

FIFTEEN ROPE FERRY ROAD
WATERFORD, CT 06385-2886



PHONE: 860-442-0553
www.waterfordct.org

MINUTES
REPRESENTATIVE TOWN MEETING
ZOOM Access Only – Waterford Town Hall
Regular Meeting
October 5, 2020

The October 5, 2020, Moderator Thomas Dembek called the Regular Meeting of the Representative Town Meeting to order at 7:03 P.M.

ROLL CALL

PRESENT: Greg Attanasio, Michael Bono, Jennifer Bracciale, April Cairns, Timothy Condon, Thomas J. Dembek, Susan Driscoll, Steven Elci, Timothy Fioravanti, Miriam Furey-Wagner, Nick Gauthier, Paul Goldstein, Kathleen Kohl, David Lersch, Valerie Metivier, Richard Morgan, Richard Muckle (7:15 P.M.), Liam O'Leary, Theodore Olynciw, Sally Ritchie, Michael Rocchetti, Danielle Steward-Gelinas, Robert Swansen, Baird Welch-Collins.

ABSENT: None

EX-OFFICIO MEMBERS PRESENT: First Selectman Robert Brule; Chair of the Board of Education Craig Merriman; Chair of the Board of Finance Ronald R. Fedor, Selectwomen Jody Nazarchyk.

EX-OFFICIO MEMBERS ABSENT: Selectwoman Elizabeth Sabilia.

ALSO PRESENT: Town Clerk David L. Campo; Town Attorney Robert Avena.

AGENDA ITEM C – Minutes

MOTION by Driscoll, seconded by Welch-Collins, to accept the August 3, 2020, Regular Meeting Minutes and the August 24, 2020 Special Meeting.

VOTING IN FAVOR: Unanimous.

AGENDA ITEM D – CORRESPONDENCE

An item was received from BOF Member Bill Sheehan. (See Attachment)

An item was received from RTM Member Robert Swansen and moved to New Business for discussion.

An Item was received from Republican Committee Chair Kathleen McCarty and move as backup for Agenda Item 7.

AGENDA ITEM E - PUBLIC COMMENT (See Attachments)

Two items received for public comment from the following: Waterford Members of Niantic Community Church, Chris Venditti.

AGENDA ITEM F - COMMITTEE REPORTS

Reports received from Public Protection & Safety; Public Works, Planning and Development; and Long

Range Fiscal Planning Committee. (See Attachment)

RTM Member Susan Driscoll noted that Review of the Ethics Ordinance should be added to the Moderator's Report.

Education Committee Chair Danielle Steward-Gelinas along with Planning Director Abby Piersal updated the RTM on status of the Nevin's Cottage.

AGENDA ITEM G - LIAISON REPORTS

Thomas Dembek gave a brief update on the progress of the Municipal Complex.

AGENDA ITEM H – BUSINESS ON THE CALL

CALL ITEM 1 – Donation/Waterford Parks Foundation

PRESENTATION: Recreation & Parks Program Coordinator Kerry Sullivan, Finance Director Kim Allen

MOTION by Driscoll, seconded by Steward Gelinas, to approve the acceptance of a donation in the amount of \$14,000 to Recreation and Parks from the Waterford Parks Foundation , Inc.

VOTING IN FAVOR: Unanimous.

CALL ITEM 2 – Waterford Beach Park Causeway Invoice

MOTION by Goldstein, seconded by Driscoll, to approve an appropriation in the amount of **\$10,347.50**

from **Undesignated Fund Balance #205-31520 to project #20537-57824 Waterford Beach Park Causeway** for an outstanding invoice to close out the project.

VOTING IN FAVOR: Unanimous.

CALL ITEM 3 – Board of Education Budget Informational Workshop

PRESENTATION: Superintendent of Schools Thomas Giard, Assistant Superintendent of Schools Craig Powers, BOE Director of Finance Joseph Mancini.

Powerpoint, discussion and questions. No votes taken.

CALL ITEM 4 – Volunteer Firefighters Incentive Program.

PRESENTATION: Public Protection & Safety Committee Chairman Timothy Condon, Labor Attorney Eileen Duggan.

MOTION by Goldstein, seconded by Bracciale, to approve a recommendation from the Public Protection & Safety Standing Committee of the RTM to add to the **Waterford Code of Ordinances, Chapter 2.36 -- VOLUNTEER FIREFIGHTERS INCENTIVE PROGRAM.** (See Attachment)

FRIENDLY AMENDMENT by Goldstein, seconded by Bracciale to make retroactive back to July 1, 2020.

VOTING IN FAVOR: Attanasio, Bono, Bracciale, Cairns, Condon, Elci, Fioravanti, Furey-Wagner, Gauthier, Goldstein, Kohl, Lersch, Metivier, Morgan, Muckle, O'Leary, Olynciw, Ritchie, Rocchetti, Steward-Gelinas, Welch-Collins.

VOTING AGAINST: Driscoll

ABSTAINED: Dembek, Swansen

MOTION PASSED: 21-1-2

CALL ITEM 5 – Amendment to Waterford Code of Ordinances, Chapter 2.20 and 2.58

PRESENTATION: Public Works, Planning & Development Chairman Michael Rocchetti.

MOTION by Welch-Collins, seconded by Furey-Wagner, to approve a recommendation from the Public

Works, Planning & Development Standing Committee of the RTM to amend the **Waterford Code of Ordinances, Chapters 2.20 and 2.58** enabling the facilities manager position to be moved from Planning Department to the Public Works Department. (See Attachment)

VOTING IN FAVOR: Unanimous.

CALL ITEM 6 – Amendment to Waterford Code of Ordinances, Chapter 15.26 – Blighted Premises

PRESENTATION: Public Works, Planning & Development Chairman Michael Rocchetti and Planning Director Abby Piersall.

MOTION by Driscoll, seconded by Welch-Collins, to approve a recommendation from the Public Works; Planning & Development Standing Committee to remove **Chapter 15.26 – Blighted Premises** from the Waterford Code of Ordinances. (See Attachment)

VOTING IN FAVOR: Unanimous.

CALL ITEM 7 – Police Commission Vacancy

MOTION by Muckle, seconded by Goldstein, to nominate Christopher Jones of 14 Twin Lakes Drive to the Police Commission.

MOTION by Morgan, seconded by O’Leary to nominate Christopher Gamble of 18 Cottage Lane to the Police Commission.

Discussion ensued.

VOTING IN FAVOR OF CHRISTOPHER JONES: Bracciale, Condon, Dembek, Goldstein, Metivier, Muckle, Rocchetti, Swansen.

VOTING AGAINST: Attanasio, Bono, Driscoll, Elci, Fioravanti, Furey-Wagner, Gauthier, Kohl, Lersch, Morgan, O’Leary, Olynciw, Ritchie, Welch-Collins.

