

COMMON COUNCIL MEETING AGENDA

MAY 4, 1982

Meeting is called to order at 8:00 O'Clock P.M. by the honorable  
Mayor, James E. Dyer.

PLEDGE OF ALLEGIANCE TO THE FLAG

PRAYER

ROLL CALL

Council Members - Elder, Gallo, McGarry, Foti, Torcaso, Eriquez,  
Esposito, Repole, Zotos, Eppoliti, McManus, DaSilva, Torian,  
WHITE, Cassano, Charles, Boynton, Burke, Butera, Evans, Farah.  
19 Present 23 Absent.

NOTICES FROM MAYOR DYER

CONSENT CALENDAR

The Consent Calendar was adopted as submitted.

Minutes of Common Council Meeting of April 6, 1982 & April 19, 1982:

01  
CLAIMS

Catherine McCarthy - Mary F. Bonadio - Joan D. Barbarie  
Mary Ann Capozza - Kenneth C. Dosch - Lawrence R. TerHaar  
Cheryl Ann Benway by Joyce Patino (Mother)  
Andrew Ipkovich by Ferenc Ipkovich (Mother)

The Claims to be referred to the Claims Committee and Assistant  
Corporation Counsel for Claims - Attorney Thomas G. West.

02  
COMMUNICATION

- Offer by Boehringer Ingelheim to donate funds for a Smoke  
Generator for the Danbury Fire Department.

The Communication was

03  
COMMUNICATION

- Offer by Jade Fountain Restaurant (Henry Chan) to donate a  
painting for the Danbury Police Department.

The Communication was

04  
COMMUNICATION

- Compliment to Director of Planning

The Communication was

COMMON COUNCIL MEETING AGENDA  
MAY 4, 1982 - Page 2

05 ✓

COMMUNICATION - Water bills to Volunteer Fire Companies.

The Communication was

06 ✓

COMMUNICATION - Request for funds for Workmen's Compensation Commission Award

The Communication was

07 ✓

COMMUNICATION - Transfer of Accounts to Municipal Suspense List

The Communication was accepted and transfer authorized.

08 ✓

COMMUNICATION - Easements to NorthEast Utilities as required by the realignment of Liberty Street.

The Communication was

09 ✓

COMMUNICATION - Offer of Ordinance Revision Commission to undertake procedural guidelines for Agencies having to do with land use control.

The Communication was

010 ✓

COMMUNICATIONS - ORDINANCE REVISION COMMISSION RECOMMENDATIONS.

The Recommendations were

011 ✓

COMMUNICATION - Overcrowding conditions at Police Department Parking Lot.

The Communication was

012 ✓

COMMUNICATION - Capital Line Item (Improvements at Sokol Property)

The Communication was

013 ✓

COMMUNICATION - Request of Commission on Aging for additional funds.

The Communication was

014 ✓

COMMUNICATION - Request from North West Regional Mental Health Board for contribution of \$5700.00

The Communication was

COMMON COUNCIL MEETING AGENDA  
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015 ✓  
PETITION - Request of Mill Plain Office Park Limited Partnership to extend water line to 36 Mill Plain Road.

The Petition was referred to

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016 ✓  
COMMUNICATION - Request from Hungarian-American Club of Danbury, Inc. for sewer & water on property located on Route 37.

The Communication was referred to

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017 ✓  
COMMUNICATION - Request for acceptance of Hawthorne Cove.

The Communication was referred to

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018 ✓  
COMMUNICATION - Bond Request for Schools, Recreation, Traffic, Parks, Fire, Police, etc.

019 ✓  
COMMUNICATION - Appointment to Conservation Commission.

The Communication was accepted and appointment confirmed.

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020  
COMMUNICATION - Appointment to Parks & Recreation

The Communication was accepted and appointment confirmed.

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021 - DEPARTMENT REPORTS

Fire Chief	Health Inspector
Fire Marshal	Housing Inspector
Airport Administrator	Building Dept.
Blood Pressure Program	Police Department
Coordinator of Environmental & Occupational Health Services	Equal Rights & Opportunities

A motion is to be made to dispense with the reading of Department Reports as all members have copies which are also on file in the Office of the City Clerk for public inspection. Reports to be accepted as submitted.

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COMMON COUNCIL MEETING AGENDA  
MAY 4, 1982 - Page 4

AD HOC COMMITTEE REPORTS

022  
REPORT

~~Petition to reconstruct Scuppo Road.~~

~~The Report was~~

023  
REPORT  
&

Funds for Civil Service Commission

CERTIFICATION - The Report was accepted and transfer of funds authorized.

024  
REPORT

- Request to accept Sierra Way & Deal Drive.

The Report was

025  
REPORT

- Drainage Problem - Glendale Drive

The Report was

026  
REPORT  
&  
ORDINANCE

Re: Water Rates & Charges

The Report was

027  
REPORT RE:

~~Withdrawn~~

ORDINANCE

~~Landfill Operations~~

~~The Ordinance was~~

RESOLUTION

~~- Hauler Permit fees for Danbury Sanitary Landfill Site.~~

~~The Resolution was~~

RESOLUTION

~~- Commercial User Fees for Deposition of Permitted Wastes at the Danbury Sanitary Landfill Site.~~

~~The Resolution was~~

RESOLUTION

~~- To establish a Fund to be known as "Danbury Sanitary Landfill Enterprise Fund".~~

~~The Resolution was~~

028 Report - Request for Public Works Department to take school Custodians into their department.  
PUBLIC SPEAKING SESSION

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

CONSENT CALENDAR COMMON COUNCIL MEETING  
MAY 4, 1982

- 04 - COMMUNICATION - Compliment to Director of Planning.
- 08 - COMMUNICATION - Easements to NorthEast Utilities as required by the realignment of Liberty Street.
- 012 - COMMUNICATION - Capital Line Item (Improvements at Sokol Property)
- 013 - COMMUNICATION - Request of Commission on Aging for additional funds.
- 019 - COMMUNICATION - Appointment to Conservation Commission.
- 023 - REPORT & CERTIFICATION - Funds for Civil Service Commission.
- 024 - REPORT - Not to accept Sierra Way & Deal Drive.
- 025 - REPORT - Drainage Problem - Glendale Drive.
  
- 020 - 022 - 027 - Withdrawn.

RECEIVED

APR 23 1982

OFFICE OF CITY CLERK

Dear Sirs,

I am writing to put in a claim for my arm that I broke in due to falling down on a patch of ice that was not sanded on the sidewalk in front of the Central Meat Market on White Street on February 11, 1982 around 4:20 pm in the afternoon I have Dr. Malloy for my physician I am still seeing him for physical therapy.

Katherine J. Mc Carthy

RECEIVED

APR 23 1982

OFFICE OF CITY CLERK

April 22, 1982

City Clerk  
City of Danbury  
155 Deer Hill Avenue  
Danbury, Connecticut 06810

Gentlemen:

In the past 60 days I have tried unsuccessfully through the Danbury school system to collect \$218.00 for my son's medical expenses.

On the afternoon of Feb. 25, 1982, my son was assaulted in the Broadview Junior High School. The assailant was a senior from Danbury High School.

It is my opinion that while my son is in the Danbury school system, it is the responsibility of that system to insure his physical safety. I originally went with request to the school superintendent where I received very little cooperation.

I would appreciate your immediate attention to this matter so I can decide if any further action is required.

Thank you for your cooperation.

Sincerely,

  
Ferenc Ipkovich

FI/st  
Enclosure

DATE OF BILL: 03/04/82  
 DATE OF PREV. BILL:  
 UTP.

PO BOX 770  
 DANBURY, CONN.  
 203 797-7348  
 FEI # 06-0646597

06810  
 BIRTH-DATE: 03/12/67

PATIENT NAME: IPKOVICH, ANDREW  
 PATIENT NUMBER: 945624  
 SEX: M  
 AGE: 14  
 ADMISSION DATE: 02/25/82

INSURANCE COMPANY NAME: \_\_\_\_\_  
 GROUP NUMBER: \_\_\_\_\_  
 POLICY NUMBER: \_\_\_\_\_

PATIENT NAME AND ADDRESS:  
 FERENC IPKOVICH  
 02 CRESTWOOD RD  
 DANBURY, CT, 06810

ALL SUPPLEMENTARY INFORMATION ON REVERSE SIDE IS NOT COMPLETED. FORM WILL BE RETURNED TO YOU.

AMOUNT OF PAYMENT

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT.

DATE BILLED	DESCRIPTION OF HOSPITAL SERVICES	SERVICE CODE	HOSPITAL CHARGES	EST. COVERAGE INS. CO. NO. 1	PATIENT AMOUNT
<b>DETAILS OF CURRENT CHARGES, PAYMENTS AND ADJUSTMENTS</b>					
02/25	EMERGENCY SERVICE	6100005	204.00		204.00
02/25	ER SUPPLIES	6100007	14.00		14.00
<b>BLANCE FORWARD</b>					
<b>SUMMARY OF CURRENT CHARGES</b>					
	61 EMER ROOM	450	218.00		218.00
<b>TOTAL OF CURR. CHARGES</b>			<b>218.00</b>		<b>218.00</b>

DANBURY HOSPITAL

DANBURY HOSPITAL  
 DANBURY, CONN.

ADDITIONAL PATIENT BILLING MAY BE NECESSARY FOR ANY CHARGES NOT POSTED WHEN THIS BILL WAS PREPARED. OR IF INSURANCE CARRIERS DO NOT PAY ANY PART OF THE AMOUNTS SHOWN UNDER ESTIMATED INSURANCE COVERAGE.

PAY THIS AMOUNT 218.00

HC6

MAHER AND THORNBERRY  
ATTORNEYS AND COUNSELORS AT LAW  
622 CLINTON AVENUE  
BRIDGEPORT, CONNECTICUT 06601

TELEPHONE 203-367-2700

JAMES J. MAHER  
THOMAS C. THORNBERRY  
THOMAS M. MURTHA

RECEIVED  
APR 28 1982  
OFFICE OF CITY CLERK

PLEASE REPLY TO:  
P. O. BOX 901  
BRIDGEPORT, CT 06601

April 26, 1982

Elizabeth Crudginton  
Clerk's Office  
155 Deer Hill Avenue  
Danbury, Connecticut 06810

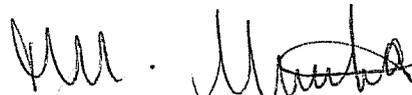
RE: Lawrence R. TerHaar vs. City of Danbury

Dear Ms. Crudginton:

This is to advise you that I have been retained to represent Lawrence R. TerHaar through the CNA Insurance Company for an incident which occurred on December 14, 1981 when a snow plow owned by the City of Danbury struck the plaintiff's vehicle causing considerable damage thereto. The damage amounting to \$529.27.

If I do not receive funds within seven (7) days I will be forced to place this matter into suit. Please contact this office.

Yours truly,

  
Thomas M. Murtha

TMM:cmg

Common Council

City Hall

Danbury, CT

RECEIVED  
APR 12 1982

OFFICE OF CITY CLERK

Dear Sir,

I am writing this letter per the recommendation of the City Highway Department. On April 3, 1982 there was a bad rainstorm which caused a hole to open up in the street by my driveway. The hole started to cause cracks in my driveway. I called the Highway Department on April 5th to report this. On April 6th there was a blizzard. With the quick thaw, water began running down the street and into the hole. This in turn undermined the driveway and caused several ruts and cracks in the middle of the driveway. Water and mud were coming up through the cracks.

On April 12th, the hole at the edge of the driveway was loosely filled. I called the Highway Department and the lady who answered the phone said a crew would be out to look at the driveway. At 2:00 pm the crew

ANTHONY J. DiPERRIO II

ATTORNEY AT LAW

~~XXXXXXXXXXXX~~  
57 North Street  
DANBURY, CONNECTICUT 06810

AREA CODE 203  
744-5225

April 8, 1982

RECEIVED  
APR 12 1982

OFFICE OF CITY CLERK

Mrs. Elizabeth Crudgington  
City Clerk  
City of Danbury  
155 Deerhill Avenue  
Danbury, Connecticut 06810

Re: Cheryl Ann Benway  
Accident of March 16, 1982

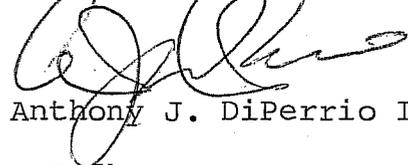
Dear Mrs. Crdugington:

This office has been retained by Mrs. Joyce Patino, mother of Cheryl Ann Benway, in connection with an accident suffered on the above date.

Cheryl Benway suffered facial injuries when she was assaulted at the Rogers Park Jr. High School on March 16, 1982, at 8:15 a.m., by a student at said Rogers Park Jr. High School.

Kindly turn this letter over to your insurance carrier and request that they direct all their correspondence and inquiries to this office.

Very truly yours,



Anthony J. DiPerrio II

AJD:db

**PRIMARY CARE CENTER**

PETER W. PRATT, M.D.  
06-1049213

67 SANDPIT ROAD  
DANBURY, CONN. 06810

MEDICAL CENTER OF  
WESTERN CONNECTICUT  
743-9797

INSURANCE OR EMPLOYER B	PATIENT NAME Mary Capozza
DATE 3/25/02	DOCTOR Pratt/Esq

✓	DESCRIPTION	FEE	✓	DESCRIPTION	FEE	
	EMERGENCY VISIT			THROAT CULTURE		
	OFFICE VISIT	25		MONO SPOT		
	EXTENDED VISIT			URINALYSIS		
	HISTORY & PHYSICAL			URINE DIP		
	FOLLOW-UP			STOOL FOR O.B.		
	PRE-EMPLOYMENT PX			SMEAR/STAIN		
	SCHOOL/SPORTS PX			HEMATOCRIT		
	REFERRAL			SED RATE		
	EKG			WHITE COUNT		
	MINOR SURGERY			RED COUNT		
				KOH PREP		
				PELVIC TRAY		
				B.P. CHECK		
				BLOOD DRAWING		
	FX			LABORATORY SERVICES & INTERPRETATION		
	MEDS & SUPPLIES	4		OTHER		
	LAB WORK					

CURRENT CHARGES 59.00	CUR. PAYMENTS 29.00	BALANCE DUE - 0 -
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THIS STATEMENT HAS NAME, DATE, CHARGES, DOCTOR'S SIGNATURE AND DIAGNOSIS. COMPLETE SUBSCRIBERS SECTION ON YOUR INSURANCE FORM, ATTACH COPY AND SUBMIT DIRECTLY TO YOUR INSURANCE COMPANY. IT IS NOT NECESSARY TO RETURN YOUR INSURANCE FORM TO US TO BE FILLED OUT

