

**Town Council Regular Meeting Agenda**  
**Wednesday, February 04, 2026, at 8:00 AM**  
**Town Hall Green Room**

1. Pledge
2. Visitors
3. Approval of Minutes – January 21, 2025
4. Appointments/Reappointments
5. Clinton Art Society Exemption Request to Ordinance 194-4A and 194-5A, June 6, July 12 and December 3, 2026
6. Proposed Ordinance on Automated Traffic Enforcement Safety Devices; Possible Action to Refer to Public Hearing
7. Human Services Department – Grant Activity Update
8. Town Manager's Report
9. Chairman's Report
10. Council Discussion
11. Town Council Committee Liaison Reports
12. Executive Session – Personnel, Pursuant to CGS 1-200 (6) (A)
13. Possible Action on Clerical Union Contract
14. Adjourn

**Ordinance No.**

**DATE:**

## **ORDINANCE**

### **AUTOMATED TRAFFIC ENFORCEMENT SAFETY DEVICES**

#### **CHAPTER 500-18 –AUTOMATED TRAFFIC ENFORCEMENT SAFETY DEVICES**

##### **§ 500-18. Definitions.**

The following words, terms, and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

***Automated Traffic Enforcement Safety Device (“ATESD”)*** means a device designed to detect and collect evidence of alleged traffic violations by recording images that capture the number plate, date, time, and location of a motor vehicle that (i) exceeds the posted speed limit by ten (10) or more miles per hour, or (ii) fails to stop such vehicle when facing a steady red signal on a traffic control signal.

***Automated Traffic Enforcement Safety Device Operator (“ATESD Operator”)*** means a person who is trained and certified to operate an automated traffic enforcement safety device.

***“Driver,” “motor vehicle,” “number plate,” and “owner”*** have the same meanings as provided in C.G.S. § 14-1 of the general statutes. Pursuant to C.G.S. § 14-307c(i)(4), in the case of a motor vehicle that is leased for a period of more than thirty (30) days and identified by an Automated Traffic Enforcement Safety Device as allegedly committing a violation of this Ordinance, the lessee shall be considered the Owner of such motor vehicle for the purposes of this Ordinance.

***Pedestrian Safety Zone*** means an area designated by the Office of State Traffic Administration or the traffic authority of the Town pursuant to C.G.S. § 14-307a.

***School Zone*** means an area designated by the Office of State Traffic Administration or the traffic authority of the Town pursuant to C.G.S. § 14-212b.

***Personally Identifiable Information*** means information obtained, created or maintained by the Town or a vendor as part of the ATESD Program that identifies or describes an owner and includes, but is not be limited to, the owner’s name, address, social security number, telephone number, email address, number plate, photograph, bank account information, credit card number, debit card number, or the date, time, location, or direction of travel on a highway.

***Traffic Authority, traffic control sign, and traffic control signal*** shall all have the same meanings as provided in C.G.S. § 14-297.

***Vendor*** means a person or entity that (i) provides services to the Town under this Ordinance and the ATESD Program; (ii) operates, maintains, leases, or licenses an ATESD; or (iii) is authorized to review and assemble the recorded images captured by an ATESD and forward such recorded

images to the Town.

***Citation Hearing*** means the formal process provided to review evidence and hear defenses by those cited for violation(s) of this Ordinance, who wish to contest liability.

***Hearing Officer*** means the individual appointed by the Town Manager to conduct the Citation Hearing and make final determinations on liability.

#### **§ 500-19. Authority and Declaration of Purpose.**

Pursuant to the authority granted in Public Act 23-116, Section 11, of the 2023 Session of the Connecticut General Assembly, as amended by Public Act 25-65, Section 30, of the 2025 Session of the Connecticut General Assembly (the “Public Act”), codified in the Connecticut General Statutes §14-307c as may be amended from time to time, the Town of Clinton (the “Town”) hereby authorizes the use of automated traffic enforcement safety devices at locations within school zones, pedestrian safety zones, and other places within the boundaries of the Town, provided that the locations of such devices are identified in a plan submitted to and approved by the Connecticut Department of Transportation, together with any other requirements of the Public Act (the “ATESD Program”). The ATESD Program shall be implemented, administered, and overseen by the Town’s Police Department.