ABSTAINED: Cairns, Steward-Gelinas

VOTING IN FAVOR OF CHRISTOPHER GAMBLE: Attanasio, Bono, Cairns, Condon, Driscoll, Elci, Fioravanti, Furey-Wagner, Gauthier, Kohl, Lersch, Morgan, O’Leary, Olynciw, Ritchie, Swansen, Welch-Collins.

VOTING AGAINST: Bracciale, Dembek, Goldstein, Metivier, Muckle, Rocchetti.

ABSTAINED: Steward-Gelinas

CHRISTOPHER GAMBLE appointed to the Police Commission, 17-8. (08/05/2019 – 08/07/2023)

CALL ITEM 8 – Executive Session

MOTION by Muckle, seconded by Driscoll, that the RTM at 9:55 P.M., along with Human Resources Director Joyce Sauchuk, First Selectman Rob Brule and Town Attorney Eileen Duggan, go into executive session for the purpose of discussing strategy and/or negotiations with respect to current and pending collective bargaining with multiple bargaining units. This action is taken without prejudice to the Town’s right to discuss these matters in a private meeting pursuant to Connecticut General Statutes §1-200 (2).

VOTING IN FAVOR: Unanimous.

RTM Member Robert Swansen excused himself during the executive session.

MOTION by Condon, seconded by Welch-Collins, to come out of executive session with no votes taken at 11:04 P.M.

VOTING IN FAVOR: Unanimous.

NEW BUSINESS

Subject of the letter in regard to purchasing from RTM Member Robert Swansen.

MOTION by Condon, seconded by Muckle, to send the subject of the letter to the Finance, Wage & Personnel Standing Committee of the RTM.

VOTING IN FAVOR: Unanimous.

Subject of letter in regard to a "Social Justice Committee" from Waterford Members of Niantic Community Church.

MOTION by Welch-Collins, seconded by Ritchie, to send the subject of the letter to the Education Standing Committee of the RTM.

MOTION by Welch-Collins, seconded by Bracciale, to adjourn at 11:09 P.M.

VOTING IN FAVOR: Unanimous.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "David L. Campo", with a horizontal line extending from the end of the signature.

David L. Campo, CCTC
Waterford Town Clerk

John W. "Bill" Sheehan
19 Laurel Crest Drive
Waterford, CT 06385
860-442-9053
sheehanjw@sbcglobal.net

June 12, 2020

Mr. Robert Brule
First Selectman
Town of Waterford
15 Rope Ferry Road
Waterford, CT 06385

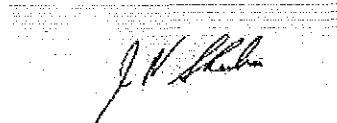
Dear Rob:

In light of recent events, including the article concerning the Groton Representative Town Meeting (RTM) in the June 12, 2020 New London DAY, I am formally requesting that you consider offering Training to Volunteer Waterford Elected and Appointed Officials on Race Relations and Equality, emphasizing the changes in what might have been acceptable in the past but is no longer consider acceptable.

I suspect that there may be a training syllabus for Town Employees that might be tailored to the unique status of a volunteer. CCM may have already developed such a presentation or a request might prompt them to do so.

Thank you for your attention to this matter. I believe that it is important as Waterford moves forward in this new environment.

Sincerely,



J. W. "Bill" Sheehan
Member Waterford Board of Finance

Copy to:
Ron Fedor, Chair Board of Finance
Elizabeth Sabilia, Selectwoman
Jody Nazarchyk, Selectwoman
Thomas Dembek, Moderator, RTM

2020 AUG 26 PM 3:20

To be read into the public record:

To RTM Moderator Thomas Dembek and the Waterford RTM,

We are confident that the government leaders in Waterford share our concerns about how people of color are included in our community and know that we can do better in providing living, working and learning opportunities for everyone in our town. We are writing this letter to formally request that the RTM establish an ad-hoc Social Justice committee to:

- review hiring and contracting practices in all our town offices,
- review housing and zoning practices in our town,
- review practices followed by our law enforcement officials,
- encourage our Board of Education to review policies in order to eliminate racial inequities, punitive consequences, or exclusionary language that perpetuates racism,
- review symbols of racism that may exist in our town,
- determine how our town web page and other social media might be inviting to people of color,
- based on the reviews to recommend and advocate for appropriate diversity and sensitivity training around racism and implicit bias,
- provide information about findings and progress to our larger community.

There is no question that discussions of justice and inclusivity are often as difficult as they are important. However, we are hopeful that our elected representatives will rise to this challenge and create a space for our community to discuss these vital issues.

Waterford Members of Niantic Community Church,

Mike Guarini
Linda Helvig
Paul Helvig
Jerry Holmberg
Margaret Holmberg
Jane Milardo
Ruth Morgan
Stan Morgan
Ocean Pellett
Sue Smith

200 OCT -5 AM 9:59
200 OCT -5 AM 9:59
200 OCT -5 AM 9:59

Good Evening Members of the Town of Waterford RTM,

I am writing you again to voice my concerns with the Town of Waterford's lack of fire protection. In my last letter to you I wrote about how the lack of staffing resulted in the death of a resident, we staff the police with extra officers when there's a spike in crime (which is proven to do nothing to stop crime) but do nothing about the fire service, and the overall lack of leadership in the Waterford Fire Department.

I had written this letter directly to First Selectman Rob Brule, but after no response for a number of weeks I forwarded the letter to you all so you could see concerns of mine and know that the highest level of town government was not only being negligent on the issue, but not answering a concerned citizen about the issue. I was pleased to hear while attending the meeting via Zoom that the RTM wants to send these concerns of mine to an ADHOC. I believe this is the best choice and it's important for these issues to be investigated and a plan be put in place to stop these things from hurting our community anymore.

My specific concerns were:

- Lack of fire protection
- Lack of oversight
- Lack of leadership
- Lack of training.

With that being said I'm going to fill in the gaps between my last letter, which was dated on July 27th, 2020 and now, October 4th, 2020.

Since then I have been contacted by both the Director of Fire Services, Bruce Miller, and the First Selectman, Rob Brule, to speak about the matter. While I appreciate a good follow up, even if it is 3 weeks after the initial complaint, I was not satisfied with the answers.

The Director of Fire Services essentially said he agrees with my concerns and knows that there are problems but that "I know how it is" ...

Here is what I know-

- The Waterford Fire Service is inadequate.
- It does not have the ability to mitigate emergencies in town.
- It relies on the City of New London.
- It has too many trucks and not enough firefighters.
- It hangs its hat on "part time" and volunteer firefighters who frankly do not have the time or desire to handle these calls and supplement paid staff (Proven by statistics).
- And I know that the Town of Waterford is NOTHING SHORT of NEGLIGENT on the matter. Will it take the death of another resident before we start getting serious about fire protection?

