

**SPECIAL COMMON COUNCIL MEETING**  
**JANUARY 21, 2003**

The meeting will be called to order at 8:00 P.M.

**PLEDGE OF ALLEGIANCE AND PRAYER**

**ROLL CALL**

Nolan, McAllister, Null, Kelly, Coladarci, Buzaid, Dean Esposito, Machado,  
Shuler, Scozzafava, Levy, John Esposito, Saadi, Dittrich, Basso, Darius,  
Furtado, Gogliettino, Moore, Neptune, Setaro

\_\_\_\_\_PRESENT \_\_\_\_\_ABSENT

NOTICE OF THE SPECIAL MEETING – There will be a Special Meeting of the Common Council on January 21, 2003 at 8:00 P.M. in the Common Council Chambers in City Hall for the purpose of acting upon the following items.

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**PUBLIC SPEAKING**

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1 – COMMUNICATION – Snow Removal Expenses

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2 – REPORT & ORDINANCE – Veterans Tax Credits

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3 – REPORT & ORDINANCE – Retirement Incentive Program

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4 – REPORT & ORDINANCE – Section 2-143.8, 16-48 and 21-63

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5 – REPORT – Sanitary Sewer Extension on Old Shelter Rock Road and Woodside Avenue

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6 – REPORT & ORDINANCE – Designation of Blight Inspector

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7 – REPORT & ORDINANCE – Section 9-8 and Section 9-69 of the Code of Ordinances

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8 – REPORT – Section 16-4 and Section 21-3 of the Code of Ordinances

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There being no further business to come before the Common Council a motion was made by \_\_\_\_\_ at \_\_\_\_\_ P.M. for the meeting to be adjourned.

RETURN OF SERVICE

By virtue of the within warning, I have served Notice on each of the members of the Common Council of the City of Danbury, of the Special Meeting of said Board, each Notice duly signed by the Mayor and City Clerk, by leaving such written Notice with each of the following members of said Common Council, to-wit:

	<u>NAME</u>	<u>TIME</u>
1.	DEAN E. ESPOSITO (MOVED)	16:00
2.	CONNIE E. SHULER Left in Mail Box	16:10
3.	JOHN J. ESPOSITO Left on Back Porch	18:48
4.	VADLEMIRO D. MACHADO Maria Machado	16:30
5.	EMILE G. BURZAI JR. (Name Burzai)	19:00
6.	CHRIS SETARO LEFT IN FRONT DOOR	19:06
7.	PAULINE R. BASSO (Name Bass)	20:25
8.	MICHAEL T. MOORE Julia Moore	19:30
9.	JOHN GOGLIETTINO (Name Gogliettino)	20:00
10.	MANNY FUORTADO (Name Fortado)	18:00
11.	JEAN R. DARIUS (Name Darius)	19:15
12.	JOSEPH L. SCOZZA (Name Scozza)	19:56
13.	CHRISTIAN DITTRICH Left in Rear Door	19:45
14.	THOMAS J. SAADI (Name Saadi)	18:40
15.	EILEEN COLADARCI (Name Coladarc)	17:15
16.	JAMES M. KELLY (Name Kelly)	18:25
17.	WARREN J. NULL (Name Null)	17:35
18.	PAUL E. McALLISTER JR. (Name McAllister)	17:30
19.	VINCENT P. NOLAN JR. (Name Nolan)	17:45
20.	WARREN M. LEVY (Name Levy)	17:50
21.	SHERRI NEPTUNE (Name Neptune)	18:15

Each Notice so served upon each member, all having been done by me on this date 01/07/03.

Attest: SPO Gary Simons  
Policemen of the City of  
Danbury

CITY OF DANBURY

TO MEMBERS OF THE COMMON COUNCIL

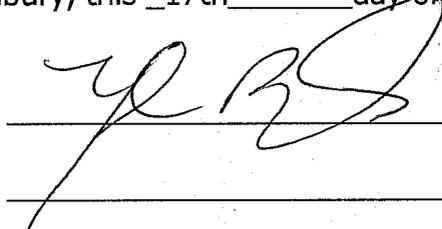
A special meeting of the Common Council of the City of Danbury will held

On the 21 day of January, 2003 at 8:00 P.M.  
in the

Common Council Chambers in City Hall in said Danbury for the purpose of:

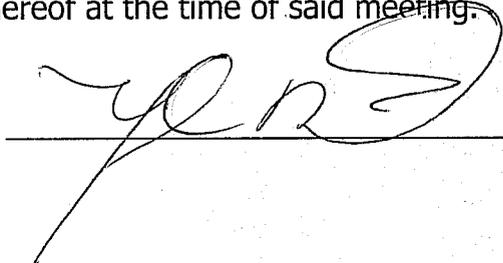
- 1 – Communication– Snow Removal Expenses
- 2 – Report & Ordinance – Veterans Tax Credits
- 3 – Report & Ordinance – Retirement Incentive Program
- 4 – Report & Ordinance – Section 2-143.8, 16-48 and 21-63
- 5 – Report – Sanitary Sewer Extension – Old Shelter Rock Road and Woodside
- 6 – Report & Ordinance – Designation of Blight Inspector
- 7 – Report & Ordinance – Section 9-8 and Section 9-69
- 8 – Report & Ordinance – Section 16-4 and Section 21-31

Dated at Danbury, this 17th day of January, 2003

  
\_\_\_\_\_  
Mayor  
\_\_\_\_\_  
President

To the Sheriff or any police officer of the City of Danbury:

You are hereby required to notify the members of the Common Council of the City of Danbury of the special meeting of said board by leaving with or at the usual place of abode or place of business of said members not less than 24 hours before the hour specified for said meeting, a notice in form annexed and to make due return thereof at the time of said meeting.

  
\_\_\_\_\_  
Mayor



# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

**DENA DIORIO**  
DIRECTOR OF FINANCE

(203)797-4652  
FAX: (203)796-1526

## MEMORANDUM

TO: Mayor Mark D. Boughton via the Common Council

FROM: Dena Diorio, Director of Finance *Dena*

DATE: January 10, 2003

SUBJECT: Snow Removal Expenses

**Certification #9**

As you are aware the City is experiencing a harsh winter in terms of the level of storm activity at this point in the year. The balances in our snow-related accounts are all but depleted and need to be replenished. The attached analysis reflects the current balances in the affected accounts and projected expenditures for the remainder of the year assuming that the rate of current storm activity continues. The City Engineer and the Airport Administrator are requesting \$217,800 in additional funds to cover expenses for the remainder of the season. The breakdown of the requests is as follows:

Ice Control Material:	\$50,000
Highways/Overtime:	\$100,000
Highways/Storm Meals:	\$4,000
Highways/Leased Equipment:	\$9,500
Highways/Blades & Chains:	\$6,000
Equipment Maint/Overtime:	\$8,000
Equipment Maint/Plows & Spreaders:	\$5,000
Equipment Maint/Comm Equip:	\$5,500
Public Buildings/Overtime:	\$6,000
Public Buildings/Leased Equip:	\$20,000
Airport/Overtime:	<u>\$3,800</u>
<b>Total:</b>	<b>\$217,800</b>

The attached analysis also shows expenditure activity in the City's snow removal accounts for the prior three fiscal years. As you can see, in the winter of FY 2000-2001, also considered a severe winter, the City spent over \$800,000 in these accounts. The projection for the current year of almost \$700,00 is not inconsistent with prior experience.

Additionally, at the last Common Council meeting there were some questions related to snow insurance. The last time the City of Danbury purchased snow insurance was in 1997. At that time, the policy cost \$14,000 for a 60-inch deductible and provided coverage of up to \$395,000. This year, a policy with a 60-inch deductible cost \$23,000 and provides coverage of up to \$180,000. As of today, the City has received 34 inches of snow. We would need to accumulate an additional 26 inches of snow before coverage would commence. Taking into account the \$23,000 premium, the maximum reimbursement the City would receive under the policy is \$157,000. As a point of interest, in those years that snow insurance was purchased, the deductible was never reached and the City received no reimbursement for snow-related expenses.

Every effort is being made to fund these expenses internally through administrative transfers. This appropriation will significantly impact the balance on the contingency fund, in light of the fact that a portion of the fund continues to be dedicated to specific purposes. However, depending on how the winter season progresses, we may need to request additional funding.

I hereby certify the availability of \$217,800 to be transferred from the Contingency Fund to the accounts outlined above.

Should you require any additional information, please feel free to contact me.

Balance of Contingency:	\$478,356
Less this Request:	<u>(\$217,800)</u>
<b>Balance</b>	<b>\$260,556</b>

C: William J. Buckley, Director of Public Works  
Paul D. Estefan, Airport Administrator

<b>Analysis of Snow Removal Accounts</b>								
							FY02-03	FY02-03
Account		FY99-00	FY00-01	FY01-02		Amended	Account	FY 02-03
Number	Description	Actual	Actual	Actual		Budget	Balance	Projected
3002/3003.5630	Highways/Ice Control Materials	\$ 264,232	\$ 253,428	\$ 235,435	*	\$ 100,000	\$ -	\$ 200,000
3003.5030	Highways/OT	\$ 109,646	\$ 340,000	\$ 93,779		\$ 200,000	\$ 65,687	\$ 300,000
3003.5260	Highways/Storm Meals	\$ 4,937	\$ 14,728	\$ 3,359		\$ 8,000	\$ 5,067	\$ 12,000
3003.5330	Highways/Leased Equip	\$ 12,845	\$ 26,162	\$ 5,875		\$ 19,000	\$ 3,670	\$ 28,500
3003.5710	Highways/Blades & Chains	\$ 12,359	\$ 13,395	\$ 8,999		\$ 12,000	\$ 7,377	\$ 18,000
3020.5030	Equip Maint/Overtime	\$ 11,847	\$ 30,441	\$ 11,137		\$ 14,451	\$ 5,282	\$ 22,451
3020.5512	Equip Maint/Plows& Spreaders	\$ 12,350	\$ 22,174	\$ 17,480		\$ 12,500	\$ 156	\$ 17,500
3020.5711	Equip/Communication Equip	\$ -	\$ 399	\$ 1,685		\$ -	\$ -	\$ 5,500
1340.5030	Public Bldgs/Overtime	\$ 31,734	\$ 34,509	\$ 26,674		\$ 27,000	\$ 7,553	\$ 33,000
3010.5330	Public Bldgs/Leased Equip	\$ 32,000	\$ 63,000	\$ 871		\$ 32,000	\$ -	\$ 52,000
9200.5030	Airport/Overtime	\$ 3,674	\$ 4,385	\$ 1,486		\$ 4,000	\$ 500	\$ 7,800
	<b>Total</b>	<b>\$ 495,624</b>	<b>\$ 802,621</b>	<b>\$ 406,780</b>		<b>\$ 428,951</b>	<b>\$ 95,292</b>	<b>\$ 696,751</b>

\* At the beginning of FY 2002-2003, the City had \$100,000 worth of salt and sand in its inventory.



# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

ENGINEERING DEPARTMENT  
(203) 797-4641  
FAX (203) 796-1586

WILLIAM J. BUCKLEY, JR., P.E.  
DIRECTOR OF PUBLIC WORKS / CITY ENGINEER

January 10, 2003

Mayor Mark D. Boughton  
Common Council  
City of Danbury  
155 Deer Hill Avenue  
Danbury, CT 06810

Re: Request for Additional Sand and Salt Funds

Dear Mayor Boughton and Members of the Common Council:

As you are aware, we are experiencing an extremely severe winter relative to snow and ice storms. It seems to us that every two or three days we have another storm event. As I am writing this letter to you, we are anticipating more events in the next few days. With that having been said, we have used a significant amount of the excess sand and salt that we had remaining at the end of last winter, and have begun to deplete the sand and salt supplies that we have purchased out of this fiscal year's budget. Normally, for January, we look to having 9,500 (nine thousand five hundred) cubic yards of mixed product in storage.

Attached you will find a copy of a January 6, 2003 sand and salt report from Mr. Frank Cavagna, Superintendent of Highways. If you look at the report, you will see that for storms 1-9 (we have had nine storm events through January 5, 2003) we have used approximately 8,000 (eight thousand) cubic yards of sand and salt. In storage, we have approximately 5,850 (five thousand eight hundred and fifty) cubic yards, leaving us a supplies on hand deficit as of January 6, 2003 of 3,650 (three thousand six hundred and fifty) cubic yards of mixed product. This deficit, coupled with our expected usage over the next weeks, will leave us approximately 5000 (five thousand) yards short as we move towards mid-January. I am requesting that you allocate \$50,000 (fifty thousand dollars) to replenish our sand and salt stockpiles. This request is being made subject to certification of available funds by the Director of Finance, Dena R. Diorio.

Additionally, I am requesting another appropriation of \$164,000.00 (one hundred sixty-four thousand dollars) to be distributed to the following accounts:

**Highway Department**

<b>Expense Code</b>	<b>Description</b>	<b>Amount</b>
1) 3003.5030	Overtime Salaries	\$100,000.00
2) 3003.5260	Storm Meals	\$ 4,000.00
3) 3003.5330	Leased Equipment	\$ 9,500.00
4) 3003.5710	Blades and Chains	\$ 6,000.00

**Equipment Maintenance Department**

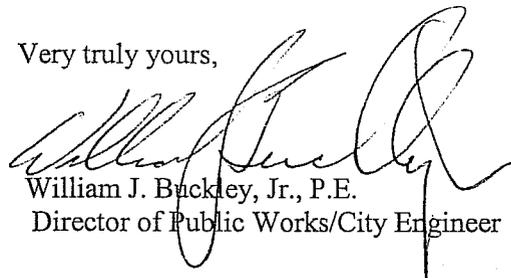
<b>Expense Code</b>	<b>Description</b>	<b>Amount</b>
5) 3020.5030	Overtime Salaries	\$ 8,000.00
6) 3020.5512	Plows/Spreaders	\$ 5,000.00
7) 3020.5711	Radios	\$ 5,500.00

**Public Buildings Department**

<b>Expense Code</b>	<b>Description</b>	<b>Amount</b>
8) 1340.5030	Overtime Salaries	\$ 6,000.00
9) 3010.5330	Leased Equipment	\$ 20,000.00

The predictions for this winter are that the current weather pattern will continue. Should that be the case, we will need to replenish accounts as we move through the winter. It is my intent to work with Highway Superintendent Frank Cavagna over the remainder of the month and prepare for you a detailed report for the February Common Council meeting. We will look closely at the status of sand, salt, overtime, fuel, equipment maintenance, and storm meal allowance accounts. At that time, should I feel it necessary to replenish any of the accounts listed above, I will make that request to you.

Very truly yours,



William J. Buckley, Jr., P.E.  
Director of Public Works/City Engineer

WJB/com

Encl.

cc: Dena R. Diorio, with encl.  
Frank Cavagna, with encl.



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

HIGHWAY DEPARTMENT  
(203) 797-4605

FRANK L. CAVAGNA  
SUPERINTENDENT OF HIGHWAYS

TO: Wm. Buckley, Public Works Director  
FROM: Frank L. Cavagna, Highway Superintendent  
RE: 02/03 Sand/Salt Recap #3  
DATE: January 6, 2002

6-Jan-03 Starting Inventory (9/02): 8,709+/- cubic yards

6-Jan-03	<u>Funding Provided for:</u>		
		Sand	4,170c.y.
		Salt	<u>1,040 c y</u>
		Total	5,210 c.y..

6-Jan-03	<u>Purchases to Date:</u>		
	H. I. Stone	Sand	4,193 cubic yards
	Morton Salt	Salt	1,040 cubic yards
	<u>Total</u>		<u>13,942 cubic yards</u>

6-Jan-03	<u>Usage to Date:</u>		
	Storm #1 through Storm #9 (November 27, 2002 to January 3,4,5,2003)		8,085 cubic yards

6-Jan-03 Balance on Hand: 5,857+/- cubic yards  
(January optimum 9,500 cubic yards)

Still on Order:

H. I. Stone	Sand	-0-	cubic yards
Morton Salt	Salt	-0-	cubic yards

Additional supplies needed as of 1-6-03 3,643 c.y.

Note: Immediate action should be undertaken to replenish supplies as this winter's series of storms appears likely to continue. The storm today, 1/6/03, is not accounted for here. An additional appropriation of \$100,000 is hereby requested for sand and salt.

cc M. Boughton, Mayor of the City of Danbury ~~w/enc~~  
D. Diorio, Finance Director. ~~w/enc~~

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# CITY OF DANBURY

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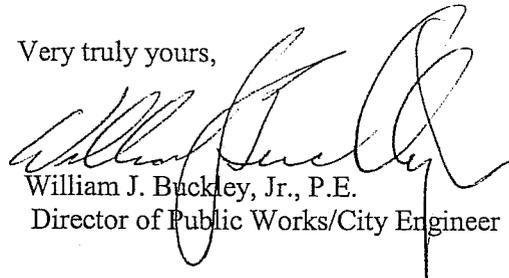
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Very truly yours,



William J. Buckley, Jr., P.E.  
Director of Public Works/City Engineer

WJB/com

Encl.

cc: Dena R. Diorio, with encl.  
Frank Cavagna, with encl.



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

HIGHWAY DEPARTMENT  
(203) 797-4605

FRANK L. CAVAGNA  
SUPERINTENDENT OF HIGHWAYS

TO: Wm. Buckley, Public Works Director

FROM: Frank L. Cavagna, Highway Superintendent

RE: 02/03 Sand/Salt Recap #3

DATE: January 6, 2002

6-Jan-03 Starting Inventory (9/02): 8,709+/- cubic yards

6-Jan-03 Funding Provided for:

Sand	4,170c.y.
Salt	<u>1,040 c.y.</u>
Total	5,210 c.y..

6-Jan-03 Purchases to Date:

H. I. Stone	Sand	4,193 cubic yards
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<u>Total</u>		<u>13,942 cubic yards</u>

6-Jan-03 Usage to Date:

Storm #1 through Storm #9  
(November 27, 2002 to January 3,4,5,2003) 8,085 cubic yards

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cc M. Boughton, Mayor of the City of Danbury ~~w/enc~~  
D. Diorio, Finance Director, ~~w/enc~~

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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DANBURY MUNICIPAL AIRPORT  
P.O. BOX 2299  
DANBURY, CT. 06813-2299

AIRPORT ADMINISTRATOR  
PAUL D. ESTEFAN  
(203) 797-4624

January 9, 2003

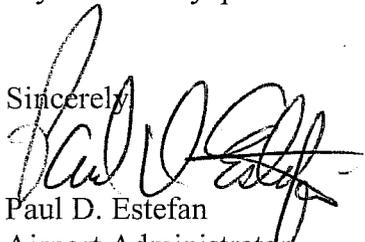
Mayor Mark D. Boughton  
Hon. Member of the Common Council  
City of Danbury  
155 Deer Hill Avenue  
Danbury, Connecticut

Dear Mayor & Members;

The airport received in its current budget \$1,000.00 for overtime. To date I have transferred within my budget an additional \$2,000.00 for overtime which is exhausted. I am requesting an additional \$3,800.00 to hopefully cover the rest of the winter season for snow plowing here at the airport.

If you have any questions concerning my request please feel free to contact me.

Sincerely,



Paul D. Estefan  
Airport Administrator

Cc: File (overtime)



2

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

February 4, 2003

Mayor Mark D. Boughton  
Members of the Common Council

Re: **Veterans Tax Credits**

The Common Council met as a committee of the whole immediately following a public hearing in the Common Council Chambers on January 13, 2003.

Mr. Setaro made a motion to recommend adoption of the ordinance increasing the exemption from \$1,000 to \$10,000.

Mr. Buzaid asked what qualifies someone as a veteran? Attorney Gottschalk stated that statutes contain a definition of a veteran, which he will provide. Mr. Saadi stated that the legislation defines veterans as those who serve in conflicts. The Legislature amends this legislation to include new conflicts.

Motion carried unanimously.

Respectfully submitted,

---

WARREN LEVY, Chairman

**COPY SHOWING DELETIONS AND NEW LANGUAGE**

THAT Subsections 18-15(b) and 18-15(c) of the Code of Ordinances of Danbury, Connecticut are hereby amended to read as follows:

**Sec. 18-15. Additional exemption for veterans and spouses of low and moderate income.**

- (b) Any veteran entitled to an exemption from property tax in accordance with subdivision 19 of Section 12-81 of the Connecticut General Statutes shall be entitled to an additional exemption applicable to the assessed value of property up to the amount of ~~one~~ TEN thousand dollars (\$10,000.00), provided such veteran's qualifying income does not exceed the applicable maximum amount as provided under ~~Section 4 of Public Act 87-404~~ 12-81L OF THE CONNECTICUT GENERAL STATUTES.
- (c) Any veteran's surviving spouse entitled to an exemption from property tax in accordance with subdivision 22 of Section 12-81 of the Connecticut General Statutes shall be entitled to an additional exemption applicable to the assessed value of property up to the amount of ~~one~~ TEN thousand dollars (\$10,000.00), provided such surviving spouse's qualifying income does not exceed the applicable maximum amount applicable to an unmarried person as provided under ~~Section 4 of Public Act 87-404~~ 12-81L OF THE CONNECTICUT GENERAL STATUTES.

Note: New language is indicated by CAPITALIZATION COMBINED WITH UNDERLINING except that capitalization is not utilized for the letters in parentheses which indicate subsections.

Deleted language is indicated by ~~strikeouts~~.



# ORDINANCE

## CITY OF DANBURY, STATE OF CONNECTICUT

### COMMON COUNCIL

January 21, 2003

Be it ordained by the Common Council of the City of Danbury:

THAT Subsections 18-15(b) and 18-15(c) of the Code of Ordinances of Danbury, Connecticut are hereby amended to read as follows:

**Sec. 18-15. Additional exemption for veterans and spouses of low and moderate income.**

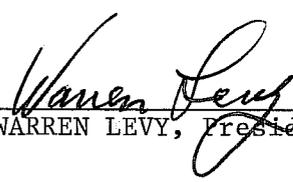
- (b) Any veteran entitled to an exemption from property tax in accordance with subdivision 19 of Section 12-81 of the Connecticut General Statutes shall be entitled to an additional exemption applicable to the assessed value of property up to the amount of ten thousand dollars (\$10,000.00), provided such veteran's qualifying income does not exceed the applicable maximum amount as provided under Section 12-81I of the Connecticut General Statutes.
- (c) Any veteran's surviving spouse entitled to an exemption from property tax in accordance with subdivision 22 of Section 12-81 of the Connecticut General Statutes shall be entitled to an additional exemption applicable to the assessed value of property up to the amount of ten thousand dollars (\$10,000.00), provided such surviving spouse's qualifying income does not exceed the applicable maximum amount applicable to an unmarried person as provided under Section 12-81I of the Connecticut General Statutes.

