

**REGULAR MEETING OF THE LITCHFIELD BOARD OF SELECTMEN
TUESDAY, SEPTEMBER 7, 2021 ~ 5:30 P.M.
IN-PERSON AT LITCHFIELD FIREHOUSE, 258 WEST ST. AND
REMOTE MEETING BY LIVE INTERNET VIDEO STREAM AND TELEPHONE**

Call to Order: First Selectman Denise Raap called the meeting to order at 5:30 p.m. with Selectmen Jeffrey Zullo, Jodiann Tenney, Thomas Waterhouse and Jonathan Tarrant present.

Approval of Minutes

a) 8/17/21 Special Meeting: Motion: J. Tarrant moved to approve the special meeting minutes of 8/17/21, and J. Zullo seconded. All voted aye except T. Waterhouse, who abstained because of absence, and the motion carried.

b) 8/17/21 Regular Meeting: Motion: J. Tarrant moved to approve the regular meeting minutes of 8/17/21, and J. Zullo seconded. All voted aye and the motion carried.

Public Requests/Comments: Attorney Perley Grimes was present on behalf of Concerned Litchfield Citizens. This group has engaged environmental engineers to analyze all Woodridge Lake Sewer District issues and have requested and received from DEEP any test results it claimed to show of site pollution. The group's engineers analyzed this data. T. Waterhouse reported on 8/3/21 that the DEEP report said there would be a 16% pollution reduction of Bantam Lake if Woodridge Lake were connected to our system. The group does not agree with this statement. At the WPCA meeting on 8/12/22 they asked T. Waterhouse for the source of that claim, and he said it was a DEEP TMDL (total maximum daily loading calculation) of Bantam Lake. Their engineers looked at that report because it did not make sense. In the surface water testing the EPA requires every two years, the results of the tests of the west branch of the Bantam River near Brooks Road, downstream of WLSD, for 2018 and 2020 showed that this is not a polluted stream and was supporting aquatic life. The southerly boundary of the WLSD is about 2,550 ft. from this stream. He had two maps of streams to present and asked that they be made part of the minutes. Both the WLSD and Dog Pond are upstream of the Brooks Road test site. The groundwater monitoring wells that DEEP used in its TMDL are within the actual WLSD fields. Mr. Grimes questioned the DEEP TMDL conclusion that Bantam Lake relates to WLSD because it relies on groundwater tests and not surface water tests, and that does not seem rational. Water getting to the surface of Bantam Lake does not travel underground. It is fed by streams and surface waters. The engineers found that by using the Brooks Road DEEP surface water test results instead of the groundwater results, the phosphorus and nitrogen loading calculation would be 10% of what DEEP's TMDL draft reports as WLSD's contribution. That TMDL load calculation would be 1.65% to the surface waters of Bantam Lake as opposed to the 16.5% that is in the TMDL. The way to resolve this is to connect as planned and approved in 2019 to Torrington, or to develop onsite solutions at the Woodridge Lake property that have been discussed for years. He asked the Board of Selectmen to carefully consider if there is accuracy in the DEEP's TMDL report; they think not, as their engineers have told them so. There is some treatment of the discharge in the underground fields before it reaches the Brooks Road area, which is why the numbers at the Brooks Road location are 1/10 of the numbers shown, because of where the wells are located near the fields. The engineers agreed, saying the proper way to calculate surface water runoff is by calculating the nearest surface water stream; and in this case it's the west branch of the Bantam River near Brooks Road. He asked the Board to look at the maps and attach them to the minutes of this meeting.

Selectmen's Requests: Motion: J. Zullo moved to add to New Business d) "Discuss Motor Vehicle Registration Ordinance". T. Waterhouse seconded, all voted aye and the motion passed.

First Selectman's Update Report: D. Raap mentioned she met with Region 6 attorneys and our Attorney, Mike Rybak, and the other selectmen about the consolidation plan and timeline. The Region 6 attorneys will present the timeline to Mike Rybak, and the item will be added to the agenda on 9/21/21 in order to vote to approve the creation of an educational consolidation committee, and then to a town meeting perhaps on October 14th. The school regionalization process will follow the Statute 10-39. J. Zullo asked for clarification from M. Rybak to see how the committee is appointed.

D. Raap then said it came to her attention that some people think her administration has not been as transparent as it should be, and asked J. Tarrant if there is anything in particular they could do better as a board. Mr. Tarrant asked if she was referring to all five board members. She replied that it was in the newspaper that he said they were not as transparent as they could be. He denied saying that, but did feel this Board has been very transparent, especially during COVID with Zoom meetings allowing many to join. He felt, however, there is a definite attempt from some to pack some boards with members of their party. J. Zullo said the appointments made have always been by unanimous vote. J. Tarrant referred to the meeting of November 19, 2019, where two or three more interviewees in addition to the one listed were added to the Capital Improvement appointments. The vote was not unanimous, done by paper vote, and included a new appointment made in place of reappointment of a current member. He also felt that packed appointments were brought to the Economic Development Commission. D. Raap said that many people reached out to her who were interested in serving on committees, and she has always welcomed new, interested people. After some discussion they agreed to disagree.