The First Selectman said the following- (paraphrasing because I'm a good note taker as he stated on our telecommunication on August 20th).

- He told me that he comes from a world of 24-hour coverage, something not everyone in Waterford has the luxury of.

- He felt some type of way about this going to committee because he said he can "Do things faster than committee" ... Whether that's true or not, we still have inadequate staffing after his 1 year in office... homes burning, people dying.
- When asked about the lack of leadership, because it has been over ONE YEAR since a Fire Officer from Waterford Fire Engine Co.1 has attended a call, Rob said he's looking at calls and response times, incident command "or a lack thereof", ordinances, and a stipend program.

All of these conversations raise more concerns with me. If we know there is a problem, why aren't we fixing it. In the Marine Corps when we recognize a safety issue, we handle it immediately, move it to the top of our priority list, because we understand that lives are at stake. Every day you go on ignoring the facts in front of your face is another day someone could take their last breath due to inadequate fire services in the Town of Waterford.

Just today, October 4th, 2020 there was a call at Springhill Suites on the Frontage Rd in Waterford. If you're not familiar, this is a hotel in town which is 3 stories and can house over 100 people at full capacity (80 Rooms).

- This call came into the dispatcher as a Structure fire- mulch burning up against the exterior wall with smoke on the first and second floors.
- The two "Part Time" firefighters at Jordan with the towns largest ladder truck (105 FT), and most portable ladder, are not qualified to drive it, so they took the fire engine with a lot of fire hose and not a lot of ladders.
- The two "Part time" firefighters at Cohanzie (the closest fire station... with the Towns ONLY OTHER ladder truck) COULDN'T take it because it had become damaged earlier in the shift during "training" (look into that one).
- The city of New London had to be called for their ladder truck and showed up with FIVE firefighters, while we totaled 6 (4 paid, 2 volunteer, and 3 "officers").

We know this- Fire at a hotel in town with the potential to have 80 rooms full of people who are generally unfamiliar with the layout, and if encountered with a smoke condition in the hallway will likely look for egress via window. The windows are too high and there's too many for the firefighters to effect without a ladder truck. But we didn't have one due to YET ANOTHER OVERSIGHT in staffing by having two unqualified people work the same station. Luckily the fire did not penetrate the exterior wall of the building, but if it had, the building would've gone up much faster than the SIX firefighters on scene could have handled....

NFPA 1720 (combination department response) states 10 firefighters on scene within 10 minutes 80% of the time- We missed the mark today.

NFPA 1710 (Paid fire dept response) recommends each truck be staffed with FOUR firefighters ONE of them being an OFFICER. A LEADER. CRAZY!!

2The time for change is NOW. The ADHOC Committee is a must and needs to find a way to put our money to good use. Our police and fire departments have an abundance of gear (3 boats, jet skis, bikes, ATV's, pick-up trucks... a lot of duplicates between both agencies) and no one to use it... no one qualified to use it. Please look into these matters. Thank you.

Respectfully,
Christopher Venditti
(860) 287-4644
Cvenditti21@gmail.com

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Public Works, Planning, and Development Committee of the-RTM
Committee Report with Recommendation and yearend report – October 5, 2020
Waterford Code of Ordinances, Chapters 2.20 and 2.58 and Chapter 15.26

Please let this report serve as a report on Blighted Property Ordinance Chapter 15.26 of the Waterford Code of Ordinances and the yearend report from the Public Works, Planning, and Development Committee of the RTM.

BACKGROUND

At the June 1, 2020 meeting of the Representative Town Meeting, the Planning Director, Public Works Director, and Town Attorney submitted an amendment to sections 2.20 and 2.58 of the Waterford Code of Ordinances for review. The amendment proposed the facilities manager position be moved from the Planning Department to the Department of Public Works. The committee was also tasked with reviewing the current Blighted property ordinance Chapter 15.26 of the Waterford Code of Ordinances.

SUMMARY

This committee met August 17, 2020, September 16, 2020 and September 30, 2020. Public hearings were also held on September 16th and 30th, 2020. These meetings included input from town attorney Nick Kepple, Town attorney Rob Avena, and Director of planning Abbey Piersal. Committee members also obtained input from residents and prior officials.

RECOMMENDATION

There were two recommendations from the committee to report. The first was an unanimous recommendation to the RTM that the proposed amendment to the Waterford Code of Ordinances 2.20 and 2.58 included with this report be accepted and enacted so the ordinances reflect this change. The second was an unanimous recommendation to the RTM the deletion of Chapter 15.26 – Blighted Premises of the Waterford Code of Ordinances because the committee confirmed redundancy under Zoning Enforcement and Property Maintenance rules.

Attachments

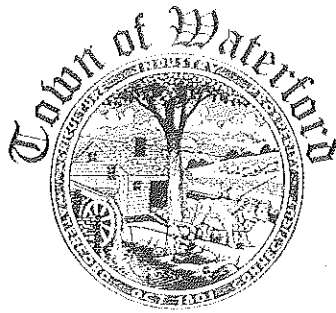
Minutes and supporting documents available online.

Respectfully submitted,

Michael Rocchetti
Chairman

2020 OCT -4 PM 10:56

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G

Long Range Fiscal Planning

Report to RTM - 5 Oct 20

The Long Range Fiscal Planning Committee (LRFPC) has held 2 meetings recently. Our discussions centered on a number of general issues, i.e. election of officers and establishing a number of general goals for the coming year. We will conduct a minimum of 6 meetings.

The committee also initiated a sub-committee for the purpose of updating the Committee's mission and purpose. The sub-committee's report will be presented to the RTM in the near future.

The next meeting is scheduled for 15 Oct 2020.

R. F. Muckle

LRFPC Chair

2020 OCT -1 PM 4:30

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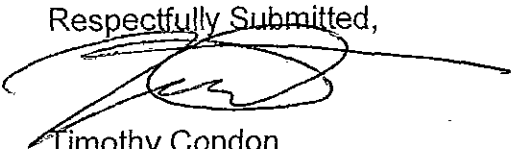
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PUBLIC PROTECTION & SAFETY STANDING COMMITTEE of the RTM COMMITTEE & ANNUAL REPORT

Please let the following report stand as both the committee report on a proposed ordinance for a volunteer stipend program and the annual report of the Public Protection and Safety committee. After the passage of the ordinance creating the Waterford Fire Department, the Public Protection and Safety standing committee identified the need to recognize our volunteers and create a retention and recruitment stipend program. This item was referred into committee by the last RTM. Meetings began in early March of 2020 but because of COVID-19, soon turned virtual. Committee members reviewed different programs with Legal, the Director of Human Resources and the Director of Fire Services soon recommended the basic ordinance structure. Multiple meetings were held reviewing the proposed language and understanding what is legally allowable to offer as a volunteer stipend program. After much discussion and deliberation this proposed ordinance went to public hearing on July 21. After public hearing, the committee addressed both public and committee concerns however the committee needed more time to deliberate after public hearing to ensure that the ordinance and program is the best we can offer to our volunteers at this time. After much deliberation spanning multiple meetings, a motion was made to report and recommend passage of proposed ordinance on September 16 which passed unanimously.