DIAGNOSIS \_\_\_\_\_

DR. SIGNATURE \_\_\_\_\_

RETURN \_\_\_\_\_ DAY(S) \_\_\_\_\_ WEEKS \_\_\_\_\_ MONTHS

# HOUSATONIC VALLEY RADIOLOGICAL ASSOCIATES, P.C.

1 Medical Center Drive  
 (67 Sand Pit Road)  
 Danbury, CT 06810  
 (203) 797-1770

DONALD R. HOMER, M.D. State ID #13324  
 ANN WALZER, M.D., State ID #15696

Fed. ID #060974186

Mo.	DATE Day	Pr Year	PRACTICE 5610	PATIENT'S ACCOUNT NUMBER 01-34-67	DEP. # 0	REF. DR 49	NEW <input checked="" type="checkbox"/>	CHANGE <input type="checkbox"/>	
LAST NAME ONLY Cuzzza				FIRST NAME Mary		MIDDLE INITIAL H			
ADDRESS 99 Tower Road				SEX F	BIRTHDATE 11-28-63	AGE 18			
CITY AND STATE Branford, CT				ZIP CODE 06805	SOCIAL SECURITY NUMBER		AREA CODE 203	PHONE NUMBER 1775-1785	
THIRD PARTY BILLING/COMP BILLING				DIAGNOSIS				<input type="checkbox"/> 00038 STOP STATEMENT <input type="checkbox"/> 00021 THIRD P/COMP BILL	
ADDRESS				Physician's Signature <i>Ann Walzer, M.D.</i>					
CITY AND STATE				REFERRING PHYSICIAN: <i>John W. Pratt, M.D.</i>					
INSURANCE #1 Blue Shield				POLICY #					
INSURANCE #2				POLICY #					
EMPLOYMENT									
EMPLOYER NAME AND TEL. NO. Cuzzza Engineering				EMPLOYER ADDRESS G Danbury, Ct. 06810					
SPOUSE or PARENT Vincent Cuzzza				Place of Service				<input type="checkbox"/> 3 OFFICE	
DESCRIPTION	CODE		DESCRIPTION	CODE		DESCRIPTION	CODE		
HEAD & NECK XRAY			PELVIS	07218		FINGERS	07260	GB	07582
MANDIBLE	07010		SACRUM COCCY	07222		LOWER EXTREMITIES XRAY		MISC. XRAY	
MASTOIDS	07012		SI JOINTS	07230		HIP	07299	MET (seri & chest)	07469
FACIAL BONES	07014		OB-GYN XRAY			HIPS BILAT	07300	MAMMO BILAT	07566
NASAL BONES	07016		HYSTEROSAL	07401		FEMUR	07303	MAMMO (unilat r/l)	07565
SINUSES	07021		UROLOGIC XRAY			KNEE	07304	TOMOGRAM	07467
SKULL	07025		IVP	07372		KNEE ARTHRO	07461	PROF SERVICE	09606
STENVER'S	07317		HYPERTEN/IVP	07402		TIBIA	07315	ULTRASOUND	
ORBITS	07003		INFUSION PYEL	07403		ANKLE	07307	PREG COMPLETE	07717
T/M JOINTS	07070		NEPHROTOMO	07404		ANKLE ARTHRO	07316	PELVIC MASS DX	07718
SIALOGRAM	07040		IVP TOMOS	07468		FOOT	07309	B SCAN ABD CPL	07719
NASOPHARYNX	07061		UPPER EXTREMITIES XRAY			OS CALCIS	07314	B SCAN ABD LTD	07720
CHEST XRAY			CLAVICLE	07245		TOES	07320	B SCAN GALLBL	07721
CHEST	07104		SCAPULA	07246		ABDOMEN XRAY		B SCAN RENAL	07722
CARDIAC SERIES	07500		SHOULDER	07247		AP ABDOMEN	07350	B SCAN PANCR	07723
RIB (unilat & chest)	07150		SHOULDER arthro	07249		OBSTR (sur/chest)	07405	AORTA B SCAN	07724
RIB (bilat & chest)	07151		A/C JOINTS	07265		GI TRACT XRAY		B PREG DX	07725
STERNUM	07170		HUMERUS	07270		ESOPHAGUS	07355	FETAL BIPAR DIA	07726
SPINE XRAY			ELBOW	07275		GI SERIES	07357	FETAL GR RATE	07727
C SPINE	07204		FOREARM	07255		GI & SM BOWEL	07358	PELVIC/ECTOPIC	07729
D SPINE	07221		WRIST	07257		BARIUM ENEMA	07361		
L S SPINE	07213		HAND	07259		AIR CONTR Only	07362		
00092			TODAY'S CHARGES				540	PAID	BY



Blue Cross  
Blue Shield  
of Connecticut

### SUBSCRIBING MEMBER'S CERTIFICATE

ALL ITEMS WITHIN THE MEMBER'S CERTIFICATE MUST BE COMPLETED

PLEASE PRINT  
OR TYPE AND SEND TO  
Blue Cross & Blue Shield of Ct. Inc.  
Box 1415, New Haven, Conn. 06511

Patient's Name <b>Capozza</b> LAST	Patient's Name <b>Mary</b> FIRST	M <input type="checkbox"/> Male (4) F <input checked="" type="checkbox"/> Female (5)	Patient's Birth Date <b>11 28 62</b> MO DAY YR
Subscriber's Name <b>Capozza</b> LAST	Subscriber's Name <b>Vincent</b> FIRST	Relationship of Patient to Subscriber: 1 <input type="checkbox"/> Self 2 <input type="checkbox"/> Spouse 3 <input checked="" type="checkbox"/> Child 4 <input type="checkbox"/> Stepchild	If child over 18, indicate: <input checked="" type="checkbox"/> Student <input type="checkbox"/> Handicapped <input type="checkbox"/> Tax Dependent
Subscriber's Address <b>99 Tower Rd Danbury Ct 06810</b> No. and Street City State Zip Code		Identification Number <b>000Y152196</b>	Type of Contract <b>C 90</b>

**PLEASE CHECK BOXES BELOW**

1. Is the patient covered by other group or union insurance paying for the services of a doctor?  
1.  Yes 2.  No  
*NOTE: DO NOT CHECK "YES" if Blue Cross or Major Medical Policy*  
If yes, please give name or union (or employer) and the insurance company \_\_\_\_\_

2. Is this injury or illness due to:  
An accident at work? 1.  Yes 2.  No  
An automobile accident? 1.  Yes 2.  No  
Other accident? (Please describe below) 1.  Yes  
**Fell on Broken City Sidewalk (Danbury)**

I certify that the information submitted hereon is correct.

*Vincent Capozza*  
Member's Written Signature Date \_\_\_\_\_

### PHYSICIAN'S CERTIFICATE

PLACE SERVICE RENDERED Hospital <input type="checkbox"/> Other <input checked="" type="checkbox"/>	If in Hospital or Extended Care Facility, give - Name: _____ City: _____	DIAGNOSIS _____
3 <input type="checkbox"/> In-Patient 1 <input type="checkbox"/> Office 4 <input type="checkbox"/> OPD 2 <input type="checkbox"/> Home 5 <input type="checkbox"/> ER 6 <input type="checkbox"/> ECF		If trauma, could the injury have resulted from a negligent act by a third Party? <input type="checkbox"/> Yes <input type="checkbox"/> No

Date Admitted: \_\_\_\_\_ Date Discharged: \_\_\_\_\_

CHECK BOX(S) {  I was the admitting and attending physician.  
 I visited the patient daily during this admission  
 I visited the patient on the date(s) checked below

WRITE IN MONTH	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	
Mar																																

CHECK ONE {  Initial Visit - Routine required exam  
 Initial Visit - Comprehensive exam

CHARGE	ACTUAL CHARGE	REGULAR CHARGE
INITIAL VISIT		
SUBSEQUENT VISIT(S)		

**CHECK ONE**

1  I rendered complete care of the patient during this admission  
2  Patient's care involved other physician(s) listed below:  
**OTHER PHYSICIAN'S NAME**  
a. **Patricia Smith, M.D.**  
b. \_\_\_\_\_  
c. \_\_\_\_\_

**SERVICE RENDERED BY OTHER PHYSICIAN**

CONSULTATION - IN PATIENT  
 MEDICAL CARE  
 SURGERY

Date: \_\_\_\_\_  
Surgery: \_\_\_\_\_

**COMPLETE ALL REQUIRED INFORMATION ON REVERSE SIDE OF THIS FORM FOR:**

- CONSULTATION - IN PATIENT
- INTENSIVE MEDICAL CARE
- ACUTE PSYCHIATRIC CARE

**FOR BLUE SHIELD USE ONLY**

**SURGEONS:** If claim involves pre-op medical care. CHECK ONE { 1  The surgery was scheduled after admission.  
2  The surgery was scheduled prior to (or at) time of admission.

Date of Service			Procedure Code	SERVICE (Please use Nomenclature in Comprehensive Schedule)	Actual charge for this service	Regular charge, if different
Mo.	Day	Yr.				
3	25	82		<i>See Attached</i>	54.00	

Physician's Name: **Donald R. Homer, M.D.** S20  
Address: **Housitonic Valley Rad. Assoc. 67 Sandpit Road Danbury, CT 06810**  
City: **Danbury, CT 06810** Fed. ID #060974186

STATE LIC. # **01 0013324 CT 01**

REQUIRED FOR PROCESSING OF CLAIM

I certify that I performed the listed services and that the information stated hereon is correct.

*Don Homer*  
Personal Signature of Physician Degree Date **3/25/82**

BLUE SHIELD USE ONLY

Mary Ann Capozza  
99 Tower Rd.  
Brookfield Center, Ct  
06805

City Clerk  
City Hall  
Deer Hill Ave.  
Danbury, Ct. 06810

RECEIVED  
APR 12 1982  
OFFICE OF CITY CLERK

City Clerk,

On wednesday, March 24, 1982 at 4:45p.m. while walking on Lee Hartell Drive I tripped on a raised portion of the sidewalk. I was walking in the direction of White Street next to the river. I hurt my elbow and my wrist. There are no stores along the sidewalk so I presume it is city property. On thursday I went to city hall to see the mayor to rectify the problem. The mayor's secretary told me to see you. I took your advice and am writing to tell you that after seeing you I went to Primary Care on Sandpit Rd. in Danbury. The doctor took x-rays and told me that nothing was broken but put an ACE bandage on my left wrist to support it. The bill from Primary Care was \$29.00 for the office visit and \$54.00 for the x-rays. Please bring this before the claim department.

Thank You

*Mary Ann Capozza*

Mary Ann Capozza

RECEIVED

APR 13 1982

OFFICE OF CITY CLERK

Old Ridgebury Road  
Danbury, Connecticut

April 12, 1982

Office of the City Clerk  
City Hall  
Danbury, Connecticut 06810

Gentlemen:

This is to advise that during last week's snow storm, my mailbox wooden post was destroyed by a snowplow. It had been previously damaged during a storm in January (I saw it happen from my window) but it was only cracked and was still supporting the box. However, it is now in three pieces and lying on the ground. The postal department will not deliver my mail.

This is the fourth time during my fifteen year ownership of this property that the redwood post has had to be replaced. I have never made a previous claim because I understand that difficult task in keeping the roads open. However, I think I have been understanding enough and I would appreciate it if the post could be replaced. It was a redwood post mounted in cement. The last one I purchased was from Goos Lumber at a cost of approximately \$24.00. I am not requesting replacement of the mailbox itself. It is in poor condition but due to vandalism.

My home phone number is 743-3990 and during the day, I can be reached at the office of Attorney Americo Ventura, 744-2260.

Very truly yours,

*Joan D. Barbarie*  
Joan D. Barbarie (Mrs.)

RECEIVED

APR 14 1982

OFFICE OF CITY CLERK

10 Hospital Avenue  
Danbury, Connecticut 06810

April 12th, 1982

City Clerk  
City Hall  
Danbury, Connecticut 06810

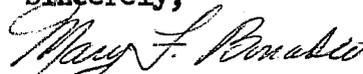
Gentlemen:

Pursuant to my telephone conversation with your office today, this letter is to notify you that on April 6th, during the blizzard, a City snow plow destroyed the front portion of my sidewalk by lifting an approximate 2 1/2 ft. section and flipping it onto my lawn.

Per your instructions, I am obtaining two (2) quotations for the repair of my sidewalk which I will forward on to you.

Thank you for your cooperation - and I would appreciate anything you can do to expedite this claim.

Sincerely,



Mary F. Bonadio



**CITY OF DANBURY**  
OFFICE OF THE MAYOR  
DANBURY, CONNECTICUT 06810

**JAMES E. DYER**  
MAYOR

May 4, 1982

Honorable Members of the Common Council  
City of Danbury, Connecticut

Dear Council Members:

The attached offer by Boehringer Ingelheim to donate funds for a Rosco Smoke Generator for the Danbury Fire Department, is hereby submitted for your consideration.

Sincerely yours,

A large, stylized handwritten signature in black ink, appearing to read "James E. Dyer".

James E. Dyer  
Mayor



Boehringer  
Ingelheim

Boehringer Ingelheim Ltd.  
90 East Ridge  
P.O. Box 368  
Ridgefield, Connecticut 06877

April 27, 1982

Chief Joseph Bertalovitz  
Danbury Fire Department  
Danbury, CT 06810

Dear Chief Bertalovitz:

Boehringer Ingelheim Ltd. is pleased to enclose our check in the amount of \$595 to be used in the purchase of a Rosco Smoke Generator and two liters of smoke generating fluid. Past discussions with your training officer, Adam Piskura, revealed his interest in the use of a smoke generator but the lack of funds to purchase one. The smoke generator is for your use in Fire Department training and for demonstrations to the public to show the effects of smoke in rooms.

We hope this will be beneficial both to the Danbury Fire Department and the community in general.

Sincerely,

Cyril Wm. Jakubowski, CSP  
Corporate Safety Manager

CWJ/rl

Enclosure

cc: Adam Piskura  
Training Officer  
Hon. James Dyer, Mayor  
City of Danbury  
Mr. R. Lindstrom

Telephone: (203) 438-0311  
Telex: 137318 Answer back: BILUSA Rigd.  
Cable: BILUSA Ridgefield Ct. 06877



NELSON F. MACEDO  
CHIEF



DEPARTMENT OF POLICE  
CITY OF DANBURY  
CONNECTICUT  
06810

April 7, 1982

To: Mayor James E. Dyer

From: Chief Nelson F. Macedo *NFM*

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Attached is a letter from Mr. Henry Chan, of the Jade Fountain Restaurant, regarding a painting that he would like to give to the police department.

I had informed Mr. Chan, verbally, that we cannot accept gifts, when he first approached me on this, but he has been very insistent and has sent the above letter regarding this gift.

If you recall, I had discussed this with you, and this letter is being sent to you for your consideration, as Mr. Chan is very anxious to make this presentation to the City of Danbury Police Department.

**JADE FOUNTAIN RESTAURANT**

58-62 NEWTOWN ROAD  
DANBURY, CONN. 06810  
Phone: (203) 743-7646

April 2, 1982

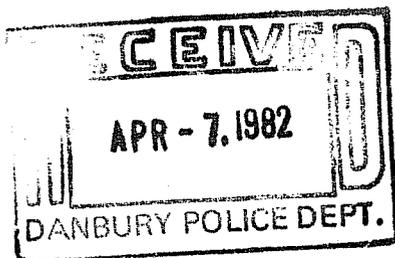
Dear Chief Macedo,

May we have the honor to  
present you a gift commemorating  
your outstanding contributions to  
the betterment of our community  
on Sun. 2/21/82 at Jade Fountain Res.

Your acceptance of our gift  
will be our great honor.

Sincerely,

*Henry Chan Pres.*





**CITY OF DANBURY**  
OFFICE OF THE MAYOR  
DANBURY, CONNECTICUT 06810

**JAMES E. DYER**  
MAYOR

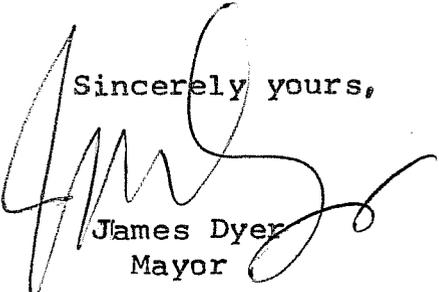
May 4, 1982

Honorable Members of the Common Council  
City of Danbury, Connecticut

Dear Council Members:

Attached is an offer from Mr. Henry Chan of the Jade Fountain Restaurant, regarding a painting he would like to donate to the Danbury Police Department.

Sincerely yours,



James Dyer  
Mayor

mr



**CITY OF DANBURY**  
OFFICE OF THE MAYOR  
DANBURY, CONNECTICUT 06810

JAMES E. DYER  
MAYOR

May 4, 1982

Honorable Members of the Common Council  
City of Danbury, Connecticut

Dear Council Members:

The attached communication, a compliment to Mr. Leonard Sedney, Planning Director of the City of Danbury, is hereby submitted for your information.

Sincerely yours,

A large, stylized handwritten signature in black ink, appearing to be "JED", is written over the typed name and title of the Mayor.

James E. Dyer  
Mayor

mr

8 Timber Crest Drive  
Danbury, CT 06810  
April 2, 1982

Mayor James E. Dyer  
City Hall  
Danbury, CT 06810

Dear Mayor Dyer:

I would like to take this opportunity to compliment one of our city's employees. Mr. Leonard Sedney, our Planning Director, has been a "breath of fresh air" in the Planning Department. Since your selection of Mr. Sedney to fill this critically important position, there has been a dramatic change for the better. My dealings with Mr. Sedney have been related to his interaction with the Danbury Zoning Commission.