**EFFECTIVE DATE:** This Ordinance shall take effect thirty (30) days after adoption and publication, as provided by law and section 3-10 of the Charter of the City of Danbury.

Adopted by the Common Council - January 21, 2003

Approved by Mayor Mark D. Boughton - January 23, 2003

ATTEST:

  
WARREN LEVY, President

PART I. DEPARTMENT OF VETERANS' AFFAIRS

§ 27-102n. Board of trustees for the department of veterans' affairs. Advisory board for veterans' advocacy and assistance unit. Member Duties

(a) There shall be a Board of Trustees for the Department of Veterans' Affairs. The board shall be comprised of the commissioner and nine members who by education or experience shall be qualified in health care, business management, social services or law and who shall have a demonstrated interest in the concerns of veterans. The deputy commissioner of the veterans' advocacy and assistance unit shall be a nonvoting member of the board. A majority of the members of the board shall be veterans. Members shall be appointed by the Governor and shall serve at the pleasure of the Governor. Members shall be sworn to the faithful performance of their duties. They shall receive no compensation for their services but shall be reimbursed for their reasonable expenses in the performance of their duties.

(b) The board shall meet at least quarterly and upon the call of the commissioner. A majority of the members shall constitute a quorum.

(c) The board shall advise and assist the commissioner in the operation of the Veterans Home and Hospital, the veterans' advocacy and assistance unit, the administration, expansion or modification of existing programs and services of the department and the development of new programs and services.

(d) The board shall review and approve any regulations prior to adoption by the commissioner concerning: (1) Procedures relating to admission and discharge or transfer of veterans in the home and hospital; (2) a per diem fee schedule for programs, services and benefits provided therein; and (3) the participation of eligible family members in programs or services provided by the home and hospital.

(e) The board shall submit an annual report to the Governor on its activities with its recommendations, if any, for improving the delivery of services to veterans and the addition of new programs.

(2001, P.A. 01-58.)

PART Ia. GENERAL PROVISIONS

§ 27-103 Definitions

(a) As used in the general statutes, except chapter 504,<sup>1</sup> and except as otherwise provided: (1) "Armed forces" means the United States Army, Navy, Marine Corps, Coast Guard and Air Force; (2) "veteran" means any person honorably discharged from, or released under honorable conditions from active service in, the armed forces; (3) "service in time of war" means service of ninety or more days except, if the war, campaign or other operation lasted less than ninety days, "service in time of war" means service for the entire duration of the war, campaign or other operation, unless separated from service earlier because of a service-connected disability rated by the Veterans' Administration, during the Spanish-American War, April 21, 1898, to August 13, 1898; the Philippine insurrection, August 13, 1898, to July 4, 1902, but as to engagements in the Moro Province, to July 15, 1903; the Boxer Rebellion, June 20, 1900, to May 12, 1901; the Cuban pacification, September 12, 1906, to April 1, 1909; the Nicaraguan campaign, August 28, 1912, to November 2, 1913; the Haitian campaign, July 9, 1915, to December 6, 1915; the punitive expedition into Mexico, March 10, 1916, to April 6, 1917; World War I, April 6, 1917, to November 11, 1918, but as to service in Russia, to April 1, 1920; World War II, December 7, 1941, to December 31, 1946; and the Korean hostilities, June 27, 1950, to January 31, 1955; and shall include service during the Lebanon conflict, July 1, 1958, to November 1, 1958; the Berlin Airlift, August 14, 1961, to June 1, 1962;<sup>2</sup> and the Vietnam era, February 28, 1961, to July 1, 1975; and shall include service while engaged in combat or a combat support role during the peace-keeping mission in Lebanon, September 29, 1982, to March 30, 1984; the invasion of Grenada, October 25, 1983, to December 15, 1983; Operation Earnest Will, involving the escort of Kuwaiti oil tankers flying the United States flag in the Persian Gulf, February 1, 1987, to July 23, 1987; and the invasion of Panama

52P  
§ 27-40  
(19)

December 20, 1989, to January 31, 1990; and shall include service during Operation Desert Shield and Operation Desert Storm, August 2, 1990, to June 30, 1994; and shall include active duty for service in the demilitarized zone in South Korea after February 1, 1955, in Somalia after December 2, 1992, and in Bosnia after December 20, 1995, and shall include service during such periods with the armed forces of any government associated with the United States.

(b) As used in this part, "home" means the Veterans' Home and Hospital maintained by the state; "hospital" means any incorporated hospital or tuberculosis sanatorium in the state and any state chronic disease hospital, mental hospital or training school for the mentally retarded, "veteran" means any veteran who served in time of war, as defined by subsection (a), and who is a resident of this state, provided, if he was not a resident or resident alien of this state at the time of enlistment or induction into the armed forces, he shall have resided continuously in this state for at least two years; "eligible dependent" means any parent, wife or husband, or child of a veteran who has no adequate means of support; and "eligible family member" means any parent, brother or sister, wife or husband, or child or children under eighteen years of age, of any veteran whose cooperation in the program is integral to the treatment of the veteran.

2000, P.A. 00-131, § 2.)

<sup>1</sup> C.G.S.A. § 27-1 et seq.

<sup>2</sup> So in original. Probably should read "the Berlin Airlift, June 22, 1948 to September 30, 1949" or "the Berlin Crisis, August 14, 1961 to June 1, 1963".

## PART II. SOLDIERS, SAILORS AND MARINES' FUND

### 27-140. Expenditure. Accounting

All money so paid to and received by the American Legion shall be expended by it in furnishing food, wearing apparel, medical or surgical aid or care or relief to, or in bearing the funeral expenses of, soldiers, sailors or marines who performed service in time of war, as defined in subsection (a) of section 27-103, in any branch of the military service of the United States, or who were engaged in any of the wars waged by the United States during said periods in the forces of any government associated with the United States, who have been honorably discharged therefrom or honorably released from active service therein, and who were citizens or resident aliens of the state at the time of entering said armed forces of the United States or of any such government, or to their spouses who are living with them, or to their widows or widowers who were living with them at the time of death, or dependent children under eighteen years of age, who may be in need of the same. All such payments shall be made by the American Legion under authority of its bylaws, which bylaws shall set forth the procedure for proof of eligibility for such aid and shall be approved by the trustee, provided payments made for the care and treatment of any person entitled to the benefits provided for herein, at any hospital receiving aid from the General Assembly unless special care and treatment are required, shall be in accordance with the provisions of section 17b-39, and provided the sum expended for the care or treatment of such person at any other place than a state-aided hospital shall in no case exceed the actual cost of supporting such person at the Veterans' Home and Hospital, unless special care and treatment are required, when such sum as may be determined by the treasurer of such organization may be paid therefor. The treasurer of such organization shall account to said trustee during the months of January, April, July and October for all moneys disbursed by it during the three months next preceding the first day of either of said months, and such account shall show the amount of and the name and address of each person to whom such aid has been furnished. Upon the completion of the trust provided for in section 27-138, the principal fund so held by said trustee shall revert to the State Treasury.

2000, P.A. 00-131, § 1.)

required by law for the filing of assessment returns with the local board of assessors of any town, consolidated town and city or consolidated town and borough, in which any of its property claimed to be exempt is situated;

(12) **Personal property of religious organizations devoted to religious or charitable use.** Personal property within the state owned by, or held in trust for, a Connecticut religious organization, whether or not incorporated, if the principal or income is used or appropriated for religious or charitable purposes or both;

(13) **Houses of religious worship.** Subject to the provisions of section 12-88, houses of religious worship, the land on which they stand, their pews, furniture and equipment owned by, or held in trust for the use of, any religious organization;

(14) **Property of religious organizations used for certain purposes.** Subject to the provisions of section 12-88, real property and its equipment owned by, or held in trust for, any religious organization and exclusively used as a school, a Connecticut nonprofit camp or recreational facility for religious purposes, a parish house, an orphan asylum, a home for children, a thrift shop, the proceeds of which are used for charitable purposes, a reformatory or an infirmary or for two or more of such purposes;

(15) **Houses used by officiating clergymen as dwellings.** Subject to the provisions of section 12-88, dwelling houses and the land on which they stand owned by, or held in trust for, any religious organization and actually used by its officiating clergymen;

(16) **Hospitals and sanatoriums.** Subject to the provisions of section 12-88, all property of, or held in trust for, any Connecticut hospital society or corporation or sanatorium, provided (A) no officer, member or employee thereof receives or, at any future time, shall receive any pecuniary profit from the operations thereof, except reasonable compensation for services in the conduct of its affairs, and (B) in 1967, and quadrennially thereafter, a statement shall be filed by such hospital society, corporation or sanatorium on or before the first day of November with the assessor or board of assessors of any town, consolidated town and city or consolidated town and borough, in which any of its property claimed to be exempt is situated. Such statement shall be filed on a form provided by such assessor or board of assessors;

(17) **Blind persons.** Subject to the provisions of sections 12-89, 12-90 and 12-92, property to the amount of three thousand dollars belonging to, or held in trust for, any blind person, resident of this state; or, lacking said amount of property in his own name, so much of the property belonging to, or held in trust for, his spouse, who is domiciled with him, as is necessary to equal said amount;

(18) **Property of veterans' organizations.** (a) **Property of bona fide war veterans' organization.** Subject to the provisions of section 12-88, property owned by, or held in trust for, any bona fide war veterans' organization or any of its local posts, which organization shall be composed in whole or in major part of veterans of the military or naval service or both of the United States in any war, except the civil war; provided such property shall be actually and exclusively used and occupied by such organization;

(b) **Property of the Grand Army of the Republic.** Property belonging to the Grand Army of the Republic, or owned by, or held in trust for, any local post thereof, shall continue to be exempt from taxation in accordance with the provisions of subdivision (27);

(19) **Veterans' exemptions.** Subject to the provisions of sections 12-89, 12-90 and 12-95, property to the amount of one thousand dollars belonging to, or held in trust for, any resident of this state who (a) is a veteran of the armed forces in service in time of war, (b) any resident of this state who was a citizen of the United States at the time of his enlistment and who was in the military or naval service of a government allied or associated with that of the United States during the Second World War and received an honorable discharge therefrom, (c) any resident of this state who served during the Second World War as a member of any armed force of any government signatory to the United Nations Declaration of January 1, 1942, and participated in armed conflict with an enemy of the United States and who has been a citizen of the United States for at least ten years and presents satisfactory evidence of such service, (d) any resident of this state who served as a member of the crew of a merchant vessel during the Second World War and is qualified with respect to such service as a member of the group known as the "American Merchant Marine in ocean-going service during the period of armed

conflict, December 7, 1941, to August 15, 1945", members of which are deemed to be eligible for certain veterans benefits under a determination in the United States Department of Defense, as recorded in the Federal Register of February 1, 1988, provided such resident has received an armed forces discharge certificate from the Department of Defense on the basis of such service, (e) any member of the armed forces who was in service in time of war and is still in the service and by reason of continuous service has not as yet received a discharge, (f) any person who is retired from the armed forces after thirty years of service because he has reached the age limit prescribed by law or because he suffers from mental or physical disability, or (g) any person who is serving in the armed services in time of war; or lacking said amount of property in his own name, so much of the property belonging to, or held in trust for, his spouse, who is domiciled with him, as is necessary to equal said amount. For the purposes of this subdivision, "veteran", "armed forces" and "service in time of war" have the same meaning as in section 27-103;