This proposed ordinance is designed to recognize and incentivize our volunteer firefighters while attempting to address fire department staffing issues our community is facing. Our firefighters have been asking for a program of this nature for over 25 years. The Public Protection and Safety committee looks forward to discussing the proposed ordinance.

Respectfully Submitted,


Timothy Condon
Chairman

RECEIVED
2020 SEP 24 AM 9:42

Title 2 – ADMINISTRATION AND PERSONNEL

Chapter 2.36 – FIRE SERVICE

2.36.080 – Volunteer Firefighters and Fire Police Incentive Program

A. Purpose

Pursuant to § 7-148(c)(4)(B) of the Connecticut General Statutes, the Town of Waterford may enact an ordinance to organize, maintain and regulate the persons providing fire protection. This Volunteer Firefighters and Fire Police Incentive Program is designed to provide monetary compensation to active, volunteer firefighters and fire police members in the Town of Waterford Fire Department, in an effort to assist in covering volunteers' expenses during the execution of their duties, while complying with the federal Fair Labor Standards Act of 1938 as amended, 29 U.S.C. §201 et seq. ("FLSA"). The FLSA permits payments for reimbursement of expenses, reasonable benefits and nominal fees to volunteers without impairing their status as volunteers. These benefits are in addition to the existing property tax abatement program for volunteer firefighters in Title 3, Chapter 3.12 of this Code of Ordinances. Town of Waterford Fire Department personnel employed by the Town of Waterford are not eligible for this Volunteer Firefighters and Fire Police Incentive Program.

B. Definitions

1. **Program:**
The term "Program" means the Volunteer Firefighters and Fire Police Incentive Program.
2. **Program Year:**
Program Year is the fiscal year, i.e., July 1-June 30.
3. **Implementation Date:**
The Implementation Date of the Program is July 1, 2020¹.
4. **Volunteer Member in Good Standing in the Waterford Fire Department:**
A Volunteer Member in Good Standing is defined as:
 - a. A certified firefighter (i.e., State of Connecticut Firefighter I or higher) who has participated in the minimum training sessions designated by the Director of Fire Services and including, but not limited to Required Training (as set forth in paragraph B8), by June 30 of the year preceding the year of eligibility (e.g., complete training by June 30, 2020 to be eligible for the Program for the fiscal year July 1, 2020-June 30, 2021, absent a

¹ Depending on the date of enactment of this Ordinance, the Implementation Date may be retroactive to July 1, 2020.

modification of the June 30 date by the Director of Fire Services on an individual basis pursuant to paragraph B8); and/or

- b. A member of the Fire Police who has participated in the minimum training sessions designated by the Director of Fire Services and, including but not limited to, Required Training (as set forth in Paragraph B8 d), by June 30 of the year preceding the year of eligibility (e.g., complete training by June 30, 2020 to be eligible for the Program for the fiscal year July 1, 2020-June 30, 2021, absent a modification of the June 30 date by the Director of Fire Services on an individual basis pursuant to paragraph B8); and who has been sworn in by the Town Clerk.

A Volunteer Member in Good Standing does not include any member terminated from volunteer service by the Town of Waterford or otherwise separating from volunteer service for any reason, voluntary or involuntary.

5. Active Volunteer Firefighter in the Waterford Fire Department:

An Active Volunteer Firefighter is a certified firefighter and Member in Good Standing who, during the year of eligibility, has participated in a minimum number of approved training drills and maintains the minimum training requirements as set forth by the Director of Fire Services.

6. Active Volunteer Fire Police Member in the Waterford Fire Department:

An Active Volunteer Fire Police member is a Member in Good Standing who has been sworn in by the Town Clerk and who maintains the minimum training requirements as set forth by the Director of Fire Services.

7. Approved Training Drill:

An Approved Training Drill is a Waterford Fire Department level drill that is approved in advance by the Director of Fire Services and will result in credit towards the Town's Insurance Service Organization, Fire Protection Classification Rating.

8. Required Training:

Required Training is State and Federal minimum requirements to function at emergency scenes. These requirements shall include, but are not limited to, the yearly certifications and re-certifications along with the approved training drills. The Director of Fire Services maintains the discretion, upon a showing of good cause by the volunteer, to excuse temporarily and/or until a date certain, the absence of any such certifications, re-certifications and/or approved training drills.

Training shall include, but is not limited to, the following titles and substantive content (training titles and reference numbers may change from time to time):

a. Minimum Certifications:

State of Connecticut Firefighter I
Hazardous Materials – Operational Level
IS-700: National Incident Management System
ICS-100: Introduction to the Incident Command System
ICS-200: ICS for Single Resources and Initial Action Incidents

b. Mandatory Training:

Attend routine training drills (Monthly)

OSHA Mandates

- Haz-Mat Operational Refresher
- Incident Command System Refresher
- Live Fire Training (Annual)
- Blood-borne Pathogens
- SCBA refresher
- Routine Fit Testing
- CPR Certification

c. Certified Fire Officer Requirements (Additional):

State of Connecticut Fire Officer I

IS-800: National Response Framework

ICS-300: Intermediate ICS for Expanding Incidents

ICS-400: Advanced ICS for Command and General Staff

d. Fire Police Requirements:

Hazardous Materials – Awareness Level

IS-700: National Incident Management System

ICS-100: Introduction to the Incident Command System

9. Stipend:

A Stipend is an amount of money awarded to any Active Volunteer Firefighter or Active Fire Police member who meets the criteria set forth below and as may be modified, from time to time, by the Director of Fire Services.

10. Point:

A Point represents participation by an Active Volunteer Firefighter or Active Fire Police member in an emergency fire response or Approved Training Drills as described in paragraph B7. To receive a Point, an Active Volunteer Firefighter or Active Fire Police member must actually attend an incident and/or respond to and arrive at an activated station before the Incident Commander dismisses the assignment and/or attend and complete Approved Training Drills. Individuals serving as volunteers or employees of the Waterford Ambulance Service when attending and/or responding to a particular incident will not receive Points related to that incident.

11. Incident Commander:

The Incident Commander sets priorities and defines the Incident Command System organization for the particular response and is responsible for the safety, accountability, and welfare of personnel through an incident.