The purpose of adopting this Automated Traffic Enforcement Safety Devices Ordinance (“Ordinance”) authorizing the use of Automated Traffic Enforcement Safety Devices within the Town is to promote the health, safety, and general welfare of residents of and visitors to the Town and reduce incidents involving motor vehicles and injuries and fatalities suffered by motor vehicle occupants and pedestrians by enforcing traffic laws and deterring dangerous driving behaviors.

#### **§ 500-20. Contractual Services.**

The Town may enter into agreements for contractual services including vendors for the design, installation, operation, or maintenance, or any combination thereof, of ATESDs. If a vendor designs, installs, operates, or maintains an automated traffic enforcement safety device, the vendor’s fees may not be contingent on the number of citations issued or fines paid pursuant to this Ordinance.

#### **§ Sec. 500-21. Operation of automated traffic enforcement safety device.**

All ATESDs shall be operated by an automated traffic enforcement safety device operator.

#### **§ Sec. 500-22. Violation.**

- A. An owner of a motor vehicle commits a violation of this Ordinance if the person operating the motor vehicle:
  - 1. Exceeds the posted speed limit by ten (10) or more miles per hour and such operation

is detected by an ATESD; or

2. Fails to stop such motor vehicle when facing a steady red signal on a traffic control signal and such failure is detected by an ATESD.

B. ATESD shall be used solely for identifying violations of this Ordinance.

- C. For the first thirty (30) days after a location is equipped with an operational ATESD, the owner of a motor vehicle that allegedly violates this Ordinance that is detected by such device shall receive a written warning instead of a citation.

**§ Sec. 500-23. Penalty for violation.**

A. Whenever an ATESD detects and produces recorded images of a motor vehicle allegedly committing a violation of this Ordinance, a sworn member or employee of the Town's Police Department shall review and approve the recorded images provided by such device. If, after such review, the ATESD Official determines that there are reasonable grounds to believe that a violation occurred, the Town may issue by first class mail a citation to the owner of such motor vehicle pursuant to Section 11, subsection (i) of the Public Act.

B. A citation under this Ordinance shall include the following:

1. The name and address of the owner of the motor vehicle;
2. The number plate of the motor vehicle;
3. The violation charged;
4. The location of the automated traffic enforcement safety device and the date and time of the violation;
5. A copy of or information on how to view, through electronic means, the recorded images that captured the alleged violation;
6. A statement or electronically generated affirmation by the sworn member or employee who viewed the recorded images and determined that a violation occurred;
7. Verification that the automated traffic enforcement safety device was operating correctly at the time of the alleged violation and the date of the most recent calibration check performed pursuant to the Public Act;
8. The amount of the fine imposed and how to pay such fine; and
9. The right to contest the violation and request a hearing pursuant to C.G.S. § 7- 152c.

- C. In the case of an alleged violation involving a motor vehicle registered in Connecticut, the citation shall be sent by first class mail not later than thirty (30) days after the identity of the owner is determined and shall be mailed to the address of the owner that is in the records of the Department of Motor Vehicles. In the case of an alleged violation involving a motor vehicle registered in another jurisdiction, the citation shall be sent by first class mail not later than thirty (30) days after the identity of the owner is determined and shall be mailed to the address of the owner that is in the records of the official in the other jurisdiction issuing such registration.
- D. A citation shall be invalid unless mailed to an owner not later than sixty (60) days after the alleged violation.

