, or

(ii) eighteen (18) years from the date when all parties have signed the Agreement, whichever shall occur first.

C. ORDINANCE COMMITTEE

2. Approve revisions to Chapter 9 – Article IX, Section 9-27 – The Reapportionment Advisory Committee: Appointment Date – 2024 Transition Provision

**** THE CONSENT CALENDAR PASSED AS PRESENTED.**

C 1. Approve revisions to Chapter 61A – Leaf Blowers, Section 4 – Required Safety Features of the Use of Leaf Blowers.

**** MS. SHANAHAN MOVED THE ITEM.**

Ms. Shanahan said that DPW had requested more clarification on which PPE was being required. She noted that the various manuals include instructions on what PPE should be used. Currently, the manuals recommended and required eye and ear protection at this time. This is just a technical correction to the current ordinance

Ms. Niedzielski Eichner asked for clarification regarding the date that this revision would become effective. Ms. Shanahan said that if the revision is approved, it would be August 1, 2024.

Ms. McMurrer said that she had voted against the leaf blower ban when it was initially discussed. She had concerns and stated they should be very clear communicating who would be impacted by this ordinance. The landscapers need to educate their workers so that they understand the hazards and use the PPE. She also expressed concerns about the cost for the City, for the landscapers and the small companies. She asked who would be enforcing this ordinance.

Ms. Young asked for clarification regarding the elimination of the OSHA requirements. Ms. Shanahan replied that OSHA did not have clear regulations and this led to confusion. Because of this, the ordinance was changed to require the manufacturer's recommended and required safety measures which were listed for each piece of equipment in the equipment manual.

Ms. Smyth explained that she had been absent when the original ordinance was approved. She felt that leaf blowers need to be banned. She said that they harm the environment, can injure the workers and are definitely a quality of life issue. However, the landscapers are confused and she would have preferred the Council take a year to hear what the public has to say. Safety is a major factor, so she will be supporting this item. She noted that some people will choose not to use the PPE even though they are given the information. The City should do its best to educate the workers.

Mr. Sead said that his concern was the safety and he had discussed this in committee. However, fining the employers for the actions of the employees is problematic since the employees do have free will.

Ms. Dunn read the following statement into the record:

I want to believe that this ordinance comes from a good place, the desire for all landscape employees to have an excellent quality of life. The goal may be to encourage people to wear PPE for their own good but that is not what it says. It stipulates that the company is responsible, not the grown adult.

Why?

Do you believe that they don't deserve self-agency? Are you assuming that they can't read manufacturer's labels themselves or are you basing the ordinance on the belief that if you legislate it, they will comply and magically change their behavior and save lives? Is it that you don't want to place undue burden on the poor workers who can't be held responsible for their own health decisions, their boss is in a better position to do that?

I find this ordinance as written condescending. In Connecticut, an adult can ride a bike without a helmet, another piece of PPE that would be foolish for an adult not to wear, but it is not legislated.

I suggest that in order to make the ordinance more than just a performance exercise, that it put the burden of providing PPE, the word is providing PPE, on the owner of the company. Secondly, the landscaping employee will not be carrying around the manual nor should the City employee tasked with enforcement be expected to magically know what every manufacturer recommends for each and every blower. It's an undue burden on someone. I'm not exactly sure who but I would like to think it was thought through before being presented for a vote unless it was never intended to actually be enforced.

Who we legislate being cited and for what specifically does matter to me and my constituents. I'm hopeful that we can get beyond the pearl clutching. I know it will be easier to ignore the flaws and rubber stamp this ordinance as it is, but that's not what I'm going to do.

Ms. Niedzielski Eichner said that it is a general principle of law in this country that employers are responsible for actions that their employees take while they are employed by the employer during the employer's business. So it is not unusual that that would be an expectation that there would be some responsibility on the employer for their employees' actions. This item is not too far afield of the general scope of how the City approaches the topic.

Ms. Young said that she agreed with Ms. Smyth but that they were here considering the item. She did not want this to become an "us against them" situation because everyone lives here. Everyone should realize that a lot more communication needs to be done with those who are directly impacted by this. No one wants to make it more difficult than it has to be but it is a trend that is moving across the country. Everyone has valid concerns and points, but it is important to move forward in the best possible manner.

**** THE MOTION PASSED WITH EIGHT (8) IN FAVOR (FRAYER, GOLDSTEIN, LOPEZ, SMYTH, NIEDZIELSKI EICHNER, SHANAHAN SUTTON AND YOUNG); TWO (2) OPPOSED (DUNN AND WIGGINS) AND THREE (3) ABSTENTIONS (AYER, SEAD AND MCMURRER).**

VIII. RESOLUTIONS FROM COMMON COUNCIL

There were no resolutions from the Council to consider at this time.

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

There were no motions postponed to a specific date to consider at this time.

X. SUSPENSION OF RULES

There were no suspensions of the rules to consider at this time.

XI. ADJOURNMENT

**** MS. SHANAHAN MOVED TO ADJOURN.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:05 p.m.

Respectfully submitted,

S. L. Soltes

Telesco Secretarial Services