I have found Mr. Sedney to be very competent, professional and, perhaps most important of all, willing to extend himself to assist others in a multitude of peripheral but, nonetheless, important activities. Some of these activities are the development of an aquifer regulation, affordable housing options, strategic long-term area zoning reclassifications and multi-family zoning redesignations.

Mr. Sedney has attended many Zoning Commission meetings on his own initiative and has contributed substantially. In addition, the Planning Department staff reports being prepared under Mr. Sedney's direction, are now documents that address the pro and con of critical issues and are of great help to me as Zoning Commissioner.

While Mr. Sedney does not always have complete agreement on his views, his positions are rational, well documented and well thought out.

He is certainly an asset to the city and I compliment you for his selection and he for his outstanding performance.

Very truly yours,



Paul J. Mangiafico

cc: Leonard Sedney



**CITY OF DANBURY**  
OFFICE OF THE MAYOR  
DANBURY, CONNECTICUT 06810

**JAMES E. DYER**  
MAYOR

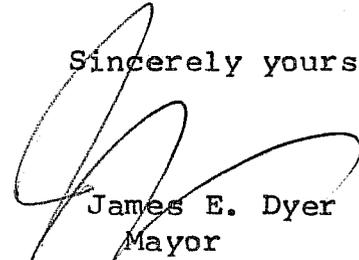
May 4, 1982

Honorable Members of the Common Council  
City of Danbury, Connecticut

Dear Council Members:

The attached request in reference to Water Bills for  
Volunteer Fire Companies is hereby submitted for your information.

Sincerely yours,



James E. Dyer  
Mayor

mr



## CITY OF DANBURY

THEODORE H. GOLDSTEIN,  
CORPORATION COUNSEL

OFFICE OF THE CORPORATION COUNSEL  
DANBURY, CT 06810

ERIC L. GOTTSCHALK  
THOMAS A. FRIZZELL  
THOMAS G. WEST  
ASSISTANT CORPORATION  
COUNSEL

April 8, 1982

PLEASE REPLY TO:  
155 Deer Hill Avenue  
DANBURY, CT 06810

Mr. John Scott  
Miry Brook Volunteer Fire Co.  
Miry Brook Road  
Danbury, Connecticut 06810

Re: Water Bills

Dear Mr. Scott:

I have reviewed your question concerning water bills to volunteer fire companies with Corporation Counsel Goldstein. We have concluded, as I suggested to you earlier, that no vehicle currently exists which exempts the volunteer companies from the payment of these bills.

It seems to us that three alternatives present themselves. First, the volunteer companies could pay their proportionate share of the costs of supplying water in the City of Danbury (by the way, the City, itself, also pays a portion of these operating costs). Second, the volunteers could approach the City administration with a request for increased grant, or third, the volunteers could seek an ordinance amendment which would exempt volunteer companies from these obligations.

I should mention to you that the third approach may run afoul of Charter Section 7-8 which states in part "All costs of operating the water system shall be raised and paid by user charges imposed on those property owners whose property is connected to said water system", which seems to suggest that even the volunteers must pay their fair share.

I trust this answers your question.

Sincerely yours,

Eric L. Gottschalk  
Assistant Corporation Counsel

ELG:cr

c: Hon. James E. Dyer, Mayor ✓



**CITY OF DANBURY**  
OFFICE OF THE MAYOR  
DANBURY, CONNECTICUT 06810

**JAMES E. DYER**  
MAYOR

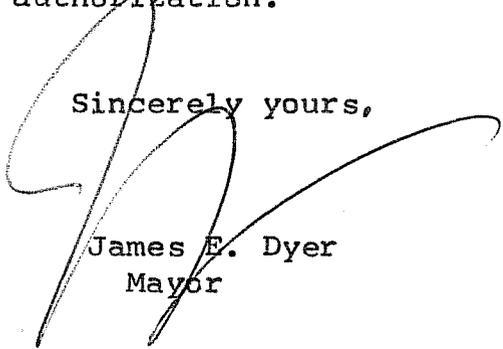
May 4, 1982

Honorable Members of the Common Council  
City of Danbury, Connecticut

Dear Council Members:

The attached request for funds for a Workmen's Compensation  
Commission award is hereby submitted for your authorization.

Sincerely yours,

  
James E. Dyer  
Mayor

mr



# CITY OF DANBURY

155 DEER HILL AVENUE

DANBURY, CONNECTICUT 06810

DEPARTMENT  
OF FINANCE

April 19, 1982

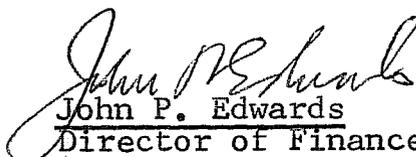
To: Common Council via  
Mayor James Dyer

Certification #118

From: John P. Edwards

We have received notice of an award from the Workmen's Compensation Commission awarding one Gordon Lynch a former firefighter who incurred a coronary condition while employed with the City. The amount of the award is \$34,944.; it is a lump sum settlement.

The Workmen's Compensation Account does not have adequate funds to pay this award. We therefore request that \$39,944. be appropriated From Contingency Fund \$5,849. and Fund Balance Account \$29,095. for this expense. We hereby certify to this amount. We anticipate one other large award shortly but it is being currently reviewed by the Corporation Counsel's office and we have not established the funds required.

  
John P. Edwards  
Director of Finance, Acting

cc. Atty. Gottschalk

GORDON LYNCH : C O R A M  
 7 Clifton Place :  
 Danbury, CT 06810 :  
                   CLAIMANT : WORKERS' COMPENSATION  
 vs : COMMISSION  
 CITY OF DANBURY : SEVENTH DISTRICT  
 155 Deer Hill Avenue :  
 Danbury, CT 06810 :  
                   EMPLOYER :  
                   RESPONDENT : APRIL 15, 1982

APPEARANCES:

The claimant appeared on his own behalf.  
 The respondent was represented by Eric L. Gottschalk, Esq., Assistant Corporation Counsel, 155 Deer Hill Avenue, Danbury, CT 06810.

FINDING AND AWARD

Pursuant to proper notice, a hearing on the above claim was held by the undersigned at Danbury on December 9, 1981, at which time it was stipulated that said hearing would be deemed a Formal Hearing for the purposes of this Award.

1. The jurisdictional facts of this case appear in a Voluntary Agreement submitted to and approved at the office of the Compensation Commissioner for the Seventh District on October 28, 1975 wherein it appears that the claimant had suffered a heart attack on January 29, 1974, and was entitled to the benefits afforded by section 7-433c of the Connecticut General Statutes.

2. The claimant was retired from service with the Danbury Fire Department, for disability, on or about September 1, 1975.

3. As a result of said heart attack, the claimant has sustained a permanent partial disability of forty percent (40%) of the heart, entitling him to 312 weeks of compensation therefor at his weekly benefit rate of \$112.00.

4. The claimant reached maximum medical improvement as of October 28, 1975.

WHEREFORE IT IS ORDERED, DECREED, AWARDED AND ADJUDGED

That:

A. Respondent employer pay to the claimant permanent partial disability weekly benefits at the rate of \$112.00 for 112 weeks, commencing retroactively to the date of maximum improvement, October 28, 1975, pursuant to the provisions of section 7-433a, Connecticut General Statutes, but subject, nevertheless, to the limitations imposed by section 7-433b, Connecticut General Statutes.

B. All payments due to date are Ordered to be paid to the claimant in a single, lump sum payment, without discount.

GERALD KOLINSKY  
WORKERS' COMPENSATION COMMISSIONER  
SEVENTH DISTRICT

\$ 34,944.00

52  
6 years  
3/2



**CITY OF DANBURY**  
**CITY HALL**  
**DANBURY, CONN. 06810**

**WILLIAM K. HANNA**  
TAX COLLECTOR

TELEPHONE:  
(203) 797-4541

April 28, 1982

Honorable Mayor James E. Dyer,  
and Members of the Common Council  
City Hall  
Danbury, Ct. 06810

Gentlemen:

In accordance with the C.G.S. 12-165 I respectfully submit the attached list of accounts to be transferred to the Municipal Suspense List.

A breakdown by category follows:

Personal Property	\$ 39,284.53
Aircraft	5,070.70
Boats	6,935.05
Mobile Homes	200.44
Motor Vehicles	26,362.93
TOTAL	<u>\$ 77,853.65</u>

I certify, that to the best of my knowledge and belief, each tax contained herein has not been paid and is uncollectible.

William K. Hanna  
Tax Collector  
City of Danbury

WKH:bds  
CC: John P. Edwards

# DANBURY REDEVELOPMENT AGENCY

142 Deer Hill Avenue  
Danbury, Connecticut 06810

Bob K. Bogen, *Executive Director*

Area Code 203 792-1135

April 28, 1982

Honorable James E. Dyer, Mayor  
& Members of the Common Council  
c/o Elizabeth Crudginton, City Clerk  
City Hall  
Danbury, Connecticut 06810

Dear Mayor Dyer & Council Members:

This letter is written to request your review and approval of a grant of easements from the City of Danbury to Northeast Utilities for the purpose of relocating electrical utilities as required by the realignment of Liberty Street.

Your attention to this matter is sincerely appreciated.

Yours truly,



Bob Bogen  
Executive Director

BB:cl

cc: Eric Gottschalk  
Corporation Counsel



**ORDINANCE REVISION COMMISSION**  
**CITY OF DANBURY**  
**CITY HALL**  
**DANBURY, CONN. 06810**

April 26, 1982

Constance McManus, President  
Common Council  
City of Danbury  
City Hall  
Danbury, Connecticut 06810

Dear Madam President:

The Ordinance Revision Commission as originally constituted was prohibited from engaging in discussion of planning and zoning matters. Recent discussion has led us to the conclusion that there are or may be factors that could lead you to give your authorization to the Commission concerning these matters.

It appears that there is a total lack of procedural guidelines for the approval process involving those agencies having to do with land use control. The Commission believes that a procedural flow chart (if you will) of the step by step approach to approvals would aid both the applicant and the City of Danbury. An orderly method of application, review and decision through the maze of agencies would clearly be beneficial. This Commission is willing to undertake the responsibility of designing such a procedural diagram. We would propose to work in conjunction with the Engineering Department and the Planning Office in designing this program.

I would appreciate your taking this matter into consideration and I would hope that you would vote to give us the authority to act in this very narrow and procedural area. Your earliest decision on this request would be greatly appreciated.

Yours truly,

*Alan M. Barry mrc*

Alan M. Barry, Chairman

AMB:mjc

cc: James E. Dyer, Mayor



**CITY OF DANBURY**  
DEPARTMENT OF HEALTH  
254 MAIN STREET  
DANBURY, CONNECTICUT 06810

November 2, 1981

Mr. Allan M. Barry  
64 North Street  
Danbury, Connecticut 06810

Ref: Ordinance Revision Commission  
Danbury Health Department

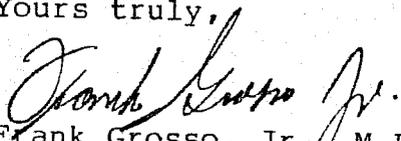
Dear Mr. Barry:

Enclosed is a summary (p.1&2) of recommended changes to Chapter 9, Health and Sanitation, of the Danbury Code of Ordinance. Following the summary is a text recommended or changes (P.3&4). I am planning to attend the ordinance revision meeting on November 12, 1981. However, I thought it would be helpful to you and the other members if our comments were provided in writing, as well.

As you will see, many of the ordinances are now covered in greater detail in state regulations and statutes (p.5,6,7,8). Most of our regulatory activity relies heavily on these universally used laws. Therefore, we feel that our enforcement capability will not be affected by deletion of ordinances which cover the same violations. In many cases, a state regulation or statute may be substituted for a deleted ordinance if it were found to be helpful or desirable.

I look forward to discussing these matters with you and the commission.

Yours truly,

  
Frank Grosso, Jr., M.P.H.  
Director of Health

tss  
Enclosure

CODE OF ORDINANCES

Chapter 9

Health and Sanitation

The following is a summary of the recommendations for revisions to the Code of Ordinances.

Article I. In General

Section 9-1 Revise (see page 3)

9-2 Revise (see page 3)

9-3 Revise (see page 3)

9-4 DELETE - Section 19-79 of the General Statutes of the State of Connecticut entitled, "Duties of Municipal Directors of Health. Nuisances and Sources of Filth. Injunctions. Civil penalties. Authority of Town Director within the city or borough", covers, in greater detail, the same provisions. (see page 5)

9-5 Revise (see page 4)

9-6 No Change

9-7 No Change

Article II. Unhealthful or Insanitary Conditions

Section 9-18 DELETE - Covered in Section 19-13-B2, Section 19-13-B21(a) and Section 19-13-B25 of the Public Health Code of the State of Connecticut. (see page 6)

9-19 DELETE

9-20 DELETE

9-21 DELETE - Covered in Section 19-13-B23 (b) of the Public Health Code of the State of Connecticut. (See page 7)

9-22 DELETE

9-23 DELETE - Covered in Section 19-13-B2 and 19-13-B21 (a) of the Public Health Code of the State of Connecticut. (see page 6)

## Summary Continued

- 9-24 DELETE - Covered in Section 19-13-B1 and 19-13-B2 of the Public Health Code of the State of Connecticut. (see page 6)
- 9-25 DELETE - Covered in Section 19-13-B20(h) of the Public Health Code of the State of Connecticut. (see page 7)
- 9-26 DELETE - Currently a function of the State Department of Environmental Protection, General Statutes 19-505 through 19-522. (see page 8)
- 9-27 DELETE - Covered much more extensively in the Public Health Code of the State of Connecticut.
- 9-28 Same as 9-27

### Article III

As per Dr. Draper's recommendation. Delete Article III. All sections addressed in Public Health Code of the State of Connecticut.

### Article IV

If this article remains, Section 9-56 should be revised as the population figures and number of representatives is not current.

### Article V

The Health Department is currently working with other city agencies to determine whether revisions are necessary for the implementation of this ordinance.

Chapter 9

HEALTH AND SANITATION

Article I. In General

Sec. 9-1. Appointment, salary, investigating authority of the Director of Health.

The common council shall appoint a director of health, who shall have full power and authority to enter into and upon all lands and buildings within the limits of the city, for the purpose of inspecting the same with reference to their sanitary condition. The director of health may issue and enforce such orders as necessary for the promotion and preservation of the health of the inhabitants of the city. The director of health shall make such investigations and examinations as he deems necessary.

Sec. 9-2 Service of Director of Health Orders.

Whenever the director of health shall issue an order, a true and attested copy thereof specifying the action to be performed, and the time limited therefor, shall be left with, or at the place or abode of the person directed to perform such action. In case such person is a nonresident or is absent from the city, a like copy left with his agent in the city or with the person occupying or having charge and care of the premises described in said order shall be sufficient notice.

Sec. 9-3 Penalty for disobeying orders, Director of Health

Every person who refuses or neglects to obey the orders of the director of health and every person who shall resist, hinder, obstruct, or abuse any agent of the director of health in the discharge of their duties, shall be punished as provided in section 1-7 of this Code.

Sec. 9-5 Penalty.

Except as otherwise provided, any person who shall violate any of the requirements or provisions of this chapter shall be punished as provided in section 1-7 of this Code, and it shall be the duty of the director of health to report every such violation to the prosecuting attorney of the circuit court, who shall prosecute the same.

**Sec. 19-79. Duties of municipal directors of health. Nuisances and sources of filth. Injunctions. Civil penalties. Authority of town director within city or borough.** (a) Town, city and borough directors of health shall, within their respective jurisdictions, examine into all nuisances and sources of filth injurious to the public health, cause such nuisances to be abated and cause to be removed all filth which in their judgment may endanger the health of the inhabitants. Any owner or occupant of any property who maintains such property, whether real or personal, or any part thereof, in a manner which violates the sections of the public health code enacted pursuant to the authority of sections 19-13 and 19-13a shall be deemed to be maintaining a nuisance or source of filth injurious to the public health. Any director of health or any qualified person authorized by him to do so may enter all places within his jurisdiction where there is just cause to suspect any nuisance or source of filth exists, and abate or cause to be abated such nuisance and remove or cause to be removed such filth.