C. Program Components

1. Stipend Schedule:

Active Volunteer Firefighters and Fire Police members who meet the criteria set forth below are eligible for Stipends issued on a quarterly basis as follows:

First Quarter	=	July through September (Issued in October)
Second Quarter	=	October through December (Issued in January)
Third Quarter	=	January through March (Issued in April)
Fourth Quarter	=	April through June (Issued in July)

2. Reporting Requirements:

- a. An incident report shall be generated and completed for every dispatched incident.
- b. All Active Volunteer Firefighters and Active Volunteer Fire Police members must sign the report within 15 minutes of the last vehicle returning to the station at the termination of the event.
- c. If an Active Volunteer Firefighter or Active Volunteer Fire Police member is not able to sign the report within the allotted time set forth in subparagraph b, he or she must file a report with 24 hours of the incident.
- d. Anyone documenting another member's name on the report shall initial next to that entry for validation purposes.
- e. Attendance records shall be recorded and maintained on the Town's approved records management software.
- f. The Director of Fire Services or his/her designee shall prepare the quarterly reports for payment.
- g. All quarterly reports will be reviewed and approved by the Director of Fire Services prior to the approval of issuance of quarterly Stipend.
- h. The Director of Fire Services shall also submit quarterly reports to the RTM on the status of the program.

3. Stipend Eligibility and Amount:

An Active Volunteer Firefighter or Active Volunteer Fire Police member shall not receive any Stipend until receiving a minimum of fifty (50) Points during that fiscal year. The Active Volunteer Firefighter or Active Volunteer Fire Police member will then be provided a Stipend at the rate of \$7 for each prior and subsequent Point earned during that fiscal year (e.g., an Active Volunteer Firefighter who has 55 Points will receive \$385; an Active Volunteer Firefighter with 20 Points will receive \$0). The Director of Fire Services may propose changes to the mandatory/minimum eligibility criteria, Point value (increase or decrease), Stipend rate or amount (increase or decrease) to the RTM, which may act on such proposed changes by majority vote. As part of its determination, the RTM must evaluate continued compliance with the federal Fair Labor Standards Act.

4. Discretionary Decisions on Awarding of Points:

The Director of Fire Services, in the exercise of his/her discretion, will decide any disputes regarding the awarding of Points under paragraph B 10. The Director of Fire Services, in the exercise of his/her discretion, also may award Points for reasons other than those expressly set forth in paragraph B 10. These decisions shall be documented in the quarterly report.

5. Higher Level of Training Stipend:

An Active Volunteer Firefighter who receives at least 50 Points during a fiscal year and who is also a Certified Fire Officer and meets all the additional requirements outlined above (i.e., State of Connecticut Fire Officer I; IS-800: National Response Framework; ICS-300: Intermediate ICS for Expanding Incidents; ICS-400: Advanced ICS for Command and General Staff), will receive an additional \$150 on an annual basis in recognition of his/her high level of training. This \$150 stipend will be issued at the same time as the stipend for the initial 50 Points. The Director of Fire Services may propose changes to the Higher Level of Training Stipend amount (increase or decrease) to the RTM, which may act on such proposed changes by majority vote.

6. Ineligibility Due to Misconduct or Separation from Waterford Fire Department:

This ordinance incorporates by reference the Waterford Fire Department Policy 103 - Disciplinary Procedures, as may be renumbered and/or amended from time to time.

In the event that the Director of Fire Services decides to impose disciplinary action short of termination against any Active Volunteer Firefighter or Active Volunteer Fire Police member is necessary, the Director of Fire Services retains the discretion to suspend any Active Volunteer Firefighter or Active Volunteer Fire Police member from the Program, as either the discipline or as a component of the discipline. The Director of Fire Services retains the discretion to determine the status of any existing Points (e.g., forfeited, retained) at the time of suspension.

Any Active Volunteer Firefighter or Active Volunteer Fire Police member who is terminated from volunteer service by the Town of Waterford immediately forfeits all Points and is not eligible for any Stipend. The Director of Fire Services and the Human Resources Director shall evaluate and determine, in their discretion, the eligibility for a Stipend of an Active Volunteer Firefighter or Active Volunteer Fire Police member who voluntarily separated from volunteer service as of the end of a quarter.

D. Funding and Administration

1. Funding:

Through its normal, annual budget process, the Town shall determine whether or not to fund the Program and, if so, in what amount.

Any portion of the annual appropriation not expended during a fiscal year does not carry over to the next fiscal year.

Should the total expenses for the Program exceed the annual appropriation, then the quarterly Stipends for the then-current quarter will be prorated to reflect the total amount available for distribution for that quarter. If the Program exceeds the annual appropriation in a quarter other than the last quarter of the fiscal year, the Program may be unfunded for quarters following the pro-rated quarter.

2. Modifications:

Any modifications allowed under this Ordinance without an Ordinance amendment (e.g., change in the Stipend rate) will be recorded in an annual Program update each July and maintained on file in the office of the Director of Fire Services.

3. Termination:

The Town shall have the right through the Representative Town Meeting to terminate the Program at any time through the ordinance process.

DRAFT

Chapter 2.58 - PLANNING AND DEVELOPMENT DEPARTMENT

2.58.010 - Created.

In accordance with Section 1.2 of the Town Charter, and C.G.S.A. § 7-148, there shall be a department of planning and development which shall be managed by a director of planning appointed by the board of selectmen as recommended by the first selectman.

(Amend. of 6-2-14(2))

2.58.020 - Duties.

The department shall manage the centralized planning, building and development functions of the town, which shall include assisting the planning and zoning commission, zoning board of appeals, conservation commission and all other such boards and commissions within the town. In addition, the department shall, under the supervision of the first selectman, be responsible for the maintenance, repair of buildings and building projects, for all town owned buildings and facilities, other than schools, pumping stations, water and sewer infrastructures and roads, to include, but not limited to, town hall, library, emergency operations center, community center, youth services, police and public works and utility commission buildings. Additional duties shall include issuance of all building/zoning applications, building permits, zoning and wetlands permits, and environmental review of all building codes, zoning and wetland regulations within the town, as determined by the town regulatory authorities.

(Amend. of 6-2-14(2))

2.58.030 - Director—Appointment, removal, powers and duties.

The board of selectmen shall appoint and may remove a director of planning who shall be responsible for the efficiency, discipline and good conduct of the planning and development department, and who shall appoint and may remove such deputies, assistants and employees as the director may deem necessary, and shall prescribe their duties. The director shall be responsible for the preparation of the departmental budget, which shall be submitted to the board of selectmen for review and presentation to the board of finance. The director shall exercise such powers and discharge such duties under the supervision of the first selectman. The director shall organize the work of the department in such a manner as he or she shall deem most economical and efficient.

(Amend. of 6-2-14(2))

2.58.040 - Organization.

The department will primarily consist of:

- A. A director of planning;
- B. A building official;
- C. A planner;
- D. A wetlands officer/environmental planner;
- E. A zoning officer;
- F. A municipal facilities maintenance coordinator.