(20) **Servicemen and veterans having disability ratings.** Subject to the provisions hereinafter stated, property not exceeding three thousand dollars in amount shall be exempt from taxation, which property belongs to, or is held in trust for, any resident of this state who has served, or is serving, in the Army, Navy, Marine Corps, Coast Guard or Air Force of the United States and (1) has a disability rating by the Veterans' Administration of the United States amounting to ten per cent or more of total disability, provided such exemption shall be fifteen hundred dollars in any case in which such rating is between ten per cent and twenty-five per cent; two thousand dollars in any case in which such rating is more than twenty-five per cent but not more than fifty per cent; twenty-five hundred dollars in any case in which such rating is more than fifty per cent but not more than seventy-five per cent; and three thousand dollars in any case in which such person has attained sixty-five years of age or such rating is more than seventy-five per cent; or (2) is receiving a pension, annuity or compensation from the United States because of the loss in service of a leg or arm or that which is considered by the rules of the United States Pension Office or the Bureau of War Risk Insurance the equivalent of such loss. If such veteran lacks such amount of property in his or her name, so much of the property belonging to, or held in trust for, his or her spouse, who is domiciled with him or her, as is necessary to equal such amount shall also be so exempt. When any veteran entitled to an exemption under the provisions of this section has died, property belonging to, or held in trust for, his or her surviving spouse, while such spouse remains a widow or widower, or belonging to or held in trust for his or her minor children during their minority, or both, while they are residents of this state, shall be exempt in the same aggregate amount as that to which the disabled veteran was or would have been entitled at the time of his or her death. No individual entitled to exemption under this subdivision and under one or more of subdivisions (19), (22), (23), (25) and (26) of this section shall receive more than one exemption. No individual shall receive any exemption to which he or she is entitled under this subdivision until he or she has complied with section 12-95 and until he or she has, in each year in which such exemption is being sought, submitted evidence satisfactory to the assessors as to his or her actual disability rating on the assessment day as of which such exemption is being sought, except that proof of disability of persons who have attained the age of sixty-five years or who have presented Veterans' Administration certificates showing permanent total disability need be filed but once. Any person who has been unable to submit evidence of disability rating in the manner required by this subdivision, or who has failed to submit such evidence as provided in section 12-95, may, when he or she obtains such evidence satisfactory to the assessors, make application to the collector of taxes within one year after he or she obtains such proof or within one year after the expiration of the time limited in section 12-95, as the case may be, for abatement in case the tax has not been paid, or for refund in case the whole tax has been paid, of such part or the whole of such tax as represents the service exemption. Such abatement or refund may be granted retroactively to include the assessment day next succeeding the date as of which such person was entitled to such disability rating as determined by the Veterans' Administration of the United States, but in no case shall any abatement or refund be made for a period greater than three years. The collector shall, after examination of such application, refer the same, with his recommendations thereon, to the board of selectmen of a town or to the corresponding authority of any other municipality, and shall certify to the amount of abatement or refund to which the applicant is entitled. Upon receipt of such application and certification, the selectmen or other duly constituted authority shall, in case the tax has not been paid,

(22) **Surviving spouse or minor child of servicemen and veterans.** Subject to the provisions of sections 12-89, 12-90 and 12-95, property to the amount of one thousand dollars belonging to, or held in trust for, any surviving spouse while such person remains a widow or widower, or a minor child or both, residing in this state, of one who has served in the Army, Navy, Marine Corps, Coast Guard or Air Force of the United States or of any citizen of the United States who served in the military or naval service of a government allied or associated with the United States, as provided by subdivision (19) of this section, and has died either during his or her term of service or after receiving an honorable discharge therefrom, provided such amount shall be three thousand dollars if death was due to service and occurred while on active duty;

(23) **Serviceman's surviving spouse receiving federal benefits.** Subject to the provisions of sections 12-89, 12-90 and 12-95, property to the amount of one thousand dollars belonging to, or held in trust for, any surviving spouse, while such spouse remains a widow or widower resident of this state, of one who has served in the Army, Navy, Marine Corps, Coast Guard or Air Force of the United States, which surviving spouse is receiving or has received a pension, annuity or compensation from the United States;

(24) **Surviving spouse and minor child of veteran receiving compensation from Veterans' Administration.** The exemption from taxation granted by subdivision (22) of this section, to the amount of three thousand dollars allowable to the widow or widower or minor child or both of a veteran whose death was due to service and occurred on active duty shall be granted to any widow or widower drawing compensation from the Veterans' Administration upon verification of such fact by letter from the Veterans' Administration;

(25) **Surviving parent of deceased serviceman or veteran.** Subject to the provisions of sections 12-89, 12-90 and 12-95, property to the amount of one thousand dollars belonging to, or held in trust for, a sole surviving parent, while such parent remains a widow or widower resident of this state, of one who has left no widow or widower, or whose widow or widower has remarried or died, and who has served in the Army, Navy, Marine Corps, Coast Guard or Air Force of the United States as provided by subdivision (19) of this section and has died during his or her term of service or after receiving an honorable discharge therefrom, provided, property belonging to, or held in trust for, such parent of more than one serviceman or servicewoman who has left no widow or widower, or whose widow or widower has remarried or died, and who has served in the Army, Navy, Marine Corps, Coast Guard or Air Force of the United States as provided in subdivision (19) of this section and has died during his or her term of service shall be subject to an exemption of one thousand dollars for each such serviceman or servicewoman;

(26) **Parents of veterans.** Subject to the provisions of sections 12-89, 12-90 and 12-95, property to the amount of one thousand dollars belonging to, or held in trust for, any father or mother, resident of this state, of one who served in the Army, Navy, Marine Corps, Coast Guard or Air Force of the United States as long as such father or mother receives, or has received, a pension, annuity or compensation from the United States; or if such parent lacks said amount of property in his own name, so much of the property belonging to, or held in trust for, his spouse, who is domiciled with him, as is necessary to equal said amount;

(27) **Property of Grand Army posts.** Property owned by, or held in trust for, a Connecticut Grand Army Post, provided the major use of such property shall be as a meeting place for its members or for the members of the woman's relief corps or both, or provided the income from such property is being entirely devoted to its upkeep and improvement and to the relief of such soldiers of the civil war or their dependents or both as are receiving or are entitled to receive benefits or pensions from the federal or state government or both;

(28) **Property of United States Army instructors.** Subject to the provisions of sections 12-89, 12-90 and 12-95, property to the amount of one thousand dollars, which property belongs to, or is held in trust for, any resident or nonresident of this state who was in the regular Army of the United States on the assessment day and who has been detailed by the Secretary of the Army for duty in this state for the instruction of the Connecticut National Guard. Any person receiving the foregoing exemption shall be entitled to an additional exemption of two thousand dollars on tangible personal property belonging to, or held in trust for, him, which property is necessary or convenient for the use of such person in the



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

February 4, 2003

Mayor Mark D. Boughton  
Members of the Common Council

Re: **Retirement Incentive Program**

The Common Council met as a committee of the whole on January 13, 2003 immediately following a public hearing in the Common Council Chambers.

Dean Esposito asked the Director of Finance to give an overview of the format that was used. Ms. Diorio stated that this is only for general pension employees, not for police or fire. The employee has to be vested. The increase is from one and one-half to one and three-quarters. There is a lump sum pension bonus that would continue for five years. Mr. Gogliettino asked what the cost of the program would be. Ms. Diorio said that there are 73 people eligible and if all of them took this it would cost one million dollars out of the pension fund. They must make their election by March 7<sup>th</sup>, effective June 30<sup>th</sup>.

Mrs. Coladarci moved to recommend adoption of the ordinance. Seconded by Mr. Furtado. Motion carried unanimously.

Respectfully submitted,

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WARREN LEVY, Chairman



# ORDINANCE

## CITY OF DANBURY, STATE OF CONNECTICUT

### COMMON COUNCIL

January 21, 2003

Be it ordained by the Common Council of the City of Danbury:

Be it ordained by the Common Council of the City of Danbury that:

1. The City of Danbury hereby adopts the 2003 Retirement Incentive Program ("Program").
2. Those eligible for this Program include only active employees of the City of Danbury who are:
  - a) participants in the General Employees Pension Plan;
  - b) who have at least ten (10) years of credited service in the pension plan;
  - c) are eligible for early or normal retirement; and
  - d) *either* are not represented by a union *or* are represented by a union with whom the City has entered into an agreement for its bargaining unit members to participate in the 2003 Retirement Incentive Program.

The term "credited service" shall be as defined in Section 14-2 of the Code of Ordinances of the City of Danbury.

This Program shall not apply to individuals currently receiving a pension or previously retired under the City Charter or under a current or prior collective bargaining agreement.

3. Eligible employees shall elect their participation in the Program no later than March 7, 2003, by submitting a written election to the Director of Finance. Such election to retire under this offering shall be irrevocable after March 7, 2003. The retirement date and the last day of work for individuals so electing shall be: (i) not earlier than May 1, 2003, and (ii) not later than June 30, 2003. An Employee that has not elected an optional form of benefit within the timeframe specified by Section 14-6 of the Code of Ordinances, and desires to make such an election, must do so within ten (10) days of submitting his or her election to retire under the terms of this Program.

4. An employee who is interested in electing participation in the Program should schedule a personal review meeting with the Finance Department staff as soon as possible. Although the City will make a reasonable effort to identify and notify all eligible employees, it is ultimately the employee's responsibility to investigate whether he or she is eligible.

5. An employee who retires under this Program shall receive the following benefits:

- a. For an employee who, as of June 30, 2003 *either* (1) has or will have met the rule of 85 *or* (2) has or will have (i) attained age 65 and (ii) completed at least ten (10) years of credited service under the pension plan, the benefit formula will be increased from one and one-half percent (1.5%) to one and three-quarter percent (1.75%) and there shall be no actuarial reduction for retirement prior to normal retirement age applied to such pension benefit. The applicable actuarial reduction for any optional form of benefit selected by the employee shall apply.
- b. For an employee who has or will have as of June 30, 2003, (i) attained age 60, and (ii) completed at least twelve (12) years of credited service under the pension plan, there shall be no actuarial reduction for retirement prior to normal retirement age applied to the pension benefit determined under the current pension plan. The applicable actuarial reduction for any optional form of benefit selected by the employee shall apply.