(b) When any such nuisance or source of filth is found on private property, such director of health shall order the owner or occupant of such property, or both, to remove or abate the same within such time as the director directs. If such order is not complied with, within the time fixed by such director: (1) Such director, or any official of such town, city or borough authorized to institute actions on behalf of such town, city or borough, may institute and maintain a civil action for injunctive relief in any court of competent jurisdiction to require the abatement of such nuisance, the removal of such filth and the restraining and prohibiting of acts which caused such nuisance or filth, and such court shall have power to grant such injunctive relief upon notice and hearing; (2) the owner or occupant of such property, or both, shall be subject to a civil penalty of two hundred fifty dollars per day for each day such nuisance is maintained or such filth allowed to remain after the time fixed by the director in his order has expired, except that the owner or occupant of such property or any part thereof on which a public eating place is conducted shall not be subject to the provisions of this subdivision, but shall be subject to the provisions of subdivision (3). Such civil penalty may be collected in a civil proceeding by the director of health or any official of such town, city or borough authorized to institute civil actions and shall be payable to the treasurer of such city, town or borough, and (3) the owner or occupant of such property, or both, shall be subject to the provisions of sections 19-13, 19-93 and 19-104.

(c) If the director institutes an action for injunctive relief seeking the abatement of a nuisance or the removal of filth, the maintenance of which is of so serious a nature as to constitute an immediate hazard to the health of persons other than the persons maintaining such nuisance or filth, he may, upon a verified complaint stating the facts which show such immediate hazard, apply for an ex parte injunction requiring the abatement of such nuisance or the removal of such filth and restraining and prohibiting the acts which caused such nuisance or filth to occur, and for a hearing on an order to show cause why such ex parte injunction should not be continued pending final determination on the merits of such action. If the court finds that an immediate hazard to the health of persons other than those persons maintaining such nuisance or source of filth exists, such ex parte injunction shall be issued, provided a hearing on its continuance pending final judgment is ordered held within seven days thereafter and provided further that any persons so enjoined may make a written request to the court or judge issuing such injunction for a hearing to vacate such injunction, in which event such hearing shall be held within three days after such request is filed.

(d) In each town, except in a town having a city or borough within its limits, the town director of health shall have and exercise all the power for preserving the public health and preventing the spread of diseases; and, in any town within which there exists a city or borough, the limits of which are not coterminous with the limits of such town, such town director of health shall exercise the powers and duties of his office only in such part of such town as is outside the limits of such city or borough, except that when such city or borough has not appointed a director of health, the town director of health shall, for the purposes of this section, exercise the powers and duties of his office throughout the town, including such city or borough, until such city or borough appoints a director of

**Sec. 19-13-B1. Conditions specifically declared to constitute public nuisances.** The following conditions are specifically declared to constitute public nuisances:

(a) Bakeries, restaurants and other places where food is prepared or served that are not kept in a clean and sanitary condition; or in which persons who have any communicable disease are employed; or for which suitable toilet facilities are not provided; or in which there is evidence that rats, mice or vermin are present.

(b) Spoiled or diseased meats, whether exposed and offered for sale or being transported or kept for sale.

(c) Barns or stables, hogpens, chicken yards or manure piles or accumulations of organic material so maintained as to be a breeding place for flies.

(d) The discharge or exposure of sewage, garbage or any other organic filth into or on any public place in such a way that transmission of infective material may result thereby.

(e) Privies not screened against flies in populous districts and privies likely to pollute the ground or surface water from which water supply is obtained.

(f) Transportation of garbage, night soil or other organic filth except in tight, covered wagons which prevent leakage or access of flies.

(g) Stagnant water likely to afford breeding places for mosquitoes within a residential district or within a distance of one thousand feet therefrom.

(h) Bone boiling, fat rendering establishments, or tallow or soap works, or other trades, when they can be shown to affect public health or produce serious offense.

(i) Buildings or any part thereof which are in dilapidated or filthy condition which may endanger the life or health of persons living in the vicinity.

**Sec. 19-13-B2. Abatement of nuisance.** (a) Any local director of health, upon information of the existence of a nuisance or any pollution occurring within his jurisdiction, or when any such nuisance or pollution comes to his attention, shall, within a reasonable time, investigate and, upon finding such nuisance or pollution exists, shall issue his order in writing for the abatement of the same.

(b) Such order shall specify the nature of such nuisance or pollution and shall designate the time within which such abatement or discontinuance shall be accomplished; and, if such order is not complied with within the time specified, the facts shall be submitted to the prosecuting authority. Copies of all orders shall be kept on file by the director of health in his office and copies of the same shall be furnished the state commissioner of health on request.

**Sec. 19-13-B21. Garbage and refuse.** (a) The owner of premises upon which persons reside or which are frequented for pleasure or business shall keep such premises free from accumulations of garbage, rubbish, rags, tin cans, paper, empty barrels, boxes, or any material which, because of its character, condition or improper storage, may invite the breeding or collection of flies, mosquitoes or rodents, or which may in any other manner prejudice the public health.

**Sec. 19-13-B25. Vacant or abandoned property.** No person shall permit any vacant or abandoned property owned or controlled by him to be or to remain in such a condition as to permit or invite the creation of nuisance or other abuses prejudicial to public health.

**Sec. 19-13-B23. Keeping of animals.** (a) No pigsty shall be built or maintained on marshy ground or land subject to overflow, nor within three hundred feet of any inhabited house or public meeting house upon property other than that of the proprietor of the pigsty.

(b) The carcass of any dead animal not killed for food shall be removed and disposed of within twenty-four hours after death by burial, incineration or other method approved by the local director of health.

**Sec. 19-13-B20h. Septic Tank Capacities.**

(a) The minimum liquid capacities of septic tanks serving residential buildings shall be based on the number of bedrooms in the building, in accordance with the following requirements:

Three bedrooms or less, one thousand gallons;

Larger sizes, add two hundred and fifty gallons per additional bedroom.

(b) The minimum liquid capacity of septic tanks serving non-residential buildings shall be equal to the twenty-four hour estimated sewage flow. In no case shall a septic tank be installed with a liquid capacity of less than one thousand gallons. In cases of non-residential buildings which are subject to high peak sewage flows, the liquid capacity of the septic tank shall be increased, as required by the director of health or the state department of health services.

## AIR POLLUTION CONTROL

**Sec. 19-505. Definitions.** As used in this chapter, unless the context requires a different meaning: "Air pollution" means the presence in the outdoor atmosphere of one or more air pollutants or any combination thereof in such quantities and of such characteristics and duration as to be, or be likely to be, injurious to public welfare, to the health of human, plant or animal life, or to property, or as unreasonably to interfere with the enjoyment of life and property; "commissioner" means the commissioner of environmental protection or any member of the department of environmental protection or any local air pollution control official or agency authorized by him, acting singly or jointly, to whom he assigns any function arising under the provisions of this chapter or of any regulations adopted hereunder; "person" includes every individual, firm, partnership, association, syndicate, company, trust, corporation, municipality, and any other legal entity; "municipality" means any town, city or borough.

(1967, P.A. 754, S. 1; 1969, P.A. 758, S. 1; 1971, P.A. 872, S. 11; 1972, P.A. 45, S. 1.)

**Sec. 19-506. Clean air commission.** Section 19-506 is repealed.

(1967, P.A. 754, S. 2; 1969, P.A. 758, S. 2; 1971, P.A. 872, S. 20.)

**Sec. 19-507. Duties of commissioner of environmental protection.** The commissioner shall (a) initiate and supervise programs for the purposes of determining the causes, effect and hazards of air pollution; (b) initiate and supervise statewide programs of air pollution control education; (c) cooperate with and receive money from the federal government and, with the approval of the governor, from any other public or private source; (d) adopt, amend, repeal and enforce regulations as provided in section 19-508 and do any other act necessary to enforce the provisions of this chapter and section 14-100c; (e) advise and consult with agencies of the United States, agencies of the state, political subdivisions and industries and any other affected groups in furtherance of the purposes of this chapter.

(1967, P.A. 754, S. 3; 1969, P.A. 758, S. 3; 1971, P.A. 872, S. 12.)

**Sec. 19-507a. Consultation by commissioner with other state officials.** The commissioner of transportation and the commissioner of economic development shall consult with the commissioner on plans for the location of highways and for industrial development with respect to the effect of such plans on the incidence of air pollution in the state.

(1969, P.A. 758, S. 5; P.A. 77-614, S. 284, 587, 610; P.A. 78-303, S. 85, 136; P.A. 80-483, S. 83, 186.)

**Sec. 19-507b.** Transferred to Chapter 361a, Sec. 19-524l.

**Sec. 19-507c. Insured mortgage payments on new equipment used for air pollution control.** The Connecticut development authority may, upon application of the proposed mortgagee, insure and make advance commitments to insure mortgage payments required by a first mortgage on new machinery, equipment and buildings for the primary purpose of reducing, controlling or eliminating air pollution, certified as approved for such purpose by the commissioner of environmental protection, upon such terms and conditions as the Connecticut development authority may prescribe in accordance with the provisions of chapter 579.

(1969, P.A. 758, S. 21; 1971, P.A. 872, S. 15; P.A. 74-338, S. 49, 94.)

**Sec. 19-507d.** Transferred to Chapter 361a, Sec. 19-524h.

**Sec. 19-508. Powers of the commissioner. Exemptions.** (a) The commissioner, in the manner provided in subdivision (1) of section 22a-6, shall have the power to formulate, adopt, amend and repeal regulations to control and prohibit air pollution throughout the state or in such areas of the state as are affected thereby, which regulations shall be consistent with the Federal Air Pollution Control Act and which qualify the state and its municipalities for available federal grants. Any person heard at the public hearing on any such regulation shall be given written notice of the determination of the commissioner.

(b) The commissioner shall have the power to employ technical consultants for special studies, advice and assistance; to consult with and advise and exchange information with other departments or agencies of the state.

(c) The commissioner shall have the power, in accordance with regulations adopted by him, (1) to require that a person, before undertaking the construction, installation, enlargement or establishment of a new air contaminant source specified in the regulations, adopted under subsection (a), submit to him plans, specifications and such information as he deems reasonably necessary relating to the construction, installation, enlargement, or establishment of such new air contaminant source; (2) to issue a permit approving such plans and specifications and permitting the construction, installation, enlargement or establishment of the new air contaminant source in accordance with such plans, or to issue an order requiring that such plans and specifications be modified as a condition to his approving them and issuing a permit allowing such construction, installation, enlargement or establishment in accordance therewith, or to issue an order rejecting such plans and specifications and prohibiting construction, installation, enlargement or establishment of a new air contaminant source in accordance with the plans and specifications submitted; (3) to require periodic inspection and maintenance of combustion equipment and other sources of air pollution; (4) to require any person to maintain such records relating to air pollution or to the operation of facilities designed to abate air pollution as he deems necessary to carry out the provisions of this chapter and section 14-100c.

(d) The commissioner shall have all incidental powers necessary to carry out the purposes of this chapter and section 14-100e.

(e) As used in this subsection, "contiguous" means abutting or adjoining without consideration of the actual or projected existence of roadways, walkways, plazas, parks or other minor intervening features; "indirect source" means any building, structure, facility, installation or combination thereof, that has or leads to associated activity as a result of which any air pollutant is or may be emitted. The commissioner shall not require the submission of plans and specifications under indirect source regulations adopted pursuant to subdivisions (1) and (2) of subsection (c) of this section for proposed construction to be undertaken within a redevelopment area or urban renewal project, as defined in chapter 130, provided (1) the proposed construction is pursuant to a plan for such redevelopment area or urban renewal project adopted pursuant to section 8-127 prior to October 1, 1974, or to a modification of such plan, (2) the proposed construction is part of a contiguous, single purpose or multipurpose development or developments and (3) site clearance or construction had commenced on a portion of the site of such development or developments prior to October 1, 1974, nor shall the commissioner issue any order pursuant to subdivision (1) of subsection (c) of this section pertaining to the enforcement of indirect source regulations with respect to such proposed construction within such redevelopment areas and urban renewal projects. In the event that the modification of any such plan after October 1, 1974, would result in the proposed construction generating substantially more motor vehicle traffic than would have been generated prior to such modification, the submission of plans and specifications shall be required for such proposed modification. The commissioner shall not require the renewal of an indirect source operating permit issued in accordance with subsection (c) of this section unless such indirect source no longer conforms with plans, specifications or other information submitted to said commissioner in accordance with said subsection (c).

(f) The commissioner shall allow residents of any municipality, by permit, to burn brush on the property where they reside, except (1) when national or state ambient air quality standards may be exceeded; (2) where a hazardous health condition might be created; (3) when the forest fire danger in the area is identified as extreme and where woodland or grass land is within one hundred feet of the proposed burn; (4) where there is an advisory of any air pollution episode; and (5) where prohibited by an ordinance of the municipality.

(g) The commissioner shall require, by regulations adopted in accordance with the provisions of chapter 54, the payment of a permit application fee sufficient to cover the reasonable costs of reviewing and acting upon an application for any permit required pursuant to this section.

(1967, P.A. 754, S. 4; 1969, P.A. 758, S. 4; 1971, P.A. 872, S. 17; P.A. 75-453, S. 1, 2; P.A. 76-232, S. 1, 3; P.A. 77-252, 77-604, S. 16, 84; P.A. 79-177.)

Cited. 36 CS 74, 77, 88.

**Sec. 19-508a. Violation of regulations and orders.** (a) Any person who violates any provision of section 19-508 or any regulation adopted pursuant thereto, pertaining to burning in the open air shall be fined not more than fifty dollars for the first violation or not more than two hundred dollars for each subsequent violation.

(b) Any person who violates an order of the commissioner of environmental protection, issued pursuant to section 19-517 shall be fined not less than two hundred fifty dollars nor more than one thousand dollars or imprisoned not more than six months, or both, for each offense. Each violation shall be a separate and distinct offense and, in the case of a continuing violation, each day's continuance thereof shall be deemed to be a separate and distinct offense.

(1969, P.A. 751, S. 9; 1972, P.A. 103, S. 1; P.A. 76-232, S. 2, 3.)

See Sec. 19-524m for former section 19-508a.

**Sec. 19-509. Regulations as part of public health code.** Section 19-509 is repealed.

(1967, P.A. 754, S. 15; 1971, P.A. 872, S. 20.)

**Sec. 19-510. Considerations in making regulations and issuing orders.** The commissioner in making regulations and issuing orders and in enforcing the provisions of this chapter shall take into consideration all of the facts and circumstances bearing on the reasonableness of the activity involved and the regulations proposed to control it, including: (a) The character and degree of injury to, or interference with, safety, health or the reasonable use of property which is caused or threatened to be caused; (b) the social and economic value of the activity involved; (c) the suitability or unsuitability of such activity to the area in which it is located; and (d) the practicability, both scientific and economic, of reducing or eliminating the discharge resulting from such activity. In all cases the commissioner shall exercise a wide discretion in weighing the equities involved and the advantages and disadvantages to the residents of the area involved and to any lawful business, occupation or activity involved resulting from requiring compliance with the specific requirements of any order or regulation.

(1967, P.A. 754, S. 5; 1971, P.A. 872, S. 19.)

**Secs. 19-511 to 19-513. Enforcement of regulations; complaints. Hearings. Investigation of complaints.** Sections 19-511 to 19-513, inclusive, are repealed.

**Sec. 19-513a. Enforcement of regulations. Complaints.** The commissioner shall enforce all regulations adopted by him. The commissioner, in the case of any written complaint or upon his own initiative, shall have the power to enter and inspect any building or place, except a private residence, for the purpose of investigating sources of air pollution and ascertaining compliance with any such regulation. The commissioner may apply to any court having criminal jurisdiction over such building or place, for a warrant to inspect such premises to determine compliance with such regulations or sources of air pollution. All information gained by such inspection shall be kept confidential except as it relates directly to air pollution. If samples are taken for analysis, a duplicate of the analytical report shall be furnished promptly to the person suspected of causing air pollution.

(1969, P.A. 758, S. 7; 1971, P.A. 872, S. 21; P.A. 73-537, S. 1, 3.)

