

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

ATTENDANCE: Lisa Shanahan, Chair; Josh Goldstein; Johan Lopez; Nora Niedzielski-Eichner; Jalin Sead; Anne Wennerstrand; Heather Dunn

STAFF: Atty. Brian Candela

OTHERS: Council Member Nicole Eddy; Donald Overton; Kristina Testa Buzzee; Vanessa Valadares; Diane Lauricella; Police Chief James Walsh Via Videoconference and Teleconference; Doris, Board of Assessment Appeals

ROLL CALL

Chair Shanahan called the meeting to order at 7:02 p.m. A quorum was present.

PUBLIC HEARING

**DISCUSS AND VOTE ON CHAPTER 115: COMMISSION ON THE STATUS OF
WOMEN**

There were no members of the public who wished to comment at this time.

**** MS. WENNERSTRAND MOVED TO TAKE CHAPTER 115: COMMISSION ON THE STATUS OF WOMEN TO THE COMMON COUNCIL FOR HEARING.**

Ms. Dunn said that, under Duties, in 115-4 Section J, change the term from ‘To promote equality’ to ‘To promote equity’. Additionally, under Duties, 115-4, Section D. change ‘matters of consequence to women’ to ‘matters of consequence to women and marginalized genders’.

Ms. Wennerstrand withdrew her motion.

**** MS. WENNERSTRAND MOVED TO TAKE CHAPTER 115: COMMISSION ON THE STATUS OF WOMEN TO THE COMMON COUNCIL FOR HEARING AS AMENDED.**

**** THE MOTION PASSED UNANIMOUSLY.**

PUBLIC PARTICIPATION

Council Member Goldstein said that since Ms. Valadares was present, he wished to express his gratitude for all the work that they did during the recent storm events. The other Council

Members agreed.

Ms. Diane Lauricella of 21 Little Fox Lane, greeted the Council Member. She said she was unable to get into the meeting for the Public Hearing. She said that she was in favor of the name change, but wished to make sure that when studies, forums and other programs are done they include 51% of women.

Ms. Lauricella said that with the BAA, there appeared to be a conflict of interest since most of the BAA members were realtors.

She went on to say that regarding Waste Management, there are some violations that have gone on for years. She asked that they address these issues. She also said that she hoped that they had witnessed the citation hearings and that many of the citations have been going on for years.

ACCEPTANCE OF MINUTES

JANUARY 21, 2025 – REGULAR MEETING OF THE ORDINANCE COMMITTEE

**** MR. LOPEZ MOVED TO APPROVE THE MINUTES OF JANUARY 21, 2025 AS SUBMITTED.**

Council Member Shanahan said that there were two changes.

Please make the following changes:

- Remove Chair Shanahan from having made motions.
- Correct Chair Shanahan's title from 'Chairman' to 'Chair'.

Mr. Lopez withdrew his motion.

**** MR. LOPEZ MOVED TO APPROVE THE MINUTES OF JANUARY 21, 2025 AS AMENDED.**

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

**** MR. GOLDSTEIN MOTIONED TO MOVE OLD BUSINESS TO THE END OF THE MEETING.**

**** THE MOTION PASSED UNANIMOUSLY.**

NEW BUSINESS

**DISCUSS CHAPTER 94: SOLID WASTE COLLECTION & DISPOSAL; TRANSFER
STATION & YARD WASTE SITE**

Ms. Valadares came forward to discuss this item. She said that she appreciated the kind words and would be passing this on to the staff. She said that there had been some discussions about changing vendors and they need to be in compliance with the new contract. She said that they need to clarify some of the definitions.

She explained that the City only picked up solid waste in the Fourth Taxing District and residents that wished to opt out, could do so. She said that when properties were sold, the new residents often did not know about the opt out option and often the truck driver had issues figuring out which houses were in the program and who was not. The Department wishes to eliminate the opt out program and bill all the residents in this area. Residents can continue to take their garbage to the transfer station if they wish. Any building over four units will be considered as commercial.

Ms. Valadares explained that they would be changing the type of totes that they use and any loose garbage bags or overflow will not be picked up. This will be a major change and will result in major savings because they will be using automated trucks. Chair Shanahan said they need to have this in place by July 1st.

Ms. Niedzielski-Eichner said that she wanted to make sure that there is a timeline for operations in place so that residents aren't being woken up in the night by dumpsters being picked up. Mr. Goldstein had concerns about the legal language in the ordinances. Atty. Candela said that he had just received the document. Mr. Goldstein asked about enforcement when residents have loose bags of garbage. Ms. Valadares said that there was already some language in the ordinance for dealing with such situations and enforcement. She said that they were just taking the opportunity to improve. The consultant has already reviewed the section and made recommendations on various issues.