(Amend. of 6-2-14(2))

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Proposed Language (May 18, 2020)

Chapter 2.58 - PLANNING AND DEVELOPMENT DEPARTMENT

2.58.010 - Created.

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(Amend. of 6-2-14(2))

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(Amend. of 6-2-14(2))

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(Amend. of 6-2-14(2))

2.58.040 - Organization.

The department will primarily consist of:

- A. A director of planning;
- B. A building official;
- C. A planner;
- D. A wetlands officer/environmental planner;
- E. A zoning officer;

(Amend. of 6-2-14(2))

Proposed Amendments (May 18, 2020)

Chapter 2.20 - PUBLIC WORKS DEPARTMENT⁽²⁾

Footnotes:

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Editor's note— An amendment dated June 2, 2014, amended Ch. 2.20 in its entirety to read as herein set out. Former Ch. 2.20, §§ 2.20.010—2.20.040, pertained to similar subject matter and derived from: Prior code §§ 2-106—2-109; and R.T.M. 10-1-01 (part).

2.20.010 - Created—Duties.

There is a department of public works which, under the supervision of the first selectman, shall have supervision and control of the planning, surveying, constructing and reconstructing, altering, paving, repairing, maintaining, cleaning, lighting and inspecting of highways, sidewalks and curbs, public drains, and other public infrastructure improvements; and the preservation, care and removal of trees within highways or public places and related engineering work of the town; and the collection and disposal of garbage, rubbish, ashes, recycling and operations of transfer station. Further, the department may install and/or supervise the installation of water and sewer lines, but only if and to the extent requested by the utility commission, and as approved by the first selectman; provided the costs are charged against the appropriations of the requesting commission.

In addition, the department shall be responsible for the maintenance, alteration, renovation and repair of all town owned buildings and facilities, other than schools, water and sewer infrastructures such as pumping stations and utility commission buildings, and facilities under the management of the recreation and parks commission, to include, but not limited to, town hall, library, emergency operations center, community center, youth and family services, police, public works, Jordan Park House, and Nevins Cottage. Facilities shall include all parking, handicap access, and pedestrian ways used to access buildings.

(Amend. of 6-2-14(1))

2.20.020 - Director—Appointment, removal, powers and duties.

The board of selectmen shall appoint and may remove a director of public works who shall be responsible for the efficiency, discipline and good conduct of the department, and who shall appoint and may remove such deputies, assistants and employees as the director may deem necessary, and shall prescribe their duties. The director shall be responsible for the preparation of the departmental budget, which shall be submitted to the board of selectmen for review and presentation to the board of finance and the RTM. The director shall exercise his or her powers and discharge his or her duties under the supervision of the first selectman. The director shall organize the work of the department in such a manner as the director shall deem most economical and efficient. The director shall be the tree warden and shall have all the powers and duties thereof as provided in C.G.S.A. Ch. 451, as amended.

(Amend. of 6-2-14(1))

2.20.030 - Personnel—Qualifications.

- A. The director of public works shall have, at a minimum, a Bachelor of Science degree in civil engineering.
- B. The qualifications of the other members of the department of public works will be recommended by the director of public works, with the approval of the board of selectmen.

(Min. of 4-7-14; Prior code § 2-108)

2.20.040 - Organization.

The department of public works shall consist of:

- A. A director of public works;
- B. An assistant director of public works;
- C. A municipal facilities manager
- D. The following divisions:
 - 1. Sanitation and recycling.
 - 2. Highways.
 - 3. Fleet and light equipment maintenance.
 - 4. Facilities management.

(Amend. of 6-2-14(1))

Final Draft October 2, 2020

Chapter 15.26—BLIGHTED PREMISES

15.26.010—Purpose.

- A. ~~The presence in the Town of Waterford of real property which exists in blighted condition constitutes a continuing nuisance, is detrimental to the health, safety and general welfare of the community, and adversely affects property values, thus contributing to the decline of neighborhoods and negatively affecting the economic well-being of the town and its residents. The abatement and/or elimination of blighted premises is necessary to protect, preserve, and promote public health, safety and general welfare of the community. Accordingly, the ordinance codified in this chapter is adopted pursuant to C.G.S. §§7-148(e)(7)(H)(xv), 7-148o(b) and 7-152c.~~
- B. ~~*Public nuisance.* It is hereby declared a public nuisance for any person owning, leasing, occupying or having charge or possession of any premises in the Town of Waterford to maintain such premises or any public right-of-way abutting said premises in such manner that any of the following conditions described below exist thereon, which shall be defined as blight.~~

(Amend. of 4-18-17(2))

15.26.020—Definitions.

For the purpose of this chapter, the following terms and phrases shall have the meanings set forth in this section, unless a different meaning is clearly indicated by the context:

- A. ~~*Blighted premises:* Any house, building or structure or land in which at least one the following conditions exists. A blighted premises is presumed to be a public nuisance:~~
- ~~1. It has been determined by the town's blight enforcement officer that a condition exists that poses a serious or immediate threat to the health, safety or general welfare of the community.~~
 - ~~2. The property is in a state of disrepair or is becoming dilapidated. "State of disrepair" or "becoming dilapidated" shall mean in a physically deteriorating condition causing unsafe or unsanitary conditions or a nuisance to the general public as evidenced by one or more of the following conditions:~~
 - ~~a. Missing, broken, or boarded-up windows or doors;~~
 - ~~b. Collapsing or missing exterior features including but not limited to, walls, roofs, stairs, porches, railings, hatches, chimneys or floors;~~
 - ~~c. Structurally faulty foundation;~~
 - ~~d. Unrepaired fire or water damage;~~
 - ~~e. Lacks facilities necessary for habitation;~~
 - ~~f. Vacant structure(s) open and not secured against entry;~~
 - ~~g. Rodent harborage and/or infestation;~~
 - ~~h. Parking lots in excess of ten parking spaces in a state of disrepair or abandonment, evidenced, for example, by cracks, potholes, overgrowth of vegetation within the surface, pavement, or macadam, or within medians and buffers;~~
 - ~~i. Shrubs, hedges, grass, plants, weeds or any other vegetation that has been left to grow in an unkempt manner that is covering or blocking means of egress or access to any building or that are blocking, interfering with or otherwise obstructing any~~

sightline, road sign, or emergency access to or at the property, when viewed from any property line;