**Sec. 19-514. Orders to correct violations. Filing on land records. Hearing.**

(a) If the commissioner finds that a violation of a regulation exists, he shall issue a written order against the person alleged to be committing such violation and shall cause a true copy thereof to be served upon such person by certified mail with return receipt requested or by a sheriff or indifferent person, and the original thereof, with a return of such service endorsed thereon, shall be filed with the commissioner. Such order shall specify the nature of the violation and specify a reasonable period of time within which such person shall take such measures as will correct or remedy any such violation.

(b) Unless such person files a written answer thereto within thirty days after the date of service and requests a hearing thereon before the commissioner, such order shall become effective. A person may request a hearing upon an order of the commissioner requiring the modification of plans and specifications for the construction, installation, enlargement, or establishment of a new air contaminant source, or rejecting such plans and specifications and prohibiting such construction, installation, enlargement or establishment. Upon receipt of such request, the commissioner shall grant a hearing as soon thereafter as is practicable. The request for a hearing as provided for in this section shall be a condition precedent to the taking of an appeal by any person under the provisions of section 19-518. The testimony at the hearing shall be under oath and recorded stenographically or by a sound-recording device, but the parties shall not be bound by the strict rules of evidence in courts of law at such hearing. True copies of the transcript and of any other record made of or at such hearing shall be furnished to the respondent at his request and at his expense.

(c) When the commissioner issues an order to any person pursuant to this section, he shall cause a certified copy or notice thereof to be filed on the land records in the town wherein the land is located, and such certified copy or notice shall constitute a notice to the owner's heirs, successors and assigns. When the order has been fully complied with or revoked, the commissioner shall issue a certificate showing such compliance or revocation, which certificate the commissioner shall cause to be recorded on the land records in the town wherein the order was previously recorded.

**Sec. 19-515. Action on order after hearing.** After such hearing, the commissioner shall determine whether the person against whom such order has been issued is violating any regulation of the commissioner and the appropriateness of such order, and he shall affirm, modify or revoke such order in his discretion and shall so notify such person by certified mail. Any information as to secret processes or methods shall be kept confidential.

(1967, P.A. 754, S. 10; 1971, P.A. 872, S. 23.)

**Sec. 19-516. Penalty for violations of orders. Injunction.** In addition to those penalties provided by section 19-508a, any person who violates an order of the commissioner shall be liable for a penalty not to exceed five thousand dollars per week, commencing the tenth day after the expiration of the time fixed for the taking of preventative or corrective measures in the order. The penalty may be collected in a civil action in the superior court for the judicial district wherein the pollution originates. In addition, the commissioner may institute a civil action in any court of competent jurisdiction for injunctive relief to prevent any further violation of his order. Said court shall have the power to grant such injunctive relief upon notice and hearing.

(1967, P.A. 754, S. 11; 1969, P.A. 758, S. 9; 1971, P.A. 872, S. 24; 1972, P.A. 103, S. 3; P.A. 78-280, S. 2, 127.)

**Sec. 19-517. Emergency action.** Notwithstanding the provisions of this chapter or any other provisions of law, if the commissioner finds that an air pollution emergency exists caused by adverse meteorological conditions, such as an inversion or a stagnant high pressure system, which requires immediate action to protect the public health or safety, he may order any person causing air pollution to reduce or discontinue air pollution immediately. If under any circumstances the commissioner finds any person is causing air pollution to such an extent as to require immediate action to protect the public health or safety, he may order such person to reduce or discontinue the air pollution immediately. Upon the issuance of any such order, the commissioner shall fix a place and time, not later than forty-eight hours thereafter, for a hearing to be held before him. Not more than twenty-four hours after the conclusion of such hearing, and without adjournment thereof, the commissioner shall affirm, modify or set aside his order.

(1967, P.A. 754, S. 12; 1971, P.A. 872, S. 25; 1972, P.A. 103, S. 4.)

**Sec. 19-518. Appeals. Exception.** (a) Any person whose interest is substantially affected by the entry of any order or decision of the commissioner other than an order under section 22a-6b, may appeal therefrom except venue for such appeal shall be in the judicial district wherein the major portion of the affected property lies in accordance with the provisions of section 4-183.

(b) Within thirty days of the receipt of notice under section 19-515, any person aggrieved by the order of the commissioner may appeal therefrom in accordance with the provisions of section 4-183, except that the court may hear such appeal, by itself or a committee and the court shall have the authority to enter such pendente lite orders as it deems to be in the best interests of public health and safety taking into consideration the standards set forth in section 19-510. Such appeal shall have precedence in the order of trial as provided in section 52-192.

(c) An appeal may be taken to the supreme court, from a final order or decree of the superior court under the provisions of this chapter, said appeal to be taken in accordance with the provisions of section 51-197b.

(1967, P.A. 754, S. 13; 1969, P.A. 758, S. 10; 1971, P.A. 870, S. 53; 872, S. 26; 1972, P.A. 103, S. 5; P.A. 73-665, S. 6, 17; P.A. 74-183, S. 235, 291; P.A. 76-436, S. 204, 681; P.A. 77-603, S. 56, 125; P.A. 78-280, S. 1, 127.)

**Sec. 19-519. Permit for exemption from regulations.** (a) Any person who owns or is in control of any plant, building, structure, process or equipment may apply to the commissioner for a permit granting an exemption or partial exemption from regulations issued pursuant to this chapter governing the quality, nature, duration or extent of discharges of air pollutants. The application shall be accompanied by, or the applicant shall furnish, such information and data as the commissioner may require. The commissioner may grant such permit if he finds that the discharges occurring or proposed to occur do not constitute a danger to public health or safety, and compliance with the regulations from which exemption is sought would produce practical difficulty or hardship without equal or greater benefits to the public.

(b) No permit shall be granted pursuant to this section except after public hearing by the commissioner and until the commissioner has considered the relative interests of the applicant, owners of other property likely to be affected by the discharges, and the general public, as specified in section 19-510.

(c) The exemption or partial exemption granted by any permit pursuant to this section may be limited in duration in the discretion of the commissioner.

(1967, P.A. 754, S. 14; 1969, P.A. 758, S. 11; 1971, P.A. 872, S. 27.)

**Sec. 19-519a. Causing of air pollution prohibited. Permits for air contaminant sources.** No person shall cause air pollution in violation of any provisions of this chapter or section 14-100c or of the regulations adopted hereunder; no person shall construct, install, enlarge, or establish a new air contaminant source specified in regulations adopted by the commissioner without a permit issued by the commissioner, or in violation of an order of said commissioner.

(1969, P.A. 758, S. 6.)

**Sec. 19-520. Municipal districts for control of air pollution.** Section 19-520 is repealed.

(1967, P.A. 754, S. 14; 1969, P.A. 758, S. 26.)

**Sec. 19-520a. Municipal districts for control of air pollution.** Upon approval of the commissioner, any municipality, pursuant to ordinance, may join with any other municipality or combination thereof, in the formation of a district for the control of air pollution. Any municipality or such district may adopt ordinances or regulations for the control of air pollution within its territorial limits. Such ordinances or regulations may embody the regulations promulgated hereunder, in whole or in part, or may consist of other ordinances or regulations in conformity with the regulations promulgated hereunder. No such ordinance or regulation shall be effective until fifteen days after approval by the commissioner. If the commissioner fails to act upon such ordinances or regulations within sixty days after submission to him, such ordinances or regulations shall be deemed to

be approved. In acting upon such ordinances or regulations the commissioner shall give due consideration to the standards set forth in section 19-510. Nothing contained in this section shall be construed to prevent the enforcement of any municipal ordinance or regulation for the control of air pollution not in conflict with this chapter or any regulations promulgated hereunder, which ordinance or regulation was adopted by the legislative body of any municipality prior to July 6, 1967. Subject to the approval of the commissioner, nothing contained in this section shall prohibit a municipal ordinance or regulation from imposing stricter controls than the regulations promulgated hereunder.

(1969, P.A. 758, S. 12; 1971, P.A. 872, S. 28.)

**Secs. 19-521 and 19-522. Local regulations. Enforcement of prior municipal ordinances and regulations. Sections 19-521 and 19-522 are repealed.**



**CITY OF DANBURY**  
DEPARTMENT OF HEALTH  
254 MAIN STREET  
DANBURY, CONNECTICUT 06810

November 2, 1981

TO: Frank Grosso, Jr.  
Director of Health

FROM: Paul Schierloh *PS*  
Housing Planner

RE: Suggested Housing Code revisions.

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Attached please find the changes to the Housing Code that I would suggest be made. A brief explanation of the need for the change, addition or deletion follows each suggestion.

I would be happy to discuss these suggestions with you or anyone else you feel should be consulted.

Section 10-3(A) (3)

Change to:

Every owner of a dwelling or dwelling unit shall supply facilities or refuse containers for the sanitary and safe storage and/or disposal of rubbish and garbage, and shall arrange for the removal of rubbish and garbage in an approved manner.

*Regular*

Reasons:

While the present code makes reference to the provision of trash receptacles, it does not designate responsibility for trash removal. This has created problems in enforcement since improper trash removal is a common nuisance complaint. The suggested amendment will also bring the code into conformity with the State Landlord-Tenant Act in this regard.

Section 10-3(A) (7)

Amend to the following:

- a. The owner of a dwelling unit shall be responsible for installing all screen windows or doors. Maintenance or replacement of screens, once properly installed, becomes the responsibility of the occupant.
- b. Storm doors and windows may be installed by the owner in order to comply with the requirements of Section 10-4(2). The maintenance or replacement of such storm doors and windows, once properly installed, becomes the responsibility of the occupant.

Reasons:

Eliminates questionable wording of existing section and clearly defines responsibility for replacement of broken or missing screens and storms.

Section 10-4(5)

Change in wording recommended. Amend to:

(5) No paint or other covering which does not conform to the standards of the American National Standards Institute, Inc.'s Z66.1-1964 (relating to liquid coating materials deemed suitable, from a health standpoint, for use on articles such as furniture, toys, etc., or for interior use in dwelling units where the dry film might be ingested by children) shall be used on any surface of any building used or intended to be used in whole or in part for human habitation which is accessible to children. Furthermore this paint:

(a) Shall not contain lead compounds of which lead content (calculated as Pb) is in excess of 0.5 per cent of the total weight of the contained solids (including pigments, film solids, and driers);

(b) Shall not contain compounds of antimony, arsenic cadmium, mercury, or selenium of which the metal content individually or in total (calculated as Sb, As, Cd, Hg, Se, respectively) is in excess of six-hundredths (0.06) per cent by weight of the solids (including pigments, film solids, and driers);

(c) Shall not contain barium compounds of which the water-soluble barium (calculated as Ba) is in excess of one (1) per cent of the total barium in such coatings.

Where the director of health finds that the presence of cracked, chipped, blistered, flaking, loose, or peeling paint in or on any building used or intended to be used for human habitation constitutes a health hazard, or where upon inspection he discovers surfaces accessible to children to be coated with paint which does not conform with the standards set forth in this section, he shall issue an order to the owner of the property upon which such hazard exists to eliminate such hazard under such safety conditions as he may approve. Such paint shall be completely removed from any surface which can be chewed or eaten by children or is otherwise accessible to children. In lieu of removable of such paint, such surface shall be covered with a durable material or substance approved by the director of health. Repainting of any surface without prior removal of hazardous paint thereon or prior preparation of any surface in accordance with such conditions as the director of health may approve shall not be deemed to be satisfactory compliance with this section.

Reason:

This change in wording ties enforcement to the director's determination of whether a health hazard exists. The mere presence of flaking paint will not be supported by the courts as a violation - there must be a health risk demonstrated. The revised wording will not weaken the provision, rather it will make the section more enforceable and provide the director with the discretion to act when a health risk is found. This will also be in conformance with State Health Department policy and the state statutes governing lead-based paint. Also, a printing error in the text will be corrected.

Section 10-8

Addition:

Add the following line:

"In the case of fuel oil and bottled gas; where there exists only one source of supply servicing two or more dwelling units in a building, the landlord thereof shall assume responsibility for the continuance of the service."  
*owner*

Reason:

We have encountered situations where disputes and disruptions in service have occurred where one oil tank serves two apartments. An innocent tenant is forced to suffer when the other tenant fails to live up to his agreement to supply his fair share of fuel oil. The addition of this provision will resolve this, and provide a mechanism whereby we can insure that service will not be interrupted to the building.

Section 10-9 (3)

Suggest this section be amended as follows:

"Not more than one family plus one boarder, excluding domestic servants, shall occupy a dwelling unit unless a license for operating a rooming house has been granted by the director of health. Further, a group of not more than four persons not directly related by blood or marriage shall occupy a dwelling unit unless a license for operating a rooming house has been granted by the director of health."

Reasons:

This section must be amended since, as it now stands, it is in conflict with the definition of a rooming house contained in Section 10-2. The definition of the rooming house limits the number of unrelated persons to a total of four before a license is required. Section 10-9(4) thus presents a problem since a "family" can be, according to the definitions, made up of three unrelated persons, meaning that "a family plus four boarders" could result in seven unrelated persons in a "shared" living arrangement. This is clearly not desirable and is in conflict with Section 10-2. This conflict must be eliminated in order to prevent any legal challenge to enforcement of these provisions.

Section 10-11(1) (f)

Amend wording as follows:

"No operating license shall be issued or renewed for a non-resident applicant unless he designates in writing a resident agent living on the premises for receipt of service of correspondence and orders of abatement pertaining to violations of the provisions of this article, and for service of process pursuant to this article. Subject to the director's approval, the director of health may be designated as agent for this purpose."

Reason:

Present code provides only for designation of director of health as agent, which is not the preferred arrangement as far as enforcement is concerned. The change will provide for designating an agent on the premises who can be readily accessible for emergency situations and service of orders.

Section 10-11(1) (m)

Amend to following:

"Any person who has been denied an operating license or whose license has been suspended shall be entitled to a formal hearing in the manner provided for appeals from orders of the Director of Health in Danbury Code of Ordinances Section 10-21. If no request for a conference or hearing reaches the director of health within two (2) days following receipt of the order for suspension, the license may be revoked, except that prior to revocation any person whose license has been suspended may request reinspection upon showing that the violations cited in the order have been corrected."

## Reason:

Corporation Counsel has suggested this amendment to correct a flaw in the present code. While the code provides for appeal of a license suspension, it does not provide for an appeal of a denial to issue a license.

## Section 10-13(9)

Delete

## Reason:

This section should be eliminated since it serves no useful purpose. The conversion or creation of new dwelling or rooming units is already under the jurisdiction of the Building Department. The building codes cover the same items as the housing code, and, in fact, contain much stricter and more thorough regulations. This means that this section of the housing code is redundant and unnecessary.

## Section 10-17

Penalties for violation of abatement order-  
Change to:

"Any owner, owner's agent, or occupant who has not complied with an order of abatement shall be subject to the penalties provided for in Section 1-7 of the Danbury Code of Ordinances, provided that no such penalty shall be applicable while a reconsideration, hearing, or appeal to a court of competent jurisdiction is pending in the matter."

## Reason:

This change enables us to utilize the summons process in cooperation with the police department to allow for fines to persistent violators who ignore our order of abatement. The present criminal penalties provision is ineffective since our cases cannot gain access to the courts through the prosecutors as criminal matters. The summons system will provide for more direct punishment in the form of fines while eliminating the need to go through the prosecutor's office.

We would also still have recourse to criminal prosecution if desired for the more serious violations that are covered under the Connecticut General Statutes. Through the summons system we would gain more direct punishment capability, greater access to the justice system when needed, and more timely response when orders are ignored by either landlords or tenants. The latter is especially important in cases that concern the public more directly - such as garbage accumulation.

Addition to Section 10-17 to follow preceding amendment:

"Enforcement of the penalty provisions of Section 1-7 shall not preclude the right of the City of Danbury to seek civil penalties of up to one hundred dollars per day for each day the violation continues after expiration of the specified time granted by the order; provided that no such penalty shall be applicable while a reconsideration, hearing or appeal to a court of competent jurisdiction is pending in the matter."

Reason:

This will leave open the possibility of the City filing suit against a violator for damages in cases where there are an extensive number of violations. This provision should be reviewed by corporation counsel to see whether it is viable.