**DISCUSS AND VOTE ON SECTION 103-14 - APPOINTMENT OF BOARD OF
ASSESSMENT APPEALS MEMBERS; INCREASE IN MEMBERSHIP**

Atty. Candela came forward to discuss this item. He provided a brief overview and noted that the first year following a reassessment, there are a lot of appeals and during the second year, there are some appeals. He read the update regarding new members and reviewed the proposed changes. The BAA members have a very cramped timeline to do the work. Chair Shanahan said that they were asking to take this to public hearing. Atty. Candela said that Doris had asked for more members because they needed the help.

Mr. Overton greeted the Committee members, there were 10 members of the Board in 2002, and last year, there was a re-evaluation with 755 homeowners. He pointed out that this year, there is a phase-in program in place. Usually, the taxes are locked in, but when residents open their tax bills, they will see an increase because of the phase-in program.

The BAA is a volunteer group, and they are mostly realtors because they have a basis for evaluation. Many of the members have been there for many years and come from all over the city. April is a busy month for most realtors, so having as many cases as they do will be difficult. Mr. Overton gave a brief overview of the evaluation process and noted that if a realtor can't make some of the meetings, it handicaps the BAA.

Ms. Doris then greeted the Committee and said that she would like to echo everything Mr. Overton said. The various members love doing their job and many of the residents that come are angry and upset. Deliberations are currently limited to a month. The BAA does 20 time slots a day and each hearing is 20 minutes by State statute. Currently no one on the board is able to take full days. The BAA members try to be equitable in sharing the number of cases. There needs to be at least three members present and often have to call other members in to cover a shift. She urged the Committee to support adding more members to help alleviate the workload.

**** MR. GOLDSTEIN MOVED TO APPROVE ITEM SECTION 103-14 - APPOINTMENT OF BOARD OF ASSESSMENT APPEALS MEMBERS; INCREASE IN MEMBERSHIP AND MOVE IT FORWARD TO A PUBLIC HEARING.**

**** MR. SEAD SECONDED THE MOTION.**

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

Chair Shanahan said that they would move this to public hearing and then to the Council.

OLD BUSINESS

A. DISCUSS AND VOTE ON VAPE SHOP ORDINANCE

Chief Walsh came forward to discuss this item. He provided the ordinance for review for those present. He said he felt that this was a great ordinance. Mr. Lopez then provided his overview of the changes in the section and review of the changes followed.

Mr. Goldstein asked why they had changed the Director of Health to the City Clerk. Chair Shanahan said that they had discussed this at length and felt that the City Clerk would have the authority to do this. Atty. Candela explained that the Board of Health would be making decisions on any inspection appeals. Discussion followed about the details.

The discussion moved to those business owners who have been issued violations and whether the police have the right to seize legal products. Chief Walsh said that they would be hard pressed to confiscate legal products, but if they can prove the store sold it to a minor, they can be found in violation. They can only seize contraband products. Ms. Niedzielski-Eichner asked what would constitute a crime and prevent the sale of the items. Discussion followed regarding how this would be defined as a crime. It was noted that other states were struggling with this issue as well.

Chair Shanahan said that they were trying to make this very unattractive to business owners to sell. Ms. Niedzielski-Eichner asked how they could make sure the fine was paid. Atty. Candela said they could talk to the staff to place a judgement lien on them or enforcement actions could be taken. Discussion followed regarding the methods that could be used to ensure that the fine was paid.

Ms. Niedzielski-Eichner left the meeting at 8:00 p.m.

**** MR. LOPEZ MOVED TO MOVE THE VAPE SHOP ORDINANCE TO A PUBLIC HEARING AT THE NEXT MEETING OF THE ORDINANCE COMMITTEE.**

**** THE MOTION PASSED UNANIMOUSLY.**

DISCUSS AND VOTE ON NEW PROPOSED ORDINANCE: ISSUANCE OF CITATIONS AND HEARING PROCEDURE

Atty. Candela came forward to discuss this item. He provided the draft for those present. He then gave a brief overview of the goal of the Citation wording. He said that they had looked at many different ordinances to choose the best possible procedure. Chair Shanahan said that they wished to have the Committee members read through this and note their comments.

Ms. Dunn said that most of the other ordinances said that they were subject to approval by the Council. Atty. Candela added a note to confirm that this was the case and they were subject to the Common Council. Ms. Dunn asked who would be responsible for writing these citations. Atty. Candela said that they usually rely on attorneys because they know the details. Ms. Dunn also had concerns about the hearing officer having personal liability. Atty. Candela said that he would review it and ask whether they needed to hold harmless language for the hearing officers.

Chair Shanahan said they should all review the proposed ordinance given the time.

ADJOURNMENT

**** MS. DUNN MOVED TO ADJOURN.**

**** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:12 P.M.

Respectfully Submitted,
Ian A. Soltes
Telesco Secretarial Services