# ORDINANCE

## CITY OF DANBURY, STATE OF CONNECTICUT

### COMMON COUNCIL

Be it ordained by the Common Council of the City of Danbury:

- c. For an employee who has or will have as of June 30, 2003, (i) attained age 55, and (ii) completed at least fifteen (15) years of credited service under the pension plan, the actuarial reduction for retirement prior to normal retirement age applied to the pension benefit determined under the current pension plan will be reduced from ½% to ¼% for every month that the commencement of the benefit precedes the earlier of: (x) the normal retirement date, or (y) the date on which the employee's age plus years of credited service would equal 85. The applicable actuarial reduction for any optional form of benefit selected by the employee shall apply.
- d. In addition, employees electing to retire under this agreement will receive the following pension bonus, based upon their years of credited service.

<u>Years of Credited Service</u>	<u>Lump Sum Pension Bonus*</u>
10 years and less than 15 years	\$ 250/yr for 5 years
15 years and less than 20 years	\$ 500/yr for 5 years
20 years and less than 25 years	\$1,000/yr for 5 years
25 years and less than 30 years	\$2,000/yr for 5 years
30 years and over	\$3,000/yr for 5 years

\* Payments will be made annually, commencing on or around July 31, 2003, and each July 31<sup>st</sup> thereafter until July 31, 2007.

6. The City reserves its right to cancel or withdraw this Program for any reason whatsoever, provided the City makes a written election to do so no later than April 30, 2003 and so notifies those who elected to participate in accordance with Section 3 hereof. In the event that the City cancels or withdraws this Program, an employee who has made an election to participate under Section 3 above shall have the right to withdraw his or her application for retirement, by written notice to the Director of Finance.

**EFFECTIVE DATE:** This Ordinance shall take effect thirty days (30) after adoption and publication, as provided by law and section 3-10 of the Charter of the City of Danbury.

Adopted by the Common Council - January 21, 2003  
Approved by Mayor Mark D. Boughton - January 23, 2003

ATTEST:

  
WARREN LEVY, President



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

February 4, 2003

Mayor Mark D. Boughton  
Members of the Common Council

Re: Section 2-143.8, 16-48 and 21-63

The Common Council met as a committee of the whole immediately following a public hearing on January 13, 2003 in the Common Council Chambers.

Mr. Buckley said that this has to do with the fifty-foot rule. If someone has fifty feet of frontage, they are charged for fifty feet. This change is so that a person with zero frontage is charged the same as the person with less than fifty feet because there is still a benefit.

Mr. Gogliettino made a motion to recommend adoption of the ordinance change. Seconded by Mrs. Basso. Motion carried unanimously.

Respectfully submitted,

  
WARREN LEVY, Chairman



**ORDINANCE**  
**CITY OF DANBURY, STATE OF CONNECTICUT**  
**COMMON COUNCIL**

January 21, 2003

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Be it ordained by the Common Council of the City of Danbury:

THAT Subsection (a) of Section 2-143.8 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

**Sec. 2-143.8. Calculation of frontage.**

- (a) For purposes of this division, any lot with frontage on a street shall be deemed to have a minimum frontage of fifty (50) feet even though the actual frontage shall be less than fifty (50) feet. For purposes of this division, any landlocked lot benefiting from a public work or infrastructure improvement shall be deemed to have a minimum frontage of fifty (50) feet even though the lot has no actual street frontage.

**EFFECTIVE DATE:** This Ordinance shall take effect thirty (30) days after adoption and publication, as provided by law and section 3-10 of the Charter of the City of Danbury.

Adopted by the Common Council - January 21, 2003  
Approved by Mayor Mark D. Boughton - January 23, 2003

ATTEST:

  
~~WARREN LEVY, President~~



**ORDINANCE**  
**CITY OF DANBURY, STATE OF CONNECTICUT**  
**COMMON COUNCIL**

January 21, 2003

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Be it ordained by the Common Council of the City of Danbury:

THAT Subsection (a) of Section 16-48 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

**Sec. 16-48. Calculation of frontage.**

- (a) For purposes of this article, any lot with frontage on a street shall be deemed to have a minimum frontage of fifty (50) feet even though the actual frontage shall be less than fifty (50) feet. For purposes of this article, any landlocked lot benefiting from a sewerage project shall be deemed to have a minimum frontage of fifty (50) feet even though the lot has no actual street frontage.

**EFFECTIVE DATE:** This Ordinance shall take effect thirty (30) days after adoption and publication, as provided by law and section 3-10 of the Charter of the City of Danbury.

Adopted by the Common Council - January 21, 2003  
Approved by Mayor Mark D. Boughton - January 23, 2003

ATTEST:   
WARREN LEVY, President



**ORDINANCE**  
**CITY OF DANBURY, STATE OF CONNECTICUT**  
**COMMON COUNCIL**

January 21, 2003

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Be it ordained by the Common Council of the City of Danbury:

THAT Subsection (a) of Section 21-63 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

**Sec. 21-63. Calculation of frontage.**

- (a) For purposes of this article, any lot with frontage on a street shall be deemed to have a minimum frontage of fifty (50) feet even though the actual frontage shall be less than fifty (50) feet. For purposes of this article, any landlocked lot benefiting from a waterworks project shall be deemed to have a minimum frontage of fifty (50) feet even though the lot has no actual street frontage.

**EFFECTIVE DATE:** This Ordinance shall take effect thirty (30) days after adoption and publication, as provided by law and section 3-10 of the Charter of the City of Danbury.

Adopted by the Common Council - January 21, 2003  
Approved by Mayor Mark D. Boughton - January 23, 2003.

ATTEST:

  
WARREN LEVY, Chairman

**COPY SHOWING DELETIONS AND NEW LANGUAGE.**

THAT Subsection (a) of Section 21-63 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

**Sec. 21-63. Calculation of frontage.**

- (a) For purposes of this article, any lot with frontage on a street shall be deemed to have a minimum frontage of fifty (50) feet even though the actual frontage shall be less than fifty (50) feet. FOR PURPOSES OF THIS ARTICLE, ANY LANDLOCKED LOT BENEFITING FROM A WATERWORKS PROJECT SHALL BE DEEMED TO HAVE A MINIMUM FRONTAGE OF FIFTY (50) FEET EVEN THOUGH THE LOT HAS NO ACTUAL STREET FRONTAGE.

Note: New language is indicated by CAPITALIZATION COMBINED WITH UNDERLINING except that capitalization is not utilized for the letters in parenthesis which indicate subsections.

Deleted language is indicated ~~strikeouts~~.

**COPY SHOWING DELETIONS AND NEW LANGUAGE.**

THAT Subsection (a) of Section 2-143.8 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

**Sec. 2-143.8. Calculation of frontage.**

- (a) For purposes of this division, any lot with frontage on a street shall be deemed to have a minimum frontage of fifty (50) feet even though the actual frontage shall be less than fifty (50) feet. FOR PURPOSES OF THIS DIVISION, ANY LANDLOCKED LOT BENEFITING FROM A PUBLIC WORK OR INFRASTRUCTURE IMPROVEMENT SHALL BE DEEMED TO HAVE A MINIMUM FRONTAGE OF FIFTY (50) FEET EVEN THOUGH THE LOT HAS NO ACTUAL STREET FRONTAGE.

Note: New language is indicated by CAPITALIZATION COMBINED WITH UNDERLINING except that capitalization is not utilized for the letters in parenthesis which indicate subsections.

Deleted language is indicated ~~strikeouts~~.

**COPY SHOWING DELETIONS AND NEW LANGUAGE.**

THAT Subsection (a) of Section 16-48 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

**Sec. 16-48. Calculation of frontage.**

- (a) For purposes of this article, any lot with frontage on a street shall be deemed to have a minimum frontage of fifty (50) feet even though the actual frontage shall be less than fifty (50) feet. FOR PURPOSES OF THIS ARTICLE, ANY LANDLOCKED LOT BENEFITING FROM A SEWERAGE PROJECT SHALL BE DEEMED TO HAVE A MINIMUM FRONTAGE OF FIFTY (50) FEET EVEN THOUGH THE LOT HAS NO ACTUAL STREET FRONTAGE.

Note: New language is indicated by CAPITALIZATION COMBINED WITH UNDERLINING except that capitalization is not utilized for the letters in parenthesis which indicate subsections.

Deleted language is indicated ~~strikeouts~~.



# CITY OF DANBURY

155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810

ENGINEERING DEPARTMENT  
(203) 797-4641  
FAX (203) 796-1586

WILLIAM J. BUCKLEY, JR., P.E.  
DIRECTOR OF PUBLIC WORKS / CITY ENGINEER

November 8, 2002

Honorable Mark D. Boughton  
Common Council  
City of Danbury  
155 Deer Hill Avenue  
Danbury, CT 06810

Dear Mayor Boughton and Common Council Members:

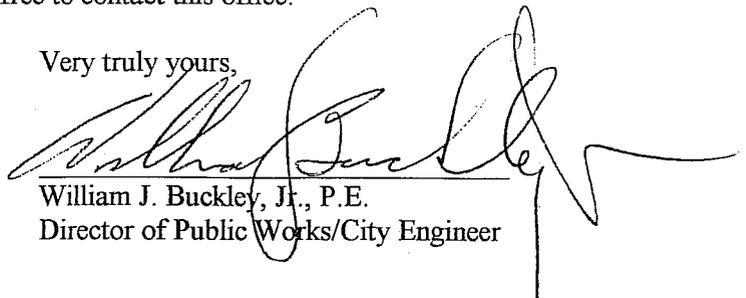
Sanitary Sewer Extension  
Old Shelter Rock Road and Woodside Avenue  
Preliminary Assessments  
Project No. 02-26

Enclosed please find the list of preliminary assessments calculated by our consulting engineer to be levied for the sanitary sewer mains proposed to be installed in Old Shelter Rock Road and Woodside Avenue.

Would you please proceed with the arrangements for a public hearing concerning these preliminary assessments.

If you have any questions, please feel free to contact this office.

Very truly yours,



William J. Buckley, Jr., P.E.  
Director of Public Works/City Engineer

WJB/PAE/pe

Encl.

C: Dena R. Diorio, with encl.  
Eric L. Gottschalk, Esq., with encl.  
Mario Ricoszi, P.E., with encl.  
William Campbell



5

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

February 4, 2003

Mayor Mark D. Boughton  
Members of the Common Council

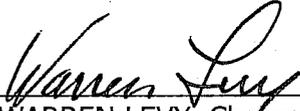
Re: **Sanitary Sewer Extension on Old Shelter Rock Road and Woodside Avenue**

The Common Council met as a committee of the whole on January 13, 2003 immediately following a public hearing in the Common Council Chambers

Mr. Buckley stated that the range of assessments is between \$10,000 and \$20,000. The highest assessment is \$33,000 and the lowest assessment is \$7,000. The average cost citywide is \$15,000. Mr. Furtado asked when the work would begin if the assessments are approved. Mr. Buckley stated that it would go out to bid as quickly as possible and the work would begin in about three months. Mr. Setaro stated that this is in the same area as the Tilden Road and Olive Street project and would it be more likely that these would be done if this project were approved? Mr. Buckley stated that they are completely separate projects.

Mr. Saadi made a motion to approve the assessments as presented and authorize the department to proceed with the bidding process. Seconded by John Esposito. Motion carried unanimously.

Respectfully submitted,

  
WARREN LEVY, Chairman

## WOODSIDE AVENUE EXT. AND OLD SHELTER ROCK ROAD

## PRELIMINARY ASSESSMENT

ROALD HAESTAD, INC.