**§ Sec. 500-24. Fine for violation / Traffic Safety Fund.**

- A. The Town shall impose a fine against the owner of a motor vehicle who commits a violation of this Ordinance.
- B. The fine for a first violation of this Ordinance shall be not more than fifty dollars (\$50.00). The fine for each subsequent violation of this Ordinance shall be not more than seventy-five dollars (\$75.00). These fines shall be imposed against the owner of the motor vehicle committing a violation of this Ordinance.
- C. Payment of a fine and any associated fees may be made by electronic means.
- D. A reasonable fee, not to exceed fifteen dollars (\$15.00), may be imposed for the costs associated with the electronic processing of the payment of a fine.
- E. Any funds received by the Town from fines imposed pursuant to this Ordinance shall be used for the purposes of improving transportation mobility, investing in transportation infrastructure improvements, traffic safety or paying the costs associated with the ATESD Program within the Town, including reimbursing a vendor for the expenses associated with the design, installation, operation or maintenance of safety devices.
- F. All fines collected for violation of the Ordinance shall be deposited into a designated non-lapsing account maintained by the Town's Finance Department. The account shall be named the "*Traffic Safety Fund*." This account shall be included in the Finance Director's monthly report to the Town Council. Any requested use of the Traffic Safety Funds to address public safety matters shall be consistent with Connecticut General Statutes §14-307c and shall follow standard Town protocol of first being presented to the Town Council for its review and final approval.
- G. All expenditures from the *Traffic Safety Fund* shall be compliant with Connecticut General Statutes §14-307c and this Ordinance.

**§ Sec. 500-25. Citation Hearing/Appeal Process.**

- A. Any person who is issued a citation for a violation of this Ordinance has the right to a Citation Hearing in accordance with the procedures cited in C.G.S. § 7-152.
- B. Hearings shall be conducted by a Hearing Officer, who shall be appointed by the Town Manager.
- C. If the cited violator does not demand a hearing, a judgement shall be entered against him/her without further notice and the cited violator shall be deemed to admitted liability for said violation.
- D. The cited violator may request a Citation Hearing, in writing, within ten (10) days of the imposition of any such fine to contest their liability.
- E. Any cited violator requesting a hearing shall be given written notice of the date, time, and place of the hearing. Such hearing shall not be held less than fifteen (15) days nor more than thirty (30) days from the date of the mailing of the notice. The decision of the Hearing Officer shall be rendered upon the conclusion of the hearing.
- F. The cited violator wishing to contest a notice of violation shall appear at the hearing and shall have the right to present evidence. A hearing officer appointed by the Town Manager shall conduct a hearing and follow the procedures set forth in C.G.S. § 7-152c, as amended from time to time. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The hearing officer shall announce his or her the decision at the end of the hearing.
- G. If the individual filing the appeal fails to appear at the hearing, the Hearing Officer may enter an assessment by default against said individual upon a finding of proper notice and liability under the Ordinance.
- H. Hearings will be at the Clinton Town Hall or at another place as designated by the Town Manager. Such place shall be clearly stated in the notification to the cited violator in the Citation Hearing Notice.
- I. If the Hearing Officer determines that the violator is not liable for the violation by reasons outlined in Section 11 (j) 1-6 of CT Public Act 23-166, the matter shall be dismissed, and the cited person will have no fine assessed.
- J. If the Hearing Officer determines that the cited violator is liable cited violation, then the Hearing Officer shall assess all fines, fees and costs in the said determination.
- K. If the Hearing Officer finds the appealing party liable for the violation and said person does not pay the fine, the Town shall take steps allowable under C.G.S. § 7-152c(f), which may be amended from time to time, or shall take any other action to recover the assessment and fees, which is permissible under state or federal law.