- j. ~~Whether any building or dwelling on the premises is occupied or not, no grass or weeds shall be permitted by any owner or occupant to reach a height greater than two feet over twenty percent of the property;~~
- k. ~~The overall condition of the property structure and/or grounds causes an adverse impact on neighboring properties and/or has led to the cancellation of insurance on the property; and/or~~
- l. ~~Unlicensed/inoperable vehicle(s) which violate existing town zoning regulations.~~
- m. ~~Dumpsters placed on private property for the purpose of disposal of any solid or liquid waste for a period of more than sixty days from the date of the dumpster's delivery and which has not been placed in association with a site plan approved in accordance with the Waterford Zoning Regulations or a construction project with an active building permit.~~
- n. ~~Rubbish, broken glass, trash, refuse, debris, stumps, roots, or boats and machinery in a state of disrepair that cannot be used for its original purpose.~~
- o. ~~Debris: Material which is incapable of immediately performing the function for which it was designed including, but not limited to: abandoned, discarded or unused objects; junk comprised of equipment such as automobiles, boats, and recreation vehicles which are unregistered and missing parts, not complete in appearance and in an obvious state of disrepair, parts of automobiles, furniture, appliances, cans, boxes, scrap metal, tires, batteries, containers, and garbage which is in the public view.~~
- p. ~~Decay: A wasting or wearing away; a gradual decline in strength, soundness or quality; to become decomposed or rotten, except a contained compost pile.~~
- q. ~~Mechanical equipment: Any apparatus designed to operate by an internal combustion engine, or designed to be towed by any apparatus propelled by an internal combustion engine; to also include electric and pneumatic equipment.~~
- r. ~~Natural field state: Areas where grass, weeds, and brush exist in their natural, un-landscaped state.~~
- s. ~~Naturally wooded state: Areas where trees, brush and plants exist in their natural, un-landscaped state.~~
- t. ~~Person: Any man, woman, corporation, or other legal entity capable of owning real property.~~
- u. ~~Premises: A platted lot or part thereof or un-platted lot or parcel or land or plot of land, either occupied or unoccupied by any dwelling or non-dwelling structure and includes such building, accessory structure or other structure thereon, or any part thereof. The terms "premises," where the context requires, shall be deemed to include any buildings, dwelling, parcels of land or structures contained within the scope of this chapter.~~
- v. ~~Public view: Visible from any public right-of-way or neighboring property, a grade level.~~
- w. ~~Structure: Any building, dwelling, fence, swimming pool, or similarly constructed object.~~

3. ~~The fire marshal has determined that a building or structure is a fire hazard.~~

- B. ~~Citation hearing officer: A person appointed by the first selectman as an officer, as defined in, and pursuant to C.G.S. § 7-152c, to serve as the citation hearing board. Such officer shall not be an individual who issues citations and shall not otherwise be an employee of the town. The blight citation hearing officer shall serve for a term of two years, unless otherwise removed for cause by the first selectman.~~

- C. ~~Dilapidated:~~ Any building or structure or part thereof which is deemed an uninhabitable or unsafe structure as defined in the Connecticut State Building Code, or any dwelling or unit which is determined to be unfit for human habitation as defined by the Connecticut Health Code.
- D. ~~Blight enforcement officer:~~ A person or persons authorized by the first selectman to take such enforcement actions and to issue citations are as specified in this chapter, who shall not be the blight citation hearing officer.
- E. ~~Registrant:~~ Any person who has commenced an action to foreclose a mortgage on residential property and has registered such property with the town clerk.
- F. ~~Naturalized areas:~~ Contiguous areas of vegetation that come from natural regeneration and/or intentional plantings with native plant material. These areas are an approach to landscaping as a means of promoting bio-diversity, reducing water use, and reducing maintenance costs.
- G. ~~Town:~~ The Town of Waterford.
- H. ~~Town official:~~ The officer or officers, who are authorized by this chapter to exercise the powers prescribed herein, including the first selectman, director of public works, fire marshal, fire services administrator or designated agents, and any police officer of the town.

(Amend. of 4-18-17(2))

15.26.030 Exemptions.

The following properties and/or portions of properties shall be exempt from this chapter:

- A. ~~Land dedicated as public open space or parks;~~
- B. ~~Vegetation preserved in its natural state through conservation easements or conservation restrictions;~~
- C. ~~Maintained gardens, flower beds, and/or xeriscape landscaping as part of a landscape design, or naturalized areas as defined in Subsection 15.26.020.F herein, provided they do not cover or block means of egress or access to any building or block, interfere with or otherwise obstruct any sightline, road sign, or emergency access to or at the property or promote rodent harborage and/or infestation;~~
- D. ~~Any building or structure undergoing remodeling being diligently conducted pursuant to an active building permit, provided that said exemption is applicable only during such remodeling period;~~
- E. ~~Any blighted premises for which a land use application is pending for a period of ninety days from the date of submission of the application to the town.~~

(Amend. of 4-18-17(2))

15.26.040 Special consideration.

Special consideration may be given to individuals who are disabled, elderly, or low income in the town's effort to correct housing blight. If an individual home owner cannot maintain a reasonable level of upkeep of owner-occupied residence because the individual is disabled, elderly, or low income, and no capable individual resides in the residence, the town may give said individual home owner a reasonable amount of time to correct the problem, the duration of which shall be in the discretion of the blight enforcement officer. If needed, assistance in finding solutions will be offered by the town.

- A. ~~Capable individual~~ shall mean a person who can be reasonably expected to perform maintenance and yard work around a property or premises. This shall include children above sixteen years of age, without physical or mental disability as defined herein.

- B. ~~Disabled individual shall mean, in the case of an owner occupied residence, an individual who has a disability meeting the definitions for the mental or physical disability meeting the definitions for mental or physical disability as defined under the Americans with Disabilities Act of 1990 and does not have a household member capable of providing the necessary maintenance.~~
- C. ~~Elderly individual shall mean an individual over the age of sixty-five, who does not have a household member capable of providing necessary property maintenance.~~
- D. ~~Low income individual shall mean, in the case of an owner occupied residence, an individual, or where more than one person resides in the premises, a family unit, that has an income below the highest level of "qualifying income" established by C.G.S. § 12-170d(a)(3).~~

(Amend. of 4-18-17(2))

~~15.26.050 Creation or maintenance of a blighted property prohibited.~~

No owner, agent, tenant and/or person responsible for the care, maintenance, and/or condition of real property, shall cause or allow any blighted property, as defined in Section 15.26.020, to be created, maintained or continued.