Section 10-19(f)  
10-19(g)

Eliminate

Reason:

Authority for ordering demolition of structures is vested in the Building Inspector under the Connecticut Building Code, meaning that this section of the code is unenforceable as far as the Health Department is concerned. Once a dwelling is placarded by the Health Department, the Building Department is notified in writing and appropriate follow-up is instituted by the Building Department. It should also be pointed out that not all placarded structures should be demolished. Many are salvageable and rehabilitation of these structures should be encouraged in light of the area's shortage of housing.

Codifying the previously-stated department policy may be desirable through the substitution of the following section:

New Section 10-19(f):

"Whenever any dwelling, rooming house or hotel has been placarded as unfit for occupancy, the director of health shall notify the building department in writing so that appropriate action may be taken to secure or demolish the placarded structure in accordance with the laws and regulations of the City of Danbury and State of Connecticut."

**Sec. 1-6. Severability of parts of Code.**

If any phrase, clause, sentence, paragraph, or section of this Code shall be declared unconstitutional, invalid or unenforceable by the valid judgment or decree of any court, such unconstitutionality shall not affect any of the remaining provisions of this Code.

**Sec. 1-7. General penalty.**

Wherever in this Code or in any ordinance of the city an act is prohibited or is made or declared to be unlawful or an offense or misdemeanor, or wherever in such code or ordinance the doing of an act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision of this Code or any such ordinance shall be punished by a fine not exceeding fifty dollars. Each day's violation of any provision of this Code or of any ordinance shall constitute a separate offense.

**Sec. 1-8. Altering Code.**

It shall be unlawful for any person to change or amend by additions or deletions, any part of this Code of Ordinances or any ordinance of the city, or to insert or delete pages or portions thereof, or to alter or tamper with such Code or ordinance in any manner whatsoever with intent that any provision of this Code or other ordinance of the city shall be misrepresented or with intent to commit a fraud thereby.



**Sec. 51-164n. Procedure upon summons for infraction. Burden of proof and fine upon trial.** (a) Except as provided in section 51-164o, any person who is alleged to have committed an infraction may plead not guilty as provided for in section 54-2b or pay the established fine and any additional fee for such infraction, by mail or otherwise, to the clerk of the superior court. If such person pleads not guilty, he shall be advised of a date certain for a hearing. If such person elects to pay the fine and any additional fee established for such infraction, by mail or otherwise, such payment shall be considered a plea of nolo contendere and shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of the person making such payment, provided the provisions of this section and section 51-164m shall not affect the application of any administrative sanctions by the commissioner of motor vehicles authorized under title 14. A summons for the commission of an infraction shall not be deemed to be an arrest and the commission of an infraction shall not be deemed to be an offense within the meaning of section 53a-24. The provisions of this section shall apply to the alleged commission of an infraction by a minor; provided a parent or guardian shall sign any summons issued in connection therewith.

(b) In any trial for the alleged commission of an infraction, the practice, procedure, rules of evidence and burden of proof applicable in criminal proceedings shall apply. Any person found guilty at such trial or upon a plea shall be guilty of the commission of an infraction and shall be fined not more than ninety dollars.

(P.A. 75-577, S. 2, 126; P.A. 76-436, S. 40, 681; P.A. 77-340, S. 2; P.A. 79-534, S. 3.)

**Sec. 51-164o. Procedure for nonresidents.** Any person not a resident of this state, if summoned for allegedly having committed an infraction, shall not be permitted to plead or pay by mail as provided in section 51-164n, but, such nonresident shall be required to post a cash bond or a guaranteed bail bond certificate, as provided in section 14-140a, with the local or state police issuing such summons; except, if such nonresident is alleged to have committed an infraction involving a motor vehicle and he is a resident of a state which has reciprocity with the commissioner of motor vehicles in this state with respect to suspension of operator's licenses, such nonresident may plead or pay by mail as provided in section 51-164n. The amount of any bond required by this section shall be the amount of the fine and any additional fee established for the infraction alleged to have been committed; provided the amount of bond for any such person who is summoned for allegedly having committed an infraction under section 14-219 shall also include a cost of fifteen dollars imposed by subsection (b) of section 54-143.

(P.A. 75-577, S. 2, 126; P.A. 79-534, S. 4; P.A. 80-276, S. 5, 6; P.A. 81-182, 186.)

**Sec. 51-164p. Violations of municipal ordinances, regulations and bylaws.** Notwithstanding any provision of any special act, local law or the general statutes to the contrary, any violation of any ordinance, regulation or bylaw of any town, city or borough, except violations of local fire codes and the local codes, for which the penalty does not exceed ninety dollars, shall be an infraction as provided for in section 54-143 and in 51-164n.

**Sec. 51-164q. Certain violations.** Sections 10-144, 13a-162, 14-131, 14-98, 14-145, 14-161, 14-223, 14-276a, 14-277, 14-279, 14-280, subsequent violation for which a fine of ninety dollars, shall be deemed an infraction under section 51-164n.

(P.A. 75-577, S. 124, 126; P.A. 79-534, S. 7.)

**Sec. 51-164r. Failure to pay fine.** Any person who fails to pay the fine and any additional fee for such infraction, or pleads not guilty by the answer date or to appear for trial, shall be deemed guilty of a class C misdemeanor.

(P.A. 76-381, S. 2; P.A. 79-534, S. 5.)

**Sec. 51-164s. Superior court divisions.** The superior court, court of common pleas and juvenile court of original jurisdiction for which the courts of probate have jurisdiction heretofore conferred upon the courts of common pleas and the juvenile court prior to July 1, 1978.

(P.A. 76-436, S. 1, 681.)

**Sec. 51-164t. Composition of divisions.** The superior court shall consist of such divisions as may be determined by the rules of the superior court to insure the most efficient operation of the courts. The court shall assign to each such division or part thereof such judges as may be deemed advisable and shall designate the hours of operation at such times and localities as he deems necessary, taking into consideration the convenient and efficient use of courthouse personnel.

(P.A. 76-436, S. 2, 186, 681.)

**Sec. 51-164u. Transfer of matters.** All matters pending in the juvenile court as of July 1, 1978, shall be transferred to the superior court on and after July 1, 1978.



CITY OF DANBURY  
DEPARTMENT OF CIVIL PREPAREDNESS  
CITY HALL, 155 DEER HILL AVENUE  
DANBURY, CONNECTICUT 06810  
(203) 797-4630

PETER P. WINTER  
CHIEF OF OPERATIONS

14 October 1981

Attorney Alan Barry, Chairman  
Ordinance Revision Commission  
City of Danbury  
Danbury, Connecticut 06810

Dear Sir:

As we enter the decade of the eighties, disasters pose a greater threat to cities than ever before. The dangers they present are not only large but potentially complex and increasingly frequent.

The responsibility to respond to any and all disasters lies appropriately with city government. The resources owned by the city government are normally the closest at hand and can be activated most expeditiously in an emergency.

Our Emergency Management Program strives to utilize existing resources in a more efficient and effective manner, rather than seek more resources and additional programs.

Although we have organized the city departments for response to our Emergency Operations Plan and have been operating this way for quite a period of time, we request that you review the proposed attached changes to Chapter 6A, Civil Preparedness, Code of Ordinances, City of Danbury, Connecticut. These changes will, we believe, prove to be a key element and a determining factor in the successful resolution in both our planning and response to any disaster.

A major portion of the current ordinance was effected in 1965, by updating and improving these ordinances, the Department of Civil Preparedness under the direction of the Mayor, will improve the effectiveness of the city's emergency management system.

We will be pleased to meet with your committee and answer any questions to help clarify our requests.

Thank you.

Sincerely yours,

Peter P. Winter  
Chief of Operations

Enclosure

Chapter 6A  
Civil Preparedness

Sec. 6A - Department of Civil Preparedness

The Civil Preparedness Department shall be comprised of the Chief Executive of the City, the Chief of Operations, three Deputy Chief of Operations, a secretary, a clerk typist and an advisory council as provided by law and such divisions necessary to fulfill the Civil Preparedness functions.

Sec. 6A-1 - Definition

As used in this chapter.

- a. Civil Preparedness shall mean all activities other than those for which military forces are primarily responsible, connected with the preparation or execution of the extent for controlling or minimizing the effects of any impending or actual disaster originating by either manmade or natural causes.
- b. Civil Preparedness forces means any organized personnel engaged in carrying out Civil Preparedness functions in accordance with this chapter or of the General Statutes, Chapter 517, Sec. 28-1 through 28-22. All police and fire forces including all auxiliaries of these forces shall be construed to be part of the Civil Preparedness forces.
- c. Civil Preparedness Emergency shall mean an emergency declared by the Mayor, the Governor of the State or other duly authorized authority in the event of an impending or actual disaster.
- d. Mobile Support Unit shall mean an organization of Civil Preparedness forces in accordance with provisions of State Statute Chapter 517, Sec. 28-1, and be dispatched by the Mayor upon orders of the Governor to supplement Civil Preparedness in a stricken area.

Sec. 6A-1.1 - Duties of the Chief of Operations

The Chief of Operations shall be responsible for the organization, administration and operations of Civil Preparedness within the City subject to the direction and control of the Mayor; to coordinate planning and response actions by City departments and Civil Preparedness divisions and in addition, to such other duties that may be assigned by the Common Council.

Sec. 6A-2 - Divisions

The divisions of the department shall consist of the following:

- a. Fire-Rescue and Emergency Services.
- b. Police
- c. Warning and Communications
- d. Public Works
- e. Radiological Detection and Weapon Effects
- f. Health and Medical including chemical and biological detection
- g. Emergency Welfare

h. Resources.

i. Intelligence.

j. Such other divisions as may be deemed essential to carry out Civil Preparedness functions.

Sec. 6A-3 - Advisory Council - Composition

a. Heads of City Departments.

b. Representatives of Northeast Utilities and Southern New England Telephone Company.

c. Representatives of the Clergy.

d. Representatives of the local Red Cross Chapter and Salvation Army.

e. Superintendent of public schools.

f. Administrator of Danbury Hospital.

Sec. 6A-4 - Same-Duties

The duties of the advisory council shall be to act in an advisory capacity when requested by the Mayor and/or Chief of Operations with respect to policy, plans or operations.

Sec. 6A-5 - Cooperation between Chief of Operations and other city departments.

The Chief of Operations shall utilize the personnel, services, equipment, supplies and facilities of existing departments, offices, buildings/facilities and agencies of the city which may be organized to the maximum extent possible. The department head of each department or agency in cooperation with the Chief of Operations shall be responsible for the planning and emergency plans that will involve the facilities of his department or agency and carry out such plans whenever necessary for the safety and welfare of the city, state or nation.

Sec. 6A-6 - Additional Departmental Duties.

The department shall operate and maintain an Emergency Operations Center as required by the State Emergency Plan and the City's Emergency Operations Plans. The department will operate the Civil Preparedness Rescue Headquarters and Training School; and will operate and maintain all vehicles assigned to Civil Preparedness.

Sec. 6A-7 - Appropriation for salaries and operational expenses.

In accordance with statutory authority and in accordance with the provisions of the Charter the Common Council shall make appropriations by the budget process for the payment of salaries and expenses to operate said department.

Sec. 6A-8 - Benefits, immunities for personnel.

All Civil Preparedness personnel shall have such benefits and immunities as provided by law both under the General Statutes of Connecticut, Revision Title 28 as amended and the City Charter as amended.

Sec. 6A-9 - Civil Preparedness Emergency - Authority to Mayor to declare.

In the event of a major disaster or the imminence of a major emergency or disaster caused by manmade or natural causes, the Mayor may declare a State of Civil Preparedness Emergency exists, in which he may personally or by his authorized representative or representatives take direct operational control of any or all parts of the Civil Preparedness forces for direction and control of the emergency condition stated.

Sec. 6A-10 - Same - Powers and duties of the Mayor.

Upon declaration the provisions of this section shall become effective and shall continue in effect until the end of such Civil Preparedness emergency has been declared:

- a. The Mayor may order into action all or any part of the public departments deemed necessary for response actions.
- b. The Mayor may designate such vehicles and persons that shall be permitted to move and routes which they shall follow.
- c. The Mayor may order the evacuation of all or a part of the population of a threatened or damaged area of the City and may take such action necessary for the care of the evacuees.
- d. The Mayor may take reasonable action in the case of any condition deemed an emergency condition to protect the health, safety and welfare of people of the City to minimize the effects of an impending or actual disaster due to conditions created by natural or manmade causes.
- e. Upon declaration of a civil emergency, the Mayor is authorized to expend such money as may be necessary to carry out the provisions of the Civil Preparedness Emergency Declaration. The Common Council is directed and authorized to provide such sums as may be authorized by the Mayor for such emergencies.
- f. The state of a Civil Preparedness Emergency shall cease to exist upon a declaration by the Mayor to that effect, or by vote of two-thirds (2/3) majority of the Common Council at a regular or special session of that body.



010

**ORDINANCE REVISION COMMISSION**  
**CITY OF DANBURY**  
**CITY HALL**  
**DANBURY, CONN. 06810**

March 31, 1982

Constance McManus, President  
Common Council  
City of Danbury  
155 Deer Hill Avenue  
Danbury, Connecticut 06810

Dear Madam President:

I enclose herewith for your consideration the recommendations of the Ordinance Revision Commission of the City of Danbury with respect to Chapters 6A, 9, 10, and 13A. These recommendations have been arrived at after extensive review by this Commission and after input from various commissions and departments of the City of Danbury.

The Commission's recommendations to Chapter 6A were arrived at after review and after input from Peter Winter of the Department of Civil Preparedness. The recommendations as to Chapter 6A are as follows:

- |                       |  |
|-----------------------|--|
| <u>Section 6A-1</u>   | It is recommended that this section be revised to include definitions.                 |
| <u>Section 6A-1.1</u> | It is recommended that this section be revised.  |
| <u>Section 6A-2</u>   | It is recommended that this section be revised.  |
| <u>Section 6A-3</u>   | It is recommended that this section be deleted.  |
| <u>Section 6A-4</u>   | It is recommended that this section be deleted.  |
| <u>Section 6A-5</u>   | It is recommended that this section be deleted.  |
| <u>Section 6A-6</u>   | It is recommended that this section be deleted.  |
| <u>Section 6A-7</u>   | It is recommended that this section be deleted.  |
| <u>Section 6A-8</u>   | It is recommended that this section be deleted.  |
| <u>Section 6A-9</u>   | It was recommended that this section be revised and will now be known as Section 6A-3. |

Constance McManus, President  
Common Council  
Page 2  
March 31, 1982

Section 6A-9 It was recommended that this section be revised and will now be known as Section 6A-4.

Peter Winter suggested that a new section be included here which is entitled Cooperation Between Chief of Operations and Other City Departments. This section would be 6A-5.

Section 6A-10 It was recommended that this section be revised and will now be known as Section 6A-6.

Section 6A-11 It was recommended that this section be revised and will now be known as Section 6A-7.

Section 6A-12 It was recommended that this section be revised and will now be known as Section 6A-8.

In Mr. Winter's recommendations he has included two new sections to this chapter which is Section 6A-9 - Civil Preparedness Emergency - Authority to Mayor to Declare and Section 6A-10 - Same - Powers and Duties of the Mayor. A copy of Mr. Winter's recommendations dated October 14, 1981 are annexed hereto for further detail.

The Commission's recommendations to Chapter 9 were arrived at after extensive review and after input by Dr. Frank Grosso, Director of Health, and by the former Director of Health, Dr. Thomas Draper. The essence of Dr. Grosso's and Dr. Draper's comments and the essence of our recommendations with regard to Chapter 9 is that much of it is adequately covered by state statutes. The recommendations as to Chapter 9 are as follows:

Section 9-1 It is recommended that the language "Health Officer or Health Committee" be changed to read "Director of Health".

Section 9-2 Same as Section 9-1.

Section 9-3 Same as Section 9-1.

Section 9-4 It is recommended that this section be deleted as it is covered in Section 19-79 of the Connecticut General Statutes.

Section 9-5 It is recommended that the language "Health Committee" be changed to read "Director of

Constance McManus, President  
Common Council  
Page 3  
March 31, 1982

Health". (It was noted also by one of the members of the Commission that "circuit court" be changed to "superior court".)