- L. In accordance with C.G.S. § 7-152c(f), if any assessment entered by the Hearing Officer is not paid on the date of its entry, the Hearing Officer shall send by first-class mail a notice of the assessment to the Owner found liable and shall file, not less than thirty (30) days or more than twelve (12) months after such mailing, a certified copy of the notice of assessment with the clerk of a Superior Court facility designated by the Chief Court Administrator together with an entry fee of eight dollars (\$8.00). The certified copy of the notice of assessment shall constitute a record of assessment. Within such twelve-month period, assessments against the same Owner may be accrued and filed as one record of assessment. The clerk shall enter judgment, in the amount of such record of assessment and court costs of eight dollars (\$8.00), against such Owner in favor of the Town. Notwithstanding any provision of the General Statutes, the hearing officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such Owner.
- M. Pursuant to C.G.S. § 7-152c(g), an Owner against whom an assessment has been entered pursuant to this Ordinance is entitled to judicial review by way of appeal. An appeal shall be instituted within thirty (30) days of the mailing of notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee for a small claims case pursuant to C.G.S. § 52-259, at the Superior Court facility designated by the Chief Court Administrator, which shall entitle such Owner to a hearing in accordance with the rules of the judges of the Superior Court.

#### **§ Sec. 500-26. Defenses.**

The defenses available to the owner of a motor vehicle that is alleged to have committed a violation of this Ordinance shall include, but are not limited to, any one or more of the following:

- A. The operator was driving an emergency vehicle in accordance with the applicable provisions of C.G.S. § 14-283.
- B. The traffic control signal was inoperative, which is observable on the recorded images.
- C. The violation was necessary for the operator to comply with an order or direction from a law enforcement officer, which is observable on the recorded images.
- D. The violation was necessary to allow the passage of an authorized emergency vehicle, which is observable on the recorded images.
- E. The violation took place during a period of time in which the motor vehicle had been reported as being stolen to a law enforcement unit, as defined in C.G.S. § 7-294a, and had not yet been recovered prior to the time of the violation.
- F. The ATESD was not in compliance with the annual calibration check required pursuant

to the applicable provisions of subsection of Connecticut General Statutes §14-307c.

**§ Sec. 500-27. Disclosure of personally identifiable information.**

- A. No personally identifiable information shall be disclosed by the Town or a vendor to any person or entity, including any law enforcement unit, except where the disclosure is made in connection with the charging, collection, and enforcement of the fines imposed pursuant to this Ordinance.
- B. No personally identifiable information shall be stored or retained by the Town or a vendor unless such information is necessary for the charging, collection, and enforcement of the fines imposed pursuant to this Ordinance.
- C. The Town or a vendor shall destroy all personally identifiable information and other data that specifically identifies a motor vehicle and relates to a violation of this Ordinance not later than thirty (30) days after any fine is collected or the resolution of a hearing conducted for the alleged commission of such violation, whichever is later.
- D. Any information and other data gathered from automated traffic enforcement safety devices shall be subject to disclosure under the Freedom of Information Act, as defined in C.G.S. § 1-200, except that no personally identifiable information may be disclosed.

**§ Sec. 500-28. Reporting.**

- A. In addition to the reporting requirements set forth in Section 5.1 of Public Act 23-116, the Town shall on an annual basis, provide the Connecticut Department of Transportation and the Joint Standing Committee of the Connecticut General Assembly having cognizance with matters related to transportation with a written report that gauges the effectiveness of the ATESD Program. At minimum the report must include the information required in Sections 5.2 and 5.3 of Public Act 23-116.

**§ Sec. 500-29. Compliance with C.G.S. § 14-307c, et seq. and The Public Act.**

To the extent of applicability and/or in the event this Ordinance omits any material statutory element or requirement, the provisions of the Public Act and C.G.S. §§ 14-307c through 14-307g that are necessary to further and/or effectuate this Ordinance or to render this Ordinance compliant with the Public Act and such statutory provisions are hereby incorporated and adopted *in toto*, herein.