(Amend. of 4-18-17(2))

~~15.26.060 Receipt of complaints and notice of violation.~~

- A. ~~The blight enforcement officer shall investigate any written, signed complaint and determine whether a violation of this chapter exists.~~
- B. ~~The blight enforcement officer shall give written notice of a violation of this chapter to the owner and occupant of and may give written notice to their agent(s), and/or any other person responsible for the blighted premises. The notice shall be hand delivered or mailed by both certified mail, return receipt requested and first class mail to the address of the owner on file with the Waterford Tax Collector, or any of the persons identified in Section 15.26.040 herein to the last known address of the person to whom it is directed, and a copy mailed by first class mail to any lienholder's current or last known address pursuant to C.G.S. § 7-148gg. If the notice is mailed to only one of the responsible parties, that shall in no way be, or be construed as, a release of any other party. If there is more than one responsible party identified in the notice, the responsibility for complying with the notice shall be joint and several.~~
- C. ~~Such notice shall state the violation and demand its abatement within a reasonable time to be determined by the blight enforcement officer based on the nature and extent of the violation. If the violation is not corrected within the time provided in the written notice, the blight enforcement officer may issue an enforcement citation and/or take other enforcement action as specified herein.~~
- D. ~~If the owner, agent, occupant and/or person responsible for the blighted premises cannot be ascertained or does not accept delivery of the written notice, the notice shall be published once in a daily or weekly newspaper having a substantial circulation in the town and shall be posted on the premises. The notice shall include the name of the last known owner of the real property upon which violation has been found and the address of the real property.~~
- E. ~~Any person who is a new owner of a blighted property shall, upon request, be granted a thirty-day extension of the notice and opportunity to remediate provided pursuant to Subsection 15.26.060.B. For the purposes of this subsection, "new owner" shall mean any person or entity who has taken title to a property within thirty days of the notice.~~

(Amend. of 4-18-17(2))

~~15.26.070 – Penalty for violation.~~

~~Violations of this chapter shall be punishable by a civil penalty of fifty dollars for each day a violation continues. Each day after due notice of the violation has been served shall constitute a separate offense.~~

~~(Amend. of 4-18-17(2))~~

~~15.26.080 – Enforcement citation.~~

~~A. A citation hearing procedure pursuant to C.G.S. § 7-152c is hereby established for the purposes of this section. The first selectman shall appoint a citation hearing officer for the town in accordance with Subsection 15.26.020.B of this chapter.~~

~~B. If a violation remains unabated after the time allowed for abatement contained in the notice of violation issued per Section 15.26.060 hereinabove has expired, the blight enforcement officer may issue a citation to any owner, agent, tenant, or person or entity in control of the property for the violation in accordance with this section. The citation shall state the date by which the uncontested payment of fines, penalties, costs or fees shall be made.~~

~~C. Any person(s) or entity issued a citation pursuant to this section shall be entitled to a hearing to contest the citation pursuant to the provisions of C.G.S. § 7-152c(e).~~

~~D. At any time within twelve months from the expiration of the final period for the uncontested payment of fines, penalties, costs or fees set by a citation issued pursuant to this section, the town shall send notice to the person(s) or entity cited to inform them:~~

- ~~1. Of the allegations against the person or persons and the amount of fines, penalties, costs or fees due;~~
- ~~2. That the person(s) or entity may contest liability before a citation hearing officer by delivering in person or by mail written notice within ten days of the date the duly delivered notice;~~
- ~~3. That if the person(s) or entity does not demand such a hearing, an assessment and judgment shall be entered against the person(s) or entity; and~~
- ~~4. That such judgment may issue without further notice.~~

~~For purposes of this Section 15.26.080, notice shall be presumed to have been properly sent if such notice was mailed to such person/entity's last known address on file with the tax collector. If the person/entity to whom notice is issued is a registrant, the town may deliver the notice in accordance with C.G.S. § 7-148ii; provided nothing in this section shall preclude the town from providing notice in another manner permitted by applicable law.~~

~~E. If the person/entity to whom notice is sent pursuant to this section wishes to admit liability the person/entity may, without requesting a hearing, pay the full amount of the fines, penalties, costs or fees admitted to in person or by mail to a designated town official.~~

~~F. Any person who does not deliver or mail written demand for a hearing within ten days of the date of the first notice provided by in Subsection B of this section shall be deemed to have admitted liability, and the designated town official shall certify such person/entity's failure to respond to the hearing officer. The hearing officer shall thereupon enter and assess the fine, penalties, costs or fees provided for by this section and shall follow the procedures for obtaining a judgment from the Superior Court set forth in C.G.S. § 7-152c(f).~~

~~G. A person/entity who makes a timely request for a hearing shall be given written notice of the date, time and place of the hearing. The hearing shall be held at a time and conducted in the manner provided by C.G.S. § 7-152c(e).~~

- ~~1. The hearing officer shall announce the decision at the end of the hearing. If the officer determines that the person/entity is not liable, the matter shall be dismissed and the officer shall~~

enter that determination in writing accordingly. If the officer determines that the person/entity is liable for the violation, the officer shall forthwith enter and assess the fines, penalties, costs, or fees against such person as provided by this section.

2. If the hearing officer's assessment is not paid on the date of its entry, s/he shall send by first class mail a notice of the assessment to the person found liable and shall file, not less than thirty days nor more than twelve months after such mailing, a certified copy of the notice of assessment and an entry fee with the clerk of a Superior Court facility designated by the chief court administrator.
3. The person/entity against whom an assessment has been entered by the hearing officer pursuant to this section is entitled to a judicial review by way of appeal pursuant to the provisions of C.G.S. § 7-152c(g).

(Amend. of 4-18-17(2))

15.26.090—Municipal enforcement and abatement.

- A. In addition to any penalties as permitted by statute, and the citation and hearing provisions of this section, in the event any owner, agent, tenant, or person in control of real property fails to abate or correct any violation specified in a notice, pursuant to Section 15.26.060 herein, after the issuance of an enforcement citation for such failure, once the citation has become final through the failure of such owner, agent, tenant, or person in control to appeal from the issuance of the citation or by such appeal being sustained, the town, acting through its blight enforcement officer issuing such notice of violation, may cause or take any action necessary pursuant to C.G.S. § 7-148(c)(7)(E) to abate the violation upon twenty-four hours notice of its intent to do so. The cost to take such action shall be a civil claim by the town against such owner, agent, tenant, or person responsible for the property, and the town attorney may bring an action to recover all such costs and expenses incurred, including reasonable attorney's fees.
- B. In the event that the blight enforcement officer prevails in such legal proceedings, the violator shall be liable for all costs of bringing the property into compliance, and shall further be liable for all legal costs incurred by the town in doing so, including its reasonable attorney's fees.

(Amend. of 4-18-17(2))

15.26.100—Recording of lien.

In addition to having a lien for abatement expenses, any unpaid fines or costs shall constitute a lien upon the real estate in accordance with C.G.S. § 7-148aa. Each such lien shall be continued, recorded, and released as provided for therein.

(Amend. of 4-18-17(2))

15.26.110—Schedule of payments.

- A. The blight enforcement officer or the citation hearing officer may establish a schedule of payments with the owner of property in violation of this chapter subject to the following conditions:
 1. A written abatement plan signed by the property owner to abate the violation by a date certain is approved and signed by the blight enforcement officer or citation hearing officer;
 2. The abatement plan shall establish the amount and date(s) payment of penalties shall be made.
- B. The blight enforcement officer or citation hearing officer may suspend the accrual of daily violation fees described in Section 15.26.070 of this chapter during the abatement period; provided that the