LOT NO.	PROPERTY LOCATION	PROPERTY OWNER(S) & MAILING ADDRESS	GROSS ASSESSED VALUE		AREA		FRONTAGE		UNITS		TOTAL	COMMENTS
			\$	\$	ACRE	\$	FEET	\$	NO.	\$		
K13108	11-17 Newtown Rd.	D W B Holding LLC 28 Washington St. S. Norwalk, CT 06854	\$141,400	\$4,464	1.005	\$7,163	133.000	\$3,880	8.75	\$18,121	\$33,627.51	CG-20 TC 10996 Cannot be served by gravity Frontage (50+176.6+39.40)/2 = 133
K13069	1 Old Shelter Rock Rd.	Christine M & Peter F Setaro 3 Old Shelter Rock Rd. Danbury, CT 06810	\$37,700	\$1,190	1.120	\$7,982	110.060	\$3,211	1	\$2,071	\$14,454.06	RA-8 TC 9615
K13160	8 Old Shelter Rock Rd.	Gail M & Wiley J Downing 8 Old Shelter Rock Rd. Danbury, CT 06810	\$111,300	\$3,514	0.380	\$2,708	110.000	\$3,209	1	\$2,071	\$11,501.62	RA-8
K13161	6 Old Shelter Rock Rd.	Kathleen Donovan 6 Old Shelter Rock Rd. Danbury, CT 06810	\$95,800	\$3,024	0.410	\$2,922	120.950	\$3,528	1	\$2,071	\$11,545.55	RA-8 TC 3547
K13162	4 Old Shelter Rock Rd.	Sandra M & Reis A Fitch 4 Old Shelter Rock Rd. Danbury, CT 06810	\$79,900	\$2,522	0.300	\$2,138	132.000	\$3,851	1	\$2,071	\$10,581.97	RA-8
K13163	2 Old Shelter Rock Rd.	Four Star Realty LLC PO Box 1242 Danbury, CT 06813	\$317,400	\$10,020	0.400	\$2,851	242.035	\$7,060	3.5	\$7,249	\$27,179.40	CG-20 TC 4684 Frontage (215.106+268.965)/2 = 242.035
K13204	3 Old Shelter Rock Rd.	Karen M & James P Setaro 192 Indian Trail Rd. New Milford, CT 06776	\$100,500	\$3,173	0.340	\$2,423	97.790	\$2,853	1	\$2,071	\$10,519.43	RA-8 TC 9615
K13205	3A Old Shelter Rock Rd.	Otelinda B & Francisco Cerqueira Ferreira 3A Old Shelter Rock Rd. Danbury, CT 06810	\$121,500	\$3,836	0.540	\$3,849	50.000	\$1,459	1	\$2,071	\$11,213.71	RA-8 TC 4769 Minimum Frontage (50')
K13206	5 Old Shelter Rock Rd.	Marcelo M & Rosilene Freitas 5 Old Shelter Rock Rd. Danbury, CT 06810	\$66,300	\$2,093	0.130	\$927	50.000	\$1,459	1	\$2,071	\$6,549.03	RA-8 Minimum Frontage (50')
K13207	7 Old Shelter Rock Rd.	Mark J Briganti 7 Old Shelter Rock Rd. Danbury, CT 06810	\$96,800	\$3,056	0.460	\$3,278	150.000	\$4,376	1	\$2,071	\$12,780.89	RA-8
K13208	9 Old Shelter Rock Rd.	Michael S McGetrick 153 White St. Danbury, CT 06810	\$83,500	\$2,636	0.300	\$2,138	60.000	\$1,750	1	\$2,071	\$8,595.32	RA-8
K13209	11 Old Shelter Rock Rd.	Lawrence O Bennett 11 Old Shelter Rock Rd. Danbury, CT 06810	\$97,900	\$3,091	0.280	\$1,996	132.500	\$3,865	1	\$2,071	\$11,022.24	RA-8 Frontage (200+65)/2 = 132.50
K13167	41 Woodside Ave.	Kimberly & Steven G Cognato 39 Woodside Ave. Danbury, CT 06810	\$35,800	\$1,130	0.450	\$3,207	75.000	\$2,188	1	\$2,071	\$8,596.16	RA-8 TC 8779
K13210	45 Woodside Ave.	Michael S McGetrick & Mario Luis 153 White St. Danbury, CT 06810	\$34,900	\$1,102	0.310	\$2,209	70.000	\$2,042	1	\$2,071	\$7,424.10	RA-8
K13211	43 Woodside Ave.	Theresa Anderson 43 Woodside Ave. Danbury, CT 06810 06810	\$91,500	\$2,888	0.390	\$2,780	75.000	\$2,188	1	\$2,071	\$9,926.87	RA-8
K13212	39 Woodside Ave.	Kimberly A & Steven G Cognato 39 Woodside Ave. Danbury, CT 06810	\$100,700	\$3,179	0.552	\$3,934	75.000	\$2,188	1	\$2,071	\$11,371.89	RA-8 TC 8779
K13213	37 Woodside Ave.	Helen & Elmer Harrison Sr 37 Woodside Ave. Danbury, CT 06810	\$108,400	\$3,422	0.340	\$2,423	75.000	\$2,188	1	\$2,071	\$10,104.01	RA-8 TC 1316
K13214	35 Woodside Ave.	Helen & Elmer Harrison Sr 37 Woodside Ave. Danbury, CT 06810	\$35,600	\$1,124	0.340	\$2,423	75.000	\$2,188	1	\$2,071	\$7,805.86	RA-8 TC 1316
K13215	40 Woodside Ave.	Elizabeth A Cyr 40 Woodside Ave. Danbury, CT 06810	\$106,800	\$3,371	0.260	\$1,853	75.000	\$2,188	1	\$2,071	\$9,483.33	RA-8 TC 1316
K13216	42 Woodside Ave.	Margaret Ballwig c/o Mrs Gaffey 419 East 93 St. Apt. 5D New York, NY 10128	\$34,000	\$1,073	0.260	\$1,853	77.120	\$2,250	1	\$2,071	\$7,247.03	RA-8 TC 1316

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ENGINEERING DEPT.

WOODSIDE AVENUE EXT. AND OLD SHELTER ROCK ROAD

PRELIMINARY ASSESSMENT

ROALD HAESTAD, INC.

LOT NO.	PROPERTY LOCATION	PROPERTY OWNER(S) & MAILING ADDRESS	GROSS ASSESSED VALUE		AREA		FRONTAGE		UNITS		TOTAL	COMMENTS
			\$	\$	ACRE	\$	FEET	\$	NO.	\$		
K13217	44-46 Woodside Ave.	Maria M & Carlos Teixeria 44-46 Woodside Ave. Danbury, CT 06810	\$104,000	\$3,283	0.850	\$6,058	262.490	\$7,657	3	\$6,213	\$23,211.20	RA-8 TC 1316
K13218	48 Woodside Ave.	Albertha & Julius F Johnson 48 Woodside Ave. Danbury, CT 06810	\$91,100	\$2,876	0.260	\$1,853	75.000	\$2,188	1	\$2,071	\$8,987.71	RA-8 TC 1316
L13047	27 Woodside Ave.	Ruth A & John R McAllister 27 Woodside Ave. Danbury, CT 06810	\$105,500	\$3,330	0.470	\$3,350	144.000	\$4,201	1	\$2,071	\$12,951.78	RA-8 TC 1316 Frontage (110+34) = 144
L13048	29 Woodside Ave.	Estate of Adolf J Sokol & Joyce Sokol 29 Woodside Ave. Danbury, CT 06810	\$97,800	\$3,087	0.340	\$2,423	75.000	\$2,188	1	\$2,071	\$9,769.39	RA-8 TC 1316
L13049	31 Woodside Ave.	Amo & George W Tako 31 Woodside Ave. Danbury, CT 06810	\$91,300	\$2,882	0.340	\$2,423	75.000	\$2,188	1	\$2,071	\$9,564.20	RA-8 TC 1316
L13050	33 Woodside Ave.	Victoria A & Gary W Driscoll 33 Woodside Ave. Danbury, CT 06810	\$96,600	\$3,049	0.340	\$2,423	75.000	\$2,188	1	\$2,071	\$9,731.51	RA-8 TC 1316
L13051	38 Woodside Ave.	Elizabeth A & Kenneth Cyr 38 Woodside Ave. Danbury, CT 06810	\$34,200	\$1,080	0.270	\$1,924	75.000	\$2,188	1	\$2,071	\$7,262.77	RA-8 TC 1316
L13052	36 Woodside Ave.	Maria B Inez & Pedro Messias 36 Woodside Ave. Danbury, CT 06810	\$34,000	\$1,073	0.260	\$1,853	69.830	\$2,037	1	\$2,071	\$7,034.37	RA-8 TC 1316
L13053	34 Woodside Ave.	Maria B Inez & Pedro Messias 34 Woodside Ave. Danbury, CT 06810	\$129,100	\$4,075	0.280	\$1,996	75.000	\$2,188	1	\$2,071	\$10,329.84	RA-8
L13054	32 Woodside Ave.	Dorothy M & Roger D Beers 32 Woodside Ave. Danbury, CT 06810	\$90,500	\$2,857	0.300	\$2,138	87.800	\$2,561	1	\$2,071	\$9,627.24	RA-8 TC 1316 & 8809
	TOTALS	TOTALS	\$2,771,800	\$87,500	12.277	\$87,500	2999.575	\$87,500	42.25	\$87,500	\$350,000.00	

Preliminary Assessment Total \$350,000.00

WOODSIDE AVENUE EXT. AND OLD SHELTER ROCK ROAD

PRELIMINARY ASSESSMENT

ROALD HAESTAD, INC.

LOT NO.	PROPERTY LOCATION	PROPERTY OWNER(S) & MAILING ADDRESS	GROSS ASSESSED VALUE		AREA		FRONTAGE		UNITS		TOTAL	COMMENTS
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Preliminary Assessment Total \$350,000.00

## WOODSIDE AVENUE EXT. AND OLD SHELTER ROCK ROAD

## PRELIMINARY ASSESSMENT

ROALD HAESTAD, INC.