**§ Sec. 500-30. Severability.**

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by any decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

**Submitted by:** Vincent E. DeMaio, Chief of Police

**Approved by:**

**Status:**

DRAFT

Name of Grant	Amount of original Grant	Balance as of 1/1/26	Purpose of the grant	Time frame	What have the funds been spent on thus far (provide examples of activities etc.)																										
YSB  Youth Service Bueru	\$26,691	\$19,081.62	Support Youth and Family services	1 year	Haunted hallways Christmas in Clinton REACT mentor stipends, summer camp scholarships support for prosocial REACT groups <table><tr><td>5,085.00</td><td colspan="2">PAYROLL CHARGES</td></tr><tr><td>900.00</td><td colspan="2">CAMPERSHIP</td></tr><tr><td></td><td colspan="2">ONLINE YOUTH SAFETY</td></tr><tr><td>620.00</td><td colspan="2">WORKSHOPS X2</td></tr><tr><td>576.36</td><td colspan="2">HAUNTED HALLWAYS</td></tr><tr><td>348.17</td><td colspan="2">HIKING CAMP</td></tr><tr><td>60.00</td><td colspan="2">HAUNTED HALLWAYS CASH</td></tr><tr><td>82.85</td><td colspan="2">PROGRAM SUPPLIES</td></tr></table>			5,085.00	PAYROLL CHARGES		900.00	CAMPERSHIP			ONLINE YOUTH SAFETY		620.00	WORKSHOPS X2		576.36	HAUNTED HALLWAYS		348.17	HIKING CAMP		60.00	HAUNTED HALLWAYS CASH		82.85	PROGRAM SUPPLIES	
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LPC  Local Prevention Council	\$7,304.49 (\$ 4152.79)	\$7115.68	Prevention Education specifically for THC, Vaping Awareness	1 year	THC training materials (handouts)																										
					<u>BUDGET</u>	<u>EXPENDITURES</u>	<u>DESCRIPTION</u>																								
					7,304.79		FY 2026 GRANT & CARRY FWD																								
						188.81	CC-PREVENTION ED																								
7,304.79	188.81																														

Opioid Settlement Fund	\$122,799.87	As of a November 2025 report funding can be spent in the following ways:  1. Evidence-based prevention in school  2. Community Coalition  3. Community based education and intervention programs  4. Engaging non-profit and faith-based communities to support prevention  5. Programs to address youth mental health.	On Going	<div>** 2 simulation activity kits were purchased. 1 THC kit mimic's what it feels like to be under the influence</div> <table><tr><th>BUDGET</th><th>EXPENDITURES</th><th>DESCRIPTION</th></tr><tr><td>103,916.94</td><td></td><td>RECORD 7/1/25 BALANCE</td></tr><tr><td></td><td>1,105.38</td><td>NARCAN FOR POLICE DEPT.</td></tr><tr><td></td><td>5,800.00</td><td>CANOE TRIP/SUBSTANCE PREV</td></tr><tr><td></td><td>5,832.00</td><td>REACT YOUTH-TO-YOUTH CONF</td></tr><tr><td></td><td>4,120.75</td><td>CC-YOUTH TRANSPORATION</td></tr><tr><td>103,916.94</td><td>16,858.13</td><td></td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr><tr><th>BUDGET</th><th>EXPENDITURES</th><th>DESCRIPTION</th></tr><tr><td>122,799.87</td><td></td><td>CARRY FWD AMT AVAIL</td></tr><tr><td></td><td>1,541.87</td><td>YOUTH TRANSPORTATION</td></tr><tr><td></td><td>3,527.01</td><td>TRAINING OD KIT **</td></tr></table>	BUDGET	EXPENDITURES	DESCRIPTION	103,916.94		RECORD 7/1/25 BALANCE		1,105.38	NARCAN FOR POLICE DEPT.		5,800.00	CANOE TRIP/SUBSTANCE PREV		5,832.00	REACT YOUTH-TO-YOUTH CONF		4,120.75	CC-YOUTH TRANSPORATION	103,916.94	16,858.13											BUDGET	EXPENDITURES	DESCRIPTION	122,799.87		CARRY FWD AMT AVAIL		1,541.87	YOUTH TRANSPORTATION		3,527.01	TRAINING OD KIT **
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			6. Increased access to school-based mental health services.		
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