Interviews, Appointments & Reappointments

a) **Reappoint Thomas Roman to Western Regional Tourism District, term 9/2024; Motion:** J. Zullo moved to reappoint Thomas Roman as above, and J. Tarrant seconded. All voted in favor and the motion passed.

Liaison Reports/Commission-Committee Minutes: 8/9/21 Board of Finance; 8/11/21 Inland Wetlands Commission; 8/12/21 WPCA; 8/9/21 Conservation Commission; 8/19/21 Sandy Beach Commission; 8/30/21 Traffic Safety Community Action Group

Sustainable Litchfield Update: J. Zullo said they submitted 495 points (400 required) for silver certification. He is communicating with the EV charger company to accept the demo charger. The cost of the trenching has been discussed for possible funding at the ARPA meetings. David Tanner has a faster charger available for a quicker delivery. They are scheduling a site visit just to the right of the municipal restrooms. Sustainable Litchfield will now be included in the Sustainable States Energy Challenge after being nominated by Sustainable CT, being one of 40 municipalities in the nation. They are working on energy efficiency in buildings, which ties in with the initiatives of the Town Facilities Review Committee.

WPCA Liaison Update - Tom Waterhouse: T. Waterhouse said his report would be a follow up to Mr. Wilson's report on this agenda.

Vacancies: The list of current appointed vacancies with term expirations is as follows:

Beautification Commission: 3 alternate members 2/2022

Broadband Commission: 1 alternate member 1/2023

Cable TV Advisory Council: 1 BOE members 6/2023

Conservation Commission: 2 alternate members 12/2021

Economic Development Commission: 1 alternate member 6/2023

Litchfield Arts Council: 1 alternate member 8/2024

Litchfield Prevention Council: 2 reg. members 6/23, 6/24; 4 alt. members: 2-6/22, 2-6/23

Milton Historic District Commission: 3 alternates; 2-1/2024, 1-1/2022

Northwestern CT Transit District: 2 members, both 5/2022
Pension Commission: 1 regular member 2/23; 1 alternate member 3/2022
Social Services Board: one regular member 2/2022
Sustainable Litchfield Committee: 1 alternate 3/2022
Traffic Safety Community Action Group: 2 alt. members 1/2023
Veteran's Advisory Committee: 1 regular member 8/2023; 1 alternate member 8/2021
Western CT Coalition, CAC #22 (formerly NW Regional Mental Health Board): 1 member 5/2023
Zoning Board of Appeals: 2 regular members 3/2023, 3/2025; 1 alternate member 3/2025

Tax Refunds: Motion: J. Tenney moved and J. Zullo seconded a motion to approve 8 tax refunds for a total of \$878.65. All voted aye and the motion passed.

Transfers

a) **Transfer #6 - \$5,278.00 from 56-9501-47001 CapNR to 67-9924-61423 Fire Engine Northfield:** D. Raap explained this was approved in June of 2020, but the money should come from Capital Non-recurring instead of Contingency. **Motion:** J. Zullo moved that the Board of Selectmen approve Transfer #6 for FY 21/22 in the amount of \$5,278.00, to come from Capital Non-recurring to fund the fire engine in Northfield. J. Torrant seconded and asked where the money was used from. D. Raap said it has not yet been expended from anywhere. Upon voting all voted aye and the motion passed.

Old Business: None

New Business

a) **Animal Control Officer Discussion with Little Guild of St. Francis:** D. Raap said she has been in discussion with Little Guild in Cornwall as an alternative to how we handle animal control. Currently the Town spends \$50,000 - \$60,000 per year at the regional facility in Torrington. The new facility bid is \$2.7 million, so we are looking at paying 17.7% of that capital. Our agreement with Torrington has expired. Little Guild is proposing we give them a yearly stipend and we hire a part-time Animal Control Officer who works by call, and dogs would be taken to the Little Guild. This could save us \$30,000 per year. We have about 50-60 calls/year, many of which are lost dogs that get reunited very quickly, and very few hoarding situations. Under the current setup, we would pay \$1,000/call. Selectmen were interested in this proposal. J. Zullo asked for the names of other towns that might be using the Little Guild.