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K13205	3A Old Shelter Rock Rd.	Otelinda B & Francisco Cerqueira Ferreira 3A Old Shelter Rock Rd. Danbury, CT 06810	\$121,500	\$3,836	0.540	\$3,849	50.000	\$1,459	1	\$2,071	\$11,213.71	RA-8 TC 4769 Minimum Frontage (50')
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K13208	9 Old Shelter Rock Rd.	Michael S McGetrick 153 White St. Danbury, CT 06810	\$83,500	\$2,636	0.300	\$2,138	60.000	\$1,750	1	\$2,071	\$8,595.32	RA-8
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K13210	45 Woodside Ave.	Michael S McGetrick & Mario Luis 153 White St. Danbury, CT 06810	\$34,900	\$1,102	0.310	\$2,209	70.000	\$2,042	1	\$2,071	\$7,424.10	RA-8
K13211	43 Woodside Ave.	Theresa Anderson 43 Woodside Ave. Danbury, CT 06810 06810	\$91,500	\$2,888	0.390	\$2,780	75.000	\$2,188	1	\$2,071	\$9,926.87	RA-8
K13212	39 Woodside Ave.	Kimberly A & Steven G Cognato 39 Woodside Ave. Danbury, CT 06810	\$100,700	\$3,179	0.552	\$3,934	75.000	\$2,188	1	\$2,071	\$11,371.89	RA-8 TC 8779
K13213	37 Woodside Ave.	Helen & Elmer Harrison Sr 37 Woodside Ave. Danbury, CT 06810	\$108,400	\$3,422	0.340	\$2,423	75.000	\$2,188	1	\$2,071	\$10,104.01	RA-8 TC 1316
K13214	35 Woodside Ave.	Helen & Elmer Harrison Sr 37 Woodside Ave. Danbury, CT 06810	\$35,600	\$1,124	0.340	\$2,423	75.000	\$2,188	1	\$2,071	\$7,805.86	RA-8 TC 1316
K13215	40 Woodside Ave.	Elizabeth A Cyr 40 Woodside Ave. Danbury, CT 06810	\$106,800	\$3,371	0.260	\$1,853	75.000	\$2,188	1	\$2,071	\$9,483.33	RA-8 TC 1316
K13216	42 Woodside Ave.	Margaret Bailwig c/o Mrs Gaffey 419 East 93 St. Apt. 5D New York, NY 10128	\$34,000	\$1,073	0.260	\$1,853	77.120	\$2,250	1	\$2,071	\$7,247.03	RA-8 TC1316

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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

February 4, 2003

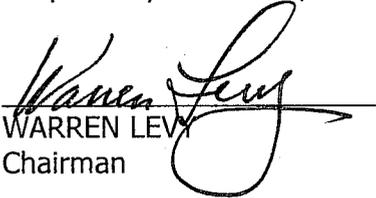
Mayor Mark D. Boughton  
Members of the Common Council

Re: Designation of Blight Inspector

The Common Council met as a committee of the whole immediately following a public hearing on January 13, 2003 in the Common Council Chambers.

Mr. Saadi made a motion to recommend the adoption of the ordinance.  
Seconded by Mr. Furtado. Motion carried unanimously.

Respectfully submitted,

  
WARREN LEVY  
Chairman

**COPY SHOWING DELETIONS AND NEW LANGUAGE.**

THAT Section 12-34 of the Code of Ordinances of Danbury, Connecticut, is hereby amended by the addition of subsection (b) 5. and shall read as follows:

**Sec. 12-34. Citations.**

(b) 5. THE BLIGHT INSPECTOR, AS SUCH OFFICIAL MAY BE DESIGNATED AND ESTABLISHED WITHIN THE OFFICE OF THE DANBURY BUILDING INSPECTOR, SHALL BE AUTHORIZED TO ISSUE CITATIONS FOR VIOLATIONS OF THE PROVISIONS OF ARTICLE VI OF CHAPTER 10 OF THE CODE OF ORDINANCES, PERTAINING TO BLIGHT REMEDIATION.

Note: New language is indicated by **CAPITALIZATION COMBINED WITH UNDERLINING** except that capitalization is not utilized for the letters in parenthesis which indicate subsections.

Deleted language is indicated ~~strikeouts~~.



# ORDINANCE

## CITY OF DANBURY, STATE OF CONNECTICUT

### COMMON COUNCIL

January 21, 2003

Be it ordained by the Common Council of the City of Danbury:

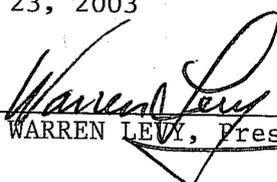
#### Sec. 12-34. Citations.

- (a) In accordance with the provisions of Connecticut General Statutes, subsection 7-148(c), in addition to other available methods of enforcement, the provisions of the Danbury Code of Ordinances identified in subsection (b) hereof may be enforced by citation.
- (b) The officers and employees designated herein shall be authorized to issue citations for violations of the provisions of the Danbury Code of Ordinances identified below:
- 1) The fire chief or his designee shall be authorized to issue citations for violations of the provisions of section 3A-42, 3A-43 and 3A-49 of the Danbury Code of Ordinances.
  - 2) The health director or his designee shall be authorized to issue citations for violations of the provisions of articles II, V and VI of chapter 9 as well as the provisions of sections 10-3, 10-4, 10-5, 10-6, 10-7 and 10-10 of the Danbury Code of Ordinances.
  - 3) The director of public works or his designee shall be authorized to issue citations for violations of the provisions of sections 12-22, 12-31, 12-32, 16A-1, 17-43 as well as the provisions of articles I and II of the chapter 16, article I of chapter 17 and articles I and II of chapter 21 of the Danbury Code of Ordinances.
  - 4) Danbury police officers shall be authorized to issue citations for violations of the provisions of sections 3A-27, 12-2, 12-3, 12-4, 12-12, 12-13, 12-14, 12-24, 12-33, 18-13 and 19-34.1 of the Danbury Code of Ordinances. In addition to the foregoing, Danbury police officers shall also be authorized to issue citations for violations of the provisions of the Danbury Code of Ordinances identified in paragraphs (1) through (3) of this subsection.
  - 5) The Blight Inspector, as such official may be designated and established within the office of the Danbury Building Inspector, shall be authorized to issue citations for violations of the provisions of Article VI of Chapter 10 of the Code of Ordinances, pertaining to blight remediation.
- (c) Citations shall be issued only by designated citation officers and employees and only after the issuance of a written warning. Said warning shall provide notice of the specific violation to be corrected and shall explain the citation enforcement procedures which may be used if the alleged violation is not corrected within the time provided for in said notice.

**EFFECTIVE DATE:** This Ordinance shall take effect thirty (30) days after adoption and publication, as provided by law and section 3-10 of the Charter of the City of Danbury.

Adopted by the Common Council - January 21, 2003

Approved by Mayor Mark D. Boughton - January 23, 2003

ATTEST:   
WARREN LEVY, President



7

# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

February 4, 2003

Mayor Mark D. Boughton  
Members of the Common Council

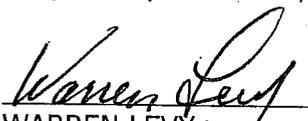
Re: **Sections 9-8 and Section 9-69 of the Code of Ordinances**

The Common Council met as a committee of the whole on January 13, 2003 immediately following a public hearing in the Common Council Chambers.

Mr. McAllister asked when the fees were last raised. Mr. Buckley said they were raised in 1999. Attorney Gottschalk noted that the ordinances are before the Common Council this evening, but the attached resolutions would have to be adopted at the regular Common Council Meeting in February.

Mr. McAllister made a motion to recommend adoption of the ordinance change. Seconded by Mr. Furtado. Motion carried unanimously.

Respectfully submitted,

  
WARREN LEVY  
Chairman

**COPY SHOWING DELETIONS AND NEW LANGUAGE:**

THAT Subsection (a) of Section 9-8 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

**Sec. 9-8. Subsurface sewage disposal system permit.**

(a) No subsurface sewage disposal system permit shall be issued by the health department of the City of Danbury until the applicant has paid the required permit fee of ~~one hundred dollars (\$100.00)~~ ONE HUNDRED TWENTY FIVE DOLLARS (\$125.00). No subsurface sewage disposal system shall be repaired until a permit authorizing said repair has been issued by the health department of the City of Danbury and the applicant has paid the required permit fee of seventy-five dollars (\$75.00).

(b) In addition, when required by the director of the Danbury Health Department pursuant to subsections 19-13-B103c or 19-13-B103e of the Public Health Code of the State of Connecticut, the proposed system shall be based upon a plan prepared by a professional engineer, registered in the State of Connecticut. In that event, no permit shall be issued until such plan has been submitted to and approved by the department and the required fee has been paid. The fee for review of the aforesaid plans shall be in the amount of ~~one hundred dollars (\$100.00)~~ ONE HUNDRED TWENTY FIVE DOLLARS (\$125.00). FURTHER, WHEN REQUIRED BY THE DIRECTOR OF THE DANBURY HEALTH DEPARTMENT, THE PROPOSED SYSTEM FOR PROPERTIES NOT SUBJECT TO SUBSECTIONS 19-13-B103c OR 19-13-B103e OF THE PUBLIC HEALTH CODE OF THE STATE OF CONNECTICUT SHALL BE BASED ON A PLAN PREPARED BY A CONNECTICUT LICENSED SUB-SURFACE SEWAGE INSTALLER. IN THAT EVENT, NO PERMIT SHALL BE ISSUED UNTIL SUCH PLAN HAS BEEN SUBMITTED TO AND APPROVED BY THE DEPARTMENT AND THE REQUIRED FEE HAS BEEN PAID. THE FEE FOR REVIEW OF THE AFORESAID PLANS SHALL BE IN THE AMOUNT OF SEVENTY FIVE DOLLARS (\$75.00).

(c) IN THOSE INSTANCES WHERE A PROFESSIONAL ENGINEER PREPARES A PLAN PURSUANT TO SUBSECTION 19-13-B100a OF THE PUBLIC HEALTH CODE OF THE STATE OF CONNECTICUT, NO PLAN APPROVAL SHALL BE GIVEN UNTIL THE REQUIRED FEE HAS BEEN PAID. THE FEE FOR THE REVIEW FOR THE AFORESAID PLANS SHALL BE IN THE AMOUNT OF ONE HUNDRED TWENTY FIVE DOLLARS (\$125.00). FURTHER, IN THOSE INSTANCES WHERE A PROFESSIONAL ENGINEER PREPARES A PLAN FOR RETROACTIVE APPROVALS PURSUANT TO SUBSECTION 19-13-B100a OF THE PUBLIC HEALTH CODE OF THE STATE OF CONNECTICUT, NO PLAN APPROVAL SHALL BE ISSUED UNTIL SUCH PLAN HAS BEEN SUBMITTED TO AND APPROVED BY THE DEPARTMENT AND THE REQUIRED FEE HAS BEEN PAID. THE FEE FOR REVIEW OF THE AFORESAID PLANS SHALL BE IN THE AMOUNT OF TWO HUNDRED FIFTY DOLLARS (\$250.00).

IN THOSE INSTANCES WHERE A LICENSED SUB-SURFACE SEWAGE INSTALLER PREPARES A PLAN PURSUANT TO SUBSECTION 19-13-B100a OF THE PUBLIC HEALTH CODE OF THE STATE OF CONNECTICUT, NO PLAN APPROVAL SHALL BE GIVEN UNTIL THE REQUIRED FEE HAS BEEN PAID. THE FEE FOR THE REVIEW FOR THE AFORESAID PLANS SHALL BE IN THE AMOUNT OF SEVENTY-FIVE DOLLARS (\$75.00). FURTHER, IN THOSE INSTANCES WHERE A LICENSED SUB-SURFACE SEWAGE INSTALLER PREPARES A PLAN FOR RETROACTIVE APPROVALS PURSUANT TO SUBSECTION 19-13-B100a OF THE PUBLIC HEALTH CODE OF THE STATE OF CONNECTICUT, NO PLAN APPROVAL SHALL BE ISSUED UNTIL SUCH PLAN HAS BEEN SUBMITTED TO AND APPROVED BY THE DEPARTMENT AND THE REQUIRED FEE HAS BEEN PAID. THE FEE FOR REVIEW OF THE AFORESAID PLANS SHALL BE IN THE AMOUNT OF TWO HUNDRED DOLLARS (\$200.00).