Section 9-6

It is recommended that this be maintained as this provision is unique to the City of Danbury.

Section 9-7

It is recommended that this provision be maintained.

Section 9-18

It is recommended that this section be deleted as it is covered in Sections 19-13-B2, 19-13-B21(a) and 19-13-B25 of the Public Health Code of the State of Connecticut.

Section 9-19

It is recommended that this section be deleted.

Section 9-20

It is recommended that this section be deleted.

Section 9-21

It is recommended that this section be deleted as it is covered in Section 19-13-B23 (b) of the Public Health Code of the State of Connecticut.

Section 9-22

It is recommended that this section be deleted.

Section 9-23

It is recommended that this section be deleted as it is covered in Section 19-12-B2 and Section 19-13-B21(a) of the Public Health Code of the State of Connecticut.

Section 9-24

It is recommended that this section be deleted as it is covered in Sections 19-13-B1 and 19-13-B2 of the Public Health Code of the State of Connecticut.

Section 9-25

It is recommended that this section be deleted as it is covered in Section 19-13-B20(h) of the Public Health Code of the State of Connecticut.

Section 9-26

It is recommended that this section be deleted as it is currently a function of the State Department of Environmental Protection, C.G.S. 19-505 through 19-522.

Constance McManus, President  
Common Council  
Page 4  
March 31, 1982

Section 9-27 It is recommended that this section be deleted as it is covered much more extensively in the Public Health Code of the State of Connecticut.

Section 9-28 Same as Section 9-27.

Article III As per Dr. Draper's recommendation, it is recommended that this entire article be deleted. All sections addressed are in the Public Health Code of the State of Connecticut.

Article IV It is recommended that this article be deleted.

Article V This article now becomes Article II and should be retained but amended at a future date when more information is received from the Director of Health.

A copy of Dr. Grosso's letter to Alan M. Barry dated November 2, 1981 is attached as further supplement to our recommendations.

Chapter 10 has been reviewed by the Commission and with input from Paul Schierloh, Housing Planner of the City of Danbury, the following recommendations have been made as to Chapter 10:

Section 10-3(A)(3) When this section was last revised, the requirement that each dwelling owner shall supply a refuse container but it did not provide the responsibility for regular trash removal. Therefore, this section should be revised to provide for the responsibility for regular trash removal.

Section 10-3(A)(7) This section should be revised so that it clearly defines whose responsibility it is to replace broken or missing screens and storms.

Section 10-4(5) This section should be revised so that the wording ties enforcement to the director's determination of whether a health hazard exists.

Section 10-8 An addition should be added to this section so that service to one tenant cannot be disrupted by another tenant in the same dwelling. The

Constance McManus, President  
Common Council  
Page 5  
March 31, 1982

Chairman stated that this was covered in the Landlord-Tenant section of the Connecticut General Statutes.

Section 10-9 (3) This section should be revised so that it does not conflict with the definition of a rooming house contained in Section 10-2.

Section 10-11(1)(f) It is recommended that this section be retained.

Section 10-11(1)(m) Corporation Counsel has suggested that a revision be made to include the appeal of a denial to issue a license.

Section 10-13(9) This section should be deleted since it is already under the jurisdiction of the Building Department.

Section 10-17 This section should be revised so that summons for violations of the ordinances may be issued. This system would provide for more direct punishment in the form of fines while eliminating the need to go through the prosecutor's office.

Section 10-19(f)(g) It is recommended that this be deleted or add a new Section 10-19(f) as recommended in Paul Schierloh's memorandum of November 2, 1981.

Attached is a copy of Paul Schierloh's memorandum of November 2, 1981 for further detail on his recommendations to this section.

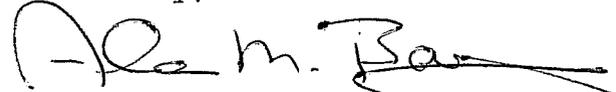
Chapter 13A has been reviewed by the Commission and with respect to Article IV of Chapter 13A 30-45 it is recommended that these sections remain intact. However, Article IV should be amended to include the following language: that the Conservation Commission be authorized to entertain and review requests for uses of the Bear Mountain Reservation Recreation Area not specifically contained within Article IV and further that the Conservation Commission shall by a majority of its voting members act on same.

With respect to Chapter 13A 1-5, it is the recommendation of this Commission that this be retained with the exception that the language "superintendent of maintenance" be changed to "superintendent of park maintenance".

Constance McManus, President  
Common Council  
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March 31, 1982

Chapter 13A 13 is recommended to be retained. It should be pointed out that there was some concern among the Commission as to whether the Richter Park Authority may make improvements to the park property and funding same with borrowing activities carried out solely by themselves. The Commission makes the general recommendation that the Common Council consider this situation in particular as to whether the City of Danbury's finances are adequately protected in connection with the Richter Park's borrowing power. It is also the Commission's recommendation that Article III of Chapter 13A remain intact.

Yours truly,

A handwritten signature in black ink that reads "Alan M. Barry". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

Alan M. Barry, Chairman

AMB:mjc

encs.

cc: Mayor James E. Dyer  
Robert Steinberg, Administrative Assistant  
Elizabeth Crudginton, City Clerk



**CITY OF DANBURY**  
OFFICE OF THE MAYOR  
DANBURY, CONNECTICUT 06810

**JAMES E. DYER**  
MAYOR

May 4, 1982

Honorable Members of the Common Council  
City of Danbury, Connecticut

Dear Council Members:

A serious overcrowding condition exists at the Police Department parking lot. It is necessary for us to find additional space for the number of cars now using the lot.

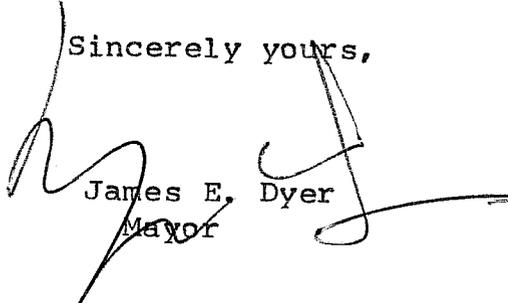
Several options exist:

- a) Obtaining additional adjoining land.
- b) Enlarging the existing lot by allocation of funds for fencing, drainage, paving.
- c) Finding a suitable area to accommodate the storage of vehicles that now must be kept at the Police Station.

As we move ahead to improve our Police Department, we must address this issue.

I respectfully request an ad hoc committee to review our options, and make a recommendation.

Sincerely yours,

  
James E. Dyer  
Mayor

mr  
cc: Chief Macedo



CITY OF DANBURY  
DEPARTMENT OF PARKS & RECREATION

City Hall — 155 Deer Hill Avenue

DANBURY, CONNECTICUT 06810

Robert G. Ryerson  
Director

Area 203  
797-4632 Ext. 330

April 26, 1982

TO: Mayor James E. Dyer and  
Members of the Common Council

FROM: Robert G. Ryerson

RE: Capital Line Item (Improvements at Sokol Property)

Due to the rental of Hatters Community Park's facilities, there will be \$22,000 collected this fiscal year (1981-82). I am requesting that \$22,000 be appropriated to the capital line item "Improvements at the Sokol Property."

The Comptroller's Office has stated that this action will not require any transfer from the contingency fund. The revenue account and the appropriation account will be increased in a like amount.

This action will enable us to develop the athletic field area at Hatters Community Park during the 1982-83 fiscal year.

RGR:tw



COMMISSION ON AGING  
OF THE CITY OF DANBURY  
Ives Manor, 198 Main Street  
Danbury, Connecticut 06810

April 20, 1982

Ms. Constance McManus, Chairperson  
The Danbury Common Council  
City of Danbury  
155 Deer Hill Avenue  
Danbury, Connecticut 06810

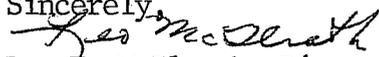
Ms. McManus:

The Danbury Senior Center has run short of funds for Professional Services (Instructors) for fiscal year 1981-1982. This has occurred because of the increasing demand for special programs requested by senior citizens at the center.

On several occasions, we have sent activity money to City Hall that we did not have a specified purpose for. This money we do not expect to need or use during the current year. A small amount however, would enable us to continue the operation of certain special and temporary activities.

The amount of money that we do need is \$514.50. I would request the Common Council to release said money that we might continue these programs.

Sincerely,

  
Leo E. McIlrath, Director  
The Danbury Senior Center

cc: Mayor James Dyer  
Comptroller John Edwards

20 EAST MAIN STREET

WATERBURY, CONNECTICUT 06702

(203) 757-9601

REGIONAL MENTAL HEALTH BOARD, INC.

-Central	Naugatuck	Valley	Council	#	20
-Housatonic	Mental	Health	Council	#	21
-Northwest	Mental	Health	Council	#	22

April 8, 1982

Danbury City Council  
 Ms. Constance McManus, Chairman  
 Danbury City Hall  
 Danbury, CT 06810

Dear Ms. McManus:

I am writing on behalf of the Northwest Regional Mental Health Board (RMHB), asking that your town contribute \$5700. to our organization. As a result of the General Assembly bill PA 75-563, Catchment Area Councils and Regional Mental Health Boards were created to represent each town's mental health needs. This is accomplished through town appointed representatives working with local area mental health providers. As your town's representative to the state, we feel it is appropriate for your town to assist our efforts with a financial contribution for FY 82-83

In previous years, the line item in your budget may have appeared as the Health Systems Agency, or Mental Health Planning Council. The HSA acted as our representative in the past, but all money contributed (up to 10¢ per capita) went to the Regional Mental Health Board. Because of administrative changes, we are now handling this function directly for the coming fiscal year 82-83.

Since the RMHB came into being in 1976, we have taken the responsibility of studying the mental health needs of the region and working to implement services to meet those needs. Specifically, the RMHB along with three (3) catchment area councils annually review mental health services in your area, and recommend changes and/or need for new services. We also review the programs at the state hospital in Newtown. As a result, this region has some of the best and most creative mental health programs in the state which provide services to children, adults, elderly and substance abusers. This is borne out by the fact that this region has the lowest admission and in-hospital rate in Connecticut. We have also made it a point to assist agencies for the retarded in developing new services in the region whenever possible. Finally, the RMHB lobbies the state and federal legislatures to ensure that appropriate funding is allocated for necessary mental health services. Your town contribution goes towards supporting a staff of two professional mental health planners and over 80 volunteers in 41 towns who devote their time and energy towards bettering the region's mental health programs.

Your town is located in the Housatonic Valley Catchment Area which is made up of 11 towns with a population of 171,837 people. The Department of Mental Health funds over \$275,000 in mental health programs which provide outpatient services, day hospital, halfway houses and aftercare programs. The Regional Mental Health Board and Catchment Area Council were responsible for funding these programs and continue to monitor and support these services so that area residents can continue to receive cost effective mental health care. In addition, staff have assisted agencies in expanding when necessary and finding alternative funding sources. Staff have also provided technical assistance to Danbury Hospital's Psychiatric Program and to programs in Redding, Ridgefield and New Milford.

In these inflationary times, I would like to point out that we are not asking for an increase above the 10¢ per capita figure. Also, regionalized planning makes good fiscal sense, since each town need only contribute a portion of the total amount required by the RMHB. I know of no other method that a town can get so much for its dollar contribution.

If you have any questions or if you would like any assistance in dealing with a mental health issue in your town, please do not hesitate to contact our Executive Director, Mr. Peter W. Garner. He will assist you in any way possible with information about services in your area, how the RMHB operates or other issues.

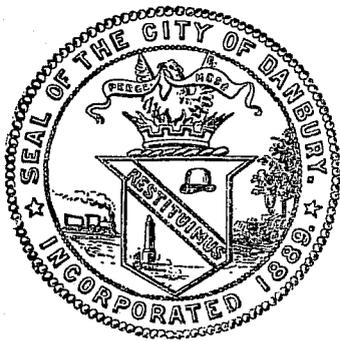
Thank you for your support.

Very truly yours,

  
Mary Coutant (soc)  
Chairman

soc

c.c. Council Members



# PETITION

City of Danbury, State of Connecticut

April 27

A. D., 19<sup>82</sup>

To the Common Council of the City of Danbury:

RE: Mill Plain Office Park Limited Partnership-Water Line Extension,  
Mill Plain Road

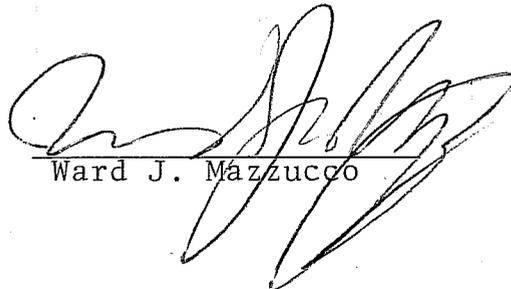
Dear Council Members:

I represent the Mill Plain Office Park Limited Partnership, the owner of property located at 36 Mill Plain Road, Danbury, Connecticut. I understand that the closest water line to this site on Mill Plain Road is located at its intersection with Driftway Road. On behalf of the Mill Plain Office Park Limited Partnership, therefore, I hereby request permission to extend the water line approximately 516 feet easterly along Mill Plain Road from Driftway Road to the front of the property owned by my client.

For the convenience of the Common Council, its Sewer and Water Committee, and the Planning Commission, I have enclosed maps of the proposed water line extension. If the Council requires any further information, please let me know. Thank you for your cooperation.

Very truly yours,

BLISS & MAZZUCCO



Ward J. Mazzucco

WJM/ras

Enclosures

LAW OFFICES

*Gary M. Bachrycz, P.C.*

30 WEST STREET

*Danbury, Ct. 06810*

797-8868 AREA CODE 203

April 28, 1982

Common Council of the  
City of Danbury  
Danbury City Hall  
155 Deer Hill Avenue  
Danbury, Connecticut 06810

Re: Hungarian-American Club of Danbury, Inc.

Dear Council Members:

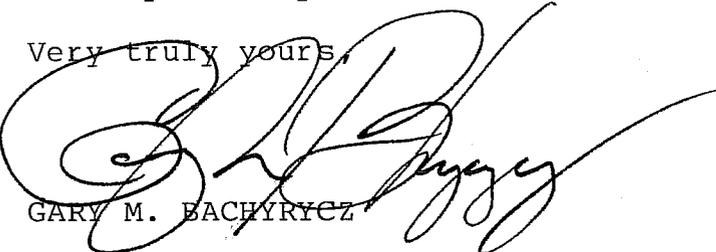
This office is counsel to the Hungarian-American Club of Danbury, Inc., owner of property consisting of 6.144 acres located on Route 37, Danbury, Connecticut.

Recently the Planning Commission of the City of Danbury granted my client's request to construct 72 garden apartments on the above site. In connection therewith, we are, by this letter, formally petitioning the Common Council to service the above site with municipal water and sewer.

I would appreciate the opportunity to meet with the committee to discuss this matter in more detail and to supply any additional information the committee might like to review.

Thank you for your attention to this matter.

Very truly yours,



GARY M. BACHRYCZ

GMB:sjh

# HAWTHORNE COVE

Property Owners' Association, Inc.

Danbury, Conn.

April 26, 1982

TO: Common Council  
City of Danbury  
City Hall  
Danbury, Ct. 06810

RE: Request to have ownership of Hawthorne Cove Road taken over  
by the City of Danbury

Dear Members of the Common Council:

We would like to have our petition reactivated which requests the City to take over ownership of our road.

Our request was originally submitted under Ordinance 17-34. Now that there is a new ordinance, the Beneficial Assessment Ordinance, we would like to investigate the possibility of having our road taken over under the provisions of this ordinance.

The file with our original request for road takeover is in the possession of Mr. Anthony Gasano, the Chairman of your Road Study Committee.

We believe it would be in the City's best interest and in the interest of the public good for our road to become a public road. The road is approximately 2500 feet long and connects two public roads, Shore Drive and Forty Acre Mountain Road, both in Danbury. If our road were not in existence there would be approximately a 5 mile detour for public vehicles to get from one of these public roads to the other.

It is my understanding the Planning Commission has previously studied our road location and recommended it be adopted into the the public road network.