(d) IN THOSE INSTANCES WHERE PLANS PREPARED BY A PROFESSIONAL ENGINEER OR SUB-SURFACE SEWAGE INSTALLER ARE REVISED BY THE APPLICANT, AS OPPOSED TO THOSE REVISIONS REQUESTED BY THE DANBURY HEALTH DEPARTMENT, NO PLAN APPROVAL SHALL BE GIVEN UNTIL A FEE OF FIFTY DOLLARS (\$50.00) IS PAID FOR EACH APPLICANT REVISION.

Note: New language is indicated by **CAPITALIZATION COMBINED WITH UNDERLINING** except that capitalization is not utilized for the letters in parenthesis which indicate subsections.

Deleted language is indicated strikeouts.

**COPY SHOWING DELETIONS AND NEW LANGUAGE**

THAT Section 9-69 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

**Sec. 9-69. Inspection for compliance.**

The director of health or his designee shall annually inspect any sites where hazardous substances are stored, used, mixed or produced and shall issue a certificate of compliance with respect to all sites found to be in compliance with the provisions of this Article. The fee for said certificate shall be  ~~fifty~~ ONE HUNDRED dollars (~~\$50.00~~ 100.00). In addition to the foregoing, the director of health or his designee may inspect any such sites at such other times as he shall deem advisable in order to insure compliance with the provisions hereof.

Note: New language is indicated by CAPITALIZATION COMBINED WITH UNDERLINING except that capitalization is not utilized for the letters in parentheses which indicate subsections.

Deleted language is indicated by ~~strikeouts~~.



# ORDINANCE

## CITY OF DANBURY, STATE OF CONNECTICUT

### COMMON COUNCIL

January 21, 2003

Be it ordained by the Common Council of the City of Danbury:

THAT Subsection (a) of Section 9-8 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

**Sec. 9-8. Subsurface sewage disposal system permit.**

(a) No subsurface sewage disposal system permit shall be issued by the health department of the City of Danbury until the applicant has paid the required permit fee of one hundred twenty five dollars (\$125.00). No subsurface sewage disposal system shall be repaired until a permit authorizing said repair has been issued by the health department of the City of Danbury and the applicant has paid the required permit fee of seventy-five dollars (\$75.00).

(b) In addition, when required by the director of the Danbury Health Department pursuant to subsections 19-13-B103c or 19-13-B103e of the Public Health Code of the State of Connecticut, the proposed system shall be based upon a plan prepared by a professional engineer, registered in the State of Connecticut. In that event, no permit shall be issued until such plan has been submitted to and approved by the department and the required fee has been paid. The fee for review of the aforesaid plans shall be in the amount of one hundred twenty five dollars (\$125.00). Further, when required by the Director of the Danbury Health Department, the proposed system for properties not subject to subsections 19-13-B103c or 19-13-B103e of the Public Health Code of the State of Connecticut shall be based on a plan prepared by a Connecticut licensed sub-surface sewage installer. In that event, no permit shall be issued until such plan has been submitted to and approved by the department and the required fee has been paid. The fee for review of the aforesaid plans shall be in the amount of seventy-five dollars (\$75.00).

(c) In those instances where a professional engineer prepares a plan pursuant to subsection 19-13-B100a of the Public Health Code of the State of Connecticut, no plan approval shall be given until the required fee has been paid. The fee for the review for the aforesaid plans shall be in the amount of one hundred twenty five dollars (\$125.00). Further, in those instances where a professional engineer prepares a plan for retroactive approvals pursuant to subsection 19-13-B100a of the Public Health Code of the State of Connecticut, no plan approval shall be issued until such plan has been submitted to and approved by the department and the required fee has been paid. The fee for review of the aforesaid plans shall be in the amount of two hundred fifty dollars (\$250.00).

In those instances where a licensed sub-surface sewage installer prepares a plan pursuant to subsection 19-13-B100a of the Public Health Code of the State of Connecticut, no plan approval shall be given until the required fee has been paid. The fee for the review for the aforesaid plans shall be in the amount of seventy-five dollars (\$75.00). Further, in those instances where a licensed sub-surface sewage installer prepares a plan for retroactive approvals pursuant to subsection 19-13-B100a of the Public Health Code of the State of Connecticut, no plan approval shall be issued until such plan has been submitted to and approved by the department and the required fee has been paid. The fee for review of the aforesaid plans shall be in the amount of two hundred dollars (\$200.00).

(d) In those instances where plans prepared by a professional engineer or sub-surface sewage installer are revised by the applicant, as opposed to those revisions requested by the Danbury Health Department, no plan approval shall be given until a fee of fifty dollars (\$50.00) is paid for each applicant revision.



# ORDINANCE

## CITY OF DANBURY, STATE OF CONNECTICUT

### COMMON COUNCIL

January 21, 2003

Be it ordained by the Common Council of the City of Danbury:

THAT Section 9-69 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

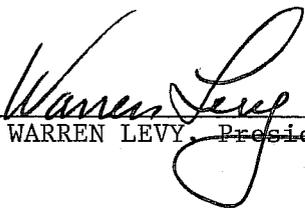
**Sec. 9-69. Inspection for compliance.**

The director of health or his designee shall annually inspect any sites where hazardous substances are stored, used, mixed or produced and shall issue a certificate of compliance with respect to all sites found to be in compliance with the provisions of this Article. The fee for said certificate shall be one hundred dollars (\$100.00). In addition to the foregoing, the director of health or his designee may inspect any such sites at such other times as he shall deem advisable in order to insure compliance with the provisions hereof.

EFFECTIVE DATE: This Ordinance shall take effect thirty (30) days after adoption and publication, as provided by law and section 3-10 of the Charter of the City of Danbury.

Adopted by the Common Council - January 21, 2003  
Approved by Mayor Mark D. Boughton - January 23, 2003

ATTEST:

  
WARREN LEVY, President



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# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

COMMON COUNCIL

## REPORT

February 4, 2003

Mayor Mark D. Boughton  
Members of the Common Council

Re: **Sec. 16-4 and Sec-21-3**

The Common Council met as a committee of the whole on January 13, 2003 immediately following a public hearing in the Common Council Chambers.

Mr. Buckley noted that we someone comes in for a permit it is always for an increase, not a decrease. They still need the permit even for a decrease. This makes the ordinance clear that a permit is needed even when someone is lowering what they are doing.

Mr. Gogliettino made a motion to recommend adoption of the ordinance change. Seconded by Mr. Buzaid. Motion carried unanimously.

Respectfully submitted,

  
WARREN LEVY, Chairman



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**ORDINANCE**  
**CITY OF DANBURY, STATE OF CONNECTICUT**  
**COMMON COUNCIL**

January 21, 2003

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Be it ordained by the Common Council of the City of Danbury:

THAT Subsection 16-4(a) of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

**Sec. 16-4. Connection permits required; connection fee; refunds; penalty for violations.**

(a) *Permit.* No person shall make any connection with any public sewer or increase the volume discharged or decrease the volume discharged to any public sewer without a permit from the city engineer and the superintendent of public utilities. No such permit shall be issued until the applicant has paid a nonrefundable permit fee of two hundred dollars (\$200.00) to cover administrative costs associated therewith. All such permits shall be valid for a period of one year from the date of issuance. Every permit issued hereunder shall be subject to the rules and regulations of the Danbury Department of Public Works.

**EFFECTIVE DATE:** This Ordinance shall take effect thirty (30) days after adoption and publication, as provided by law and section 3-10 of the Charter of the City of Danbury.

Adopted by the Common Council - January 21, 2003  
Approved by Mayor Mark D. Boughton - January 23, 2003

ATTEST:

  
WARREN LEVY, Chairman



**ORDINANCE**  
**CITY OF DANBURY, STATE OF CONNECTICUT**  
**COMMON COUNCIL**

January 21, 2003

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Be it ordained by the Common Council of the City of Danbury:

THAT Section 21-3 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

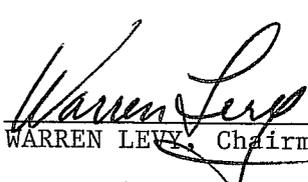
**Sec. 21-3. Use of service pipe and water – Permit required, fee, etc.**

No person shall make any connection to the Danbury public water system nor make any additional use nor connect any additional service pipe, plumbing or fixture nor reduce use nor eliminate any service pipe, plumbing or fixture without making an application to and receiving a permit from the department of public works. No such permit shall be issued until the applicant has paid a nonrefundable permit fee of two hundred dollars (\$200.00) to cover administrative costs associated therewith. All such permits shall be valid for a period of one (1) year from the date of issuance. Every permit issued hereunder shall be subject to the rules and regulations of the Danbury department of public works. Every person who shall use public water system water without filing an application and obtaining a permit in accordance with the provisions of this section shall be liable for such use at a rate equal to three (3) times the regular rate.

**EFFECTIVE DATE:** This Ordinance shall take effect thirty (30) days after adoption and publication, as provided by law and section 3-10 of the Charter of the City of Danbury.

Adopted by the Common Council - January 21, 2003  
Approved by Mayor Mark D. Boughton - January 23, 2003

ATTEST:

  
WARREN LEVY, Chairman

## **COPY SHOWING DELETIONS AND NEW LANGUAGE**

THAT Subsection 16-4(a) of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

### **Sec. 16-4. Connection permits required; connection fee; refunds; penalty for violations.**

(a) *Permit.* No person shall make any connection with any public sewer or increase the volume discharged OR DECREASE THE VOLUME DISCHARGED to any public sewer without a permit from the city engineer and the superintendent of public utilities. No such permit shall be issued until the applicant has paid a nonrefundable permit fee of two hundred dollars (\$200.00) to cover administrative costs associated therewith. All such permits shall be valid for a period of one year from the date of issuance. Every permit issued hereunder shall be subject to the rules and regulations of the Danbury Department of Public Works.

Note: New language is indicated by CAPITALIZATION COMBINED WITH UNDERLINING except that capitalization is not utilized for the letters in parentheses which indicate subsections.

Deleted language is indicated by ~~strikeout~~.

## **COPY SHOWING DELETIONS AND NEW LANGUAGE**

THAT Section 21-3 of the Code of Ordinances of Danbury, Connecticut is hereby amended to read as follows:

### **Sec. 21-3. Use of service pipe and water – Permit required, fee, etc.**

No person shall make any connection to the Danbury public water system nor make any additional use nor connect any additional service pipe, plumbing or fixture NOR REDUCE USE NOR ELIMINATE ANY SERVICE PIPE, PLUMBING OR FIXTURE without making an application to and receiving a permit from the department of public works. No such permit shall be issued until the applicant has paid a nonrefundable permit fee of two hundred dollars (\$200.00) to cover administrative costs associated therewith. All such permits shall be valid for a period of one (1) year from the date of issuance. Every permit issued hereunder shall be subject to the rules and regulations of the Danbury department of public works. Every person who shall use public water system water without filing an application and obtaining a permit in accordance with the provisions of this section shall be liable for such use at a rate equal to three (3) times the regular rate.

Note: New language is indicated by CAPITALIZATION COMBINED WITH UNDERLINING except that capitalization is not utilized for the letters in parentheses which indicate subsections.

Deleted language is indicated by ~~strikeout~~.