At the present time considerable traffic of the general public uses our road to travel from one of the public roads to the other. For all intents and purposes our road is a public road, but with ~~private ownership~~. It would be in the best interest of everyone for the City to own such a road.

I am handcarrying this letter to the City Clerk's Office today to ensure our request will be put on the May, 1982 Common Council Agenda. our request will be put on the

Sincerely yours,

*William Glazier*  
William Glazier  
President

13 Hawthorne Cove Road

Mail

RED 2, Brookfield, Conn. 06804



**CITY OF DANBURY**  
OFFICE OF THE MAYOR  
DANBURY, CONNECTICUT 06810

**JAMES E. DYER**  
MAYOR

May 4, 1982

Honorable Members of the Common Council  
City of Danbury, Connecticut

Dear Council Members:

The Capital needs of our City are many. The schools had been left in disrepair for many years until we began a renovation program in 1979. Many of our other facilities need updating, and space is at a premium.

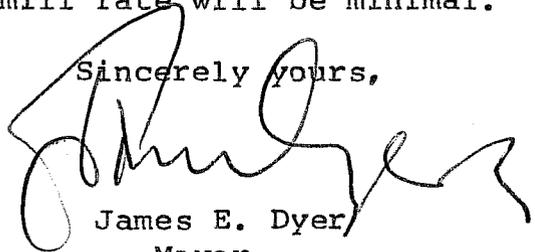
Since we took office we have established a capital budget to make a yearly contribution to our repair needs, and we have begun to address the cost of decay and neglect. I do feel, however, that the neglect of the past decade has put us in a position where we may fall hopelessly behind. We are at a point where a major infusion of capital expenditure is necessary for us to "catch up" so that we can stay even. I am, therefore, requesting that the Council review the attached "fix-up" bond proposal for our schools, parks, buildings, and other facilities. Ideally, I think that these items should be part of the November traffic improvement bond request.

An attempt to address these catch-up costs in the annual budget would obviously have a major impact on our tax rate, and our ability to fund other programs. Bonding these items over five, ten and twenty year periods will have the least impact on the individual tax bill, as the debt service will be off-set by economic growth, and the costs of other bonded projects that are now expiring.

Currently, the City pays \$1,687,931.00 per year in principal and interest for the redemption of all school bonds. We pay \$700,352.00 for the redemption of city bonds. Our current bond rating is double "A" and that insures us of a low interest rate.

Our Bond Counsel is reviewing the attached list and will make the appropriate recommendations concerning the proper bond life of each project. Overall, the impact on the mill rate will be minimal.

Sincerely yours,

  
James E. Dyer  
Mayor

mr



# CITY OF DANBURY

OFFICE OF THE MAYOR

DANBURY, CONNECTICUT 06810

JAMES E. DYER  
MAYOR

## BOND PROPOSAL

### ENGINEERING

Drainage Improvements to Eliminate Flooding, City Storm Drains, etc.	\$ 600,000
Bridges - Replacement Segar Street, Golden Hill, Long Ridge	\$1,800,000
Dams - To Maintain Structural Integrity as per directive from DEP	\$1,150,000
Maintenance Garage - Public Works	\$ 575,000

### PARKS AND RECREATION

General Improvements to Tennis Courts, Fields, Structures	\$ 100,000
Richter Authority - Renovations and Addition to Richter House for Cultural-Recreational uses	\$ 450,000
Lavatory Facilities - Kenosia, Rogers Park, Hatters Park	\$ 40,000

### PUBLIC BUILDINGS

Park Avenue Handicap Ramp	\$ 2,000
Hayestown School - Replace Gym Ceiling	\$ 9,000
Shelter Rock Roof	\$ 145,500
South Street - Roof and Gutters Old Section	\$ 60,000
Pembroke School Roof	\$ 165,000
Great Plain Roof	\$ 125,000
Roberts Avenue Roof	\$ 96,500
Broadview Junior High Elevator	\$ 40,000
Mill Ridge Administration Building	\$ 19,800

BOND PROPOSAL

D.H.S. Replace Steps	\$ 25,000
Ed. Services Center - Replace Roof	\$ 33,000
Rogers Park - Gym Floor	\$ 40,000
Recap Parking Areas	\$ 200,000
Locust Avenue - Exterior Renovation	\$ 60,000
Old Library - Interior Renovations	\$ 120,000
Replace Floor Tiles	\$ 50,000

POLICE DEPARTMENT

Headquarters Addition	\$ 500,000
Steel Building - Storage	\$ 10,000

FIRE DEPARTMENT

Air System	\$ 16,525
Osborne Addition	\$ 40,000
Fire Alarm System Update	\$ 65,000

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\$6,537,325



**CITY OF DANBURY**  
OFFICE OF THE MAYOR  
DANBURY, CONNECTICUT 06810

**JAMES E. DYER**  
MAYOR

May 4, 1982

Honorable Members of the Common Council  
City of Danbury  
Connecticut

Dear Council Members:

I respectfully request your confirmation of the appointment of Mr. Roger Young, 43 Dana Road, Danbury as a member of the Conservation Commission for a term to expire on July 1, 1983.

Mr. Young is employed as Plant Manager at Electronics Metal Finishing Corp. in Danbury.

Sincerely,

A handwritten signature in black ink, appearing to read "James E. Dyer", is written over the typed name and title.

James E. Dyer  
Mayor

JED:mad

COMMITTEE REPORT

MAY 4 1982

Hon. James E. Dyer, Mayor  
 Hon. Members of the Common Council

Re: Request by the Civil Service Commission for replacement of funds

This committee met on 4/21/82. Present were Council members Foti and Eppoliti, Civil Service Commission Chairman N. Nero and Civil Service Examiner J. Hanna. Councilman Boynton also attended, ex-officio.

Commissioner Nero explained that as an extension of the City's Affirmative Action Policy, a committee including the Equal Rights Compliance Officer, the Mayor's Administrative Aide, the Labor Negotiator for the City, and the Civil Service Commission was formed to develop a program to improve minority participation in the Police and Firefighter selection process.

This committee met again on 4/28/82 at 6:30 PM in room 432 (originally scheduled for room 414, which was locked). Present were Council members Foti and Zotos, Commissioner Nero and Mr. Hanna.

Commissioner Nero detailed costs of this project as follows:

Development of Pre-test training program	\$4500.00
Development of exam for Firefighter candidates	1500.00
Development of exam for Police candidates	1000.00
Administration of Firefighter oral exam	<u>225.00</u>
Program cost to date	\$7225.00

In addition, those candidates who successfully completed the written and oral phases of the examination are now subject to psychological and physical testing with costs per candidate as follows:

Physical	Medical	\$50.00
	X-Ray	32.00
	Blood test	<u>25.00</u>
		\$107.00
Phycological		<u>100.00</u>
		\$207.00/candidate.

Mr. Nero explained that cost overruns occurred because participation in the program was much larger than expected and the fact that this program was unanticipated in the 81/82 Budget.

Mr. Zotos stated that he was satisfied that restoring \$8000.00 to the Civil Service Commission's Professional Services and Fees account #020100 would cover the cost of physical and phycological testing.

Mr. Zotos moved to recommend that the Common Council approve this request.

Motion was seconded by Mr. Foti, and passed unanimously.

Respectfully submitted;

  
 \_\_\_\_\_  
 Russell M. Foti (Chairman)

  
 \_\_\_\_\_  
 N. Zotos

  
 \_\_\_\_\_  
 D. Eppoliti

COMMITTEE REPORT

on. James E. Dyer, Mayor  
on. Members of the Common Council

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Respectfully submitted;

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Russell M. Foti (Chairman)

\_\_\_\_\_  
N. Zotos

\_\_\_\_\_  
D. Eppoliti



# City of Danbury

DANBURY, CONNECTICUT 06810

DEPARTMENT  
OF FINANCE

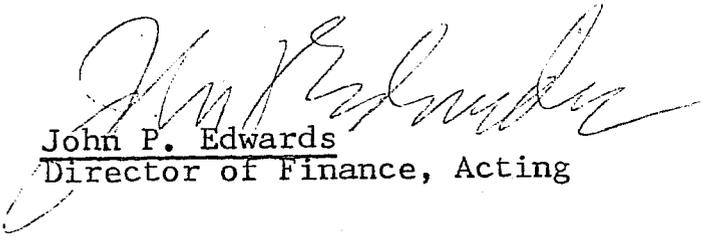
April 2, 1982

To: Common Council via  
Mayor James Dyer

Certification #115

From: John P. Edwards

We hereby certify to the availability of \$8,000 in the Fund Balance Account to be transferred to the Civil Service Commission Budget.

  
John P. Edwards  
Director of Finance, Acting



# City of Danbury

DANBURY, CONNECTICUT 06810

DEPARTMENT  
OF FINANCE

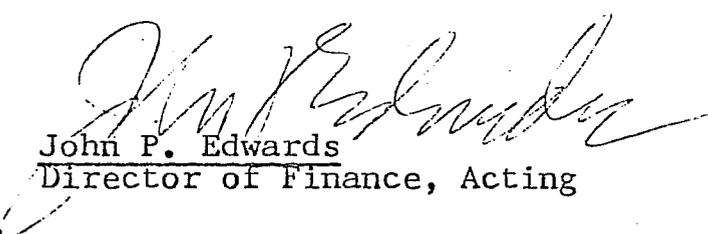
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# CITY OF DANBURY

COMMON COUNCIL

DANBURY, CONNECTICUT 06810

May 4, 1982

## REPORT

### COMMON COUNCIL PUBLIC WORKS COMMITTEE

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

Re: Request to accept Sierra Way and Deal Drive as City Streets.

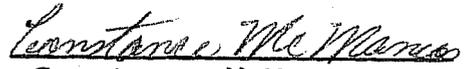
The Public Works Committee has studied a request to accept Sierra Way and Deal Drive into the City Street system. An on-site inspection of these streets was held by the committee.

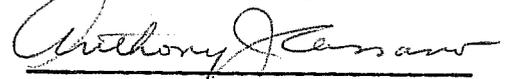
A communication from the City Engineer, dated 8/11/1981, was sent to this committee and the petitioners, Anne Marie Sanchez and Frank Scalzo, listing the improvements that were necessary before these streets could be accepted. These improvements have not been made at this time.

It is therefore the recommendation of the Public Works Committee that Sierra Way and Deal Drive not be accepted at this time as they do not meet subdivision specifications.

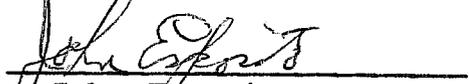
Respectfully submitted

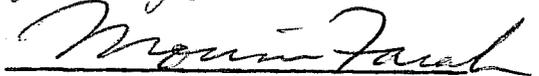
  
\_\_\_\_\_  
Joseph DaSilva Chairman

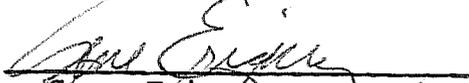
  
\_\_\_\_\_  
Constance McManus

  
\_\_\_\_\_  
Anthony Cassano

  
\_\_\_\_\_  
Carole Torcaso

  
\_\_\_\_\_  
John Esposito

  
\_\_\_\_\_  
Mounir Farah

  
\_\_\_\_\_  
Gene Eriquez



# CITY OF DANBURY

COMMON COUNCIL

DANBURY, CONNECTICUT 06810

May 4, 1982

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Respectfully submitted

Chairman

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# CITY OF DANBURY

COMMON COUNCIL

DANBURY, CONNECTICUT 06810

May 4, 1982

## COMMON COUNCIL PUBLIC WORKS COMMITTEE REPORT

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

Re: Drainage problem at Glendale Drive.

The Public Works Committee studied a request that the City take over an access way on Glendale Drive. This was studied by the Engineering Department and the Assistant Corporation Counsel. The Planning Commission recommended denial as this would be of no benefit to the City at this time. This was also the opinion of the Assistant Corporation Counsel.

It is therefore the recommendation of the Public Works Committee that this petition be denied without prejudice at this time because of the recommendation of the Planning Commission and the Assistant Corporation Counsel.

Respectfully submitted

Joseph DaSilva Chairman  
Joseph DaSilva

Constance McManus  
Constance McManus

Anthony Cassano  
Anthony Cassano

Carole Torcaso  
Carole Torcaso

John Esposito  
John Esposito

Mounir Farah  
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Gene Enriquez  
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# CITY OF DANBURY

COMMON COUNCIL

DANBURY, CONNECTICUT 06810

May 4, 1982

## COMMON COUNCIL PUBLIC WORKS COMMITTEE REPORT

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

Re: Water Rates and Charges.

The Public Works Committee has studied a review of the water rates and charges for users of the municipal water system of Danbury.

There is a necessity for an upward revision of these charges that is primarily due to payment schedule of a \$9 Million Bond issue for water improvements, passed in 1979. This Bond issue provided financing for various improvement to the water system, including the metering program and the new facility for West Lake Reservoir.

After careful review of these proposed rates and charges, the Public Works Committee is satisfied that these rates and charges will generate a sufficient amount of money to meet payment obligations.

We therefore recommend approval of the water rates and charges proposed.

Respectfully submitted

Joseph DaSilva Chairman  
Joseph DaSilva

Constance McManus  
Constance McManus

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Respectfully submitted

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\_\_\_\_\_  
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\$180) DOLLARS.

Withdrawn

The interest on any deferred payments hereunder shall be due at a rate per annum which shall be the rate of interest the City is obligated to pay on its sewer bonds issued for the cost of such improvement. Any person may pay any installment for which he is liable at any time prior to the due date hereof and no interest on any such installment shall be charged beyond the rate of such payment.

The Town Clerk shall record on the Land Records of the City of Danbury certificate signed by the Tax Collector of said City of Danbury.

The Report was accepted and the Resolution was adopted by the Common Council, on the Consent Calendar.

40 - REPORT - Dumping Fees at Danbury Landfill.

Councilman DaSilva submitted a report stating that the Public Works Committee has reviewed a request by the Mayor that we study the possibility of the initiation of a fee for dumping at the Danbury Landfill.

It was reported to the committee that significant amounts of solid wastes are being dumped at the Danbury Landfill from communities other than Danbury. The reason for this is that there is no charge for dumping in Danbury, while neighboring towns have charges as much as \$33.00 per ton.

A recently submitted engineering report on our landfill states that this facility has only a few years of usability left, and the wastes from other towns are shortening this time. One of its main recommendations was to establish a fee comparable to other towns in order to reduce this abuse.

The Public Works committee recommends the approval of amendments to the pertinent Ordinance and Resolutions establishing a fee for the dumping of solid waste at the Danbury Landfill.

ORDINANCE RE: LANDFILL OPERATIONS. 027

RESOLUTION RE: HAULER PERMIT FEES FOR DANBURY SANITARY LANDFILL SITE.

RESOLUTION RE: COMMERCIAL USER FEES FOR DEPOSITION OF PERMITTED WASTES AT THE DANBURY SANITARY LANDFILL SITE.

RESOLUTION RE: TO ESTABLISH A FUND TO BE KNOWN AS "DANBURY SANITARY LANDFILL ENTERPRISE FUND".

A motion was made by Councilman Evans and seconded by Councilwoman C. McManus for the Report to be accepted and the Ordinance & Resolutions to be deferred for Public Hearings. Motion carried unanimously.



# CITY OF DANBURY

COMMON COUNCIL

DANBURY, CONNECTICUT 06810

May 4, 1982

## COMMON COUNCIL PUBLIC WORKS COMMITTEE REPORT

Honorable Mayor James E. Dyer  
Honorable Members of the Common Council

Re: Request for Public Works Department to take school custodians into their department.

The Public Works Committee studied a request for the Public Works Department to take School Custodians into their Department. The committee received an opinion from Corporation Counsel Theodore H. Goldstein that the employment of school custodians, according to State Statutes and court decisions, should remain under the jurisdiction of the School Board.

The Public Works Committee therefore, voted to recommend that this request be denied as per the recommendation of the Corporation Counsel.

Respectfully submitted

Joseph DaSilva Chairman  
Joseph DaSilva

Constance McManus  
Constance McManus

Anthony Cassano  
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Carole Torcaso  
Carole Torcaso

John Esposito  
John Esposito

Mounir Farah  
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