b) **Scope of Work Update for Potential Work at the Wastewater Treatment Plant - DEEP Letter Status:** D. Wilson shared the WPCA's exhaustive process for meeting requirements for DEEP if we want to look in the future for Clean Water Funds. We are not under any order from DEEP. We submitted an application for permit renewal in February, with an acknowledgement letter from DEEP in March. We interviewed consultants and narrowed our choice down to Woodard & Curran, and have completed a scope of work to negotiate with them. J. Zullo asked if we have used them in the past and D. Wilson said no, but they are a reputable firm, and he has worked on projects with them. We are not hiring anyone to do a facilities plan right now, but rather a stand alone engineering upgrade analysis. There are items where we are above our permit, and we would like to answer some unknowns before we go further. If we go to a facilities plan with WLSD (DEEP will not pay for two), we would want the accounting to be kept separate from WLSD. D. Raap asked if there is a facilities plan for the next 20 years, and Mr. Wilson said they would plan within five years. Several of the non-compliance issues are flow related and will be helped with ARPA money. Upon question by D. Raap about money needed for inflow and infiltration work, D. Wilson said they constantly put money into it and can always use more. They do 20% of the collection system work each year and spent \$26,000 last year on flow studies. Regarding the feasibility study with WLSD, D. Wilson said they were stopped without finishing in favor of investigating a standalone study of Litchfield first. Now they have the scope of work for Woodard and Curran but have not yet met with them. The items on the scope will address non-compliance issues and solicit help in

correcting them. J. Zullo asked what they hope for from Woodard and Curran as an end result. T. Donoghue said they need immediate help mitigating effluent non-compliance events. He reviewed the meeting in March with the DEEP and explained the quality based selection process of an engineering firm in order to qualify for up to 45% reimbursement from the Clean Water Funds on a facilities plan. D. Wilson added the end result of the on-call engineering firm's work will produce suggestions for improvement for processes to eliminate surges of flow. He estimated this work will take at least a year. Raz Aexe explained the process as 1) to identify operational concerns; 2) trigger fundamental approved changes to the WWTC; and 3) which could trigger changes in improving hardware. D. Wilson agreed, saying their equipment is contributing to their violations. They plan to discuss the scope of work at the WPCA meeting on Thursday and move ahead with Woodard and Curran. T. Waterhouse asked if there were any plans to work with WLSD to ensure clean water quality coming into Bantam Lake, and D. Raap said no. Mr. Waterhouse thought it would be a good idea to open up discussions with WLSD on this, but she replied that we have to complete our own analysis first. D. Wilson then referenced the Concerned Citizens' letter, and said that the DEEP's approach is a watershed approach that means that everything discharges into the watershed, so water on the surface sometimes ends up downhill of its discharge point, whether it's 2,000 ft. or 20 miles. T. Donoghue clarified that what is happening at Bantam Lake is separate from what they are doing at the plant, as they are downstream from the lake. J. Zullo then followed up on what action had been taken on a draft response letter to the DEEP from the First Selectmen, endorsed by the Board of Selectmen, containing a series of questions. It had been forwarded to the WPCA for comment. D. Wilson said he felt the letter may antagonize the DEEP and should not be sent but it was not taken up by the WPCA. He agreed that he would bring it to the WPCA at its next meeting.

c) Town Affordable Housing Plan Fee-for-Service Agreement: D. Raap said they received a grant for \$14,900 from the State, and the NHCOC has presented a proposed fee-for-service agreement for a town affordable housing plan that we must submit by June, 2022. **Motion:** J. Zullo moved that the Town of Litchfield approve the affordable housing plan fee-for-service agreement with the LHCOC in order to develop our housing plan. J. Torrant seconded. J. Zullo clarified and D. Raap confirmed that the deliverable from the NHCOC, Jocelyn Ayer as the Planner, is the housing plan that will be sent to the CT Department of Housing. He then asked if the funding will be sufficient, and Ms Raap said it would. Upon voting, all voted aye and the motion carried.

d) Discuss Motor Vehicle Registration Ordinance: J. Zullo said he requested this agenda item because Paul Rosenberg has asked the Board to look at developing a motor vehicle registration ordinance along the lines of what Waterbury has done to force or penalize people who are not registering their vehicles in town after the State mandated a period of 60 days. D. Raap said she has been working with the Assessor for about six months to identify the vehicles that are not registered here. She read the response from the Assessor in response to Mr, Rosenberg's letter of 9/4/2, which he requested be made part of the minutes, said that many of the homeowners with out-of-state registrations have homes here but are only here part time (about 100 so far). She compared the real estate properties to the motor vehicles listed on the 2020 grand list and checked to see if properties without motor vehicles had registered voters associated with them. She has sent letters in August to all who did not have a motor vehicle associated with their property and are still compiling the responses. She was unsure if a similar ordinance to Waterbury would help us, as we do not have many out-of-state visitors and did not believe it would be a good use of our limited police force. J. Torrant asked that Mr. Rosenberg's letter be made part of the minutes. **Motion:** J. Zullo moved to table this discussion for the completion of Assessor Kathy Brown's analysis, and J. Torrant seconded. All voted aye and the motion carried. J. Zullo asked that K. Brown report at the next Selectmen's meeting. Paul Rosenberg spoke and there was further discussion after the motion that will be addressed at the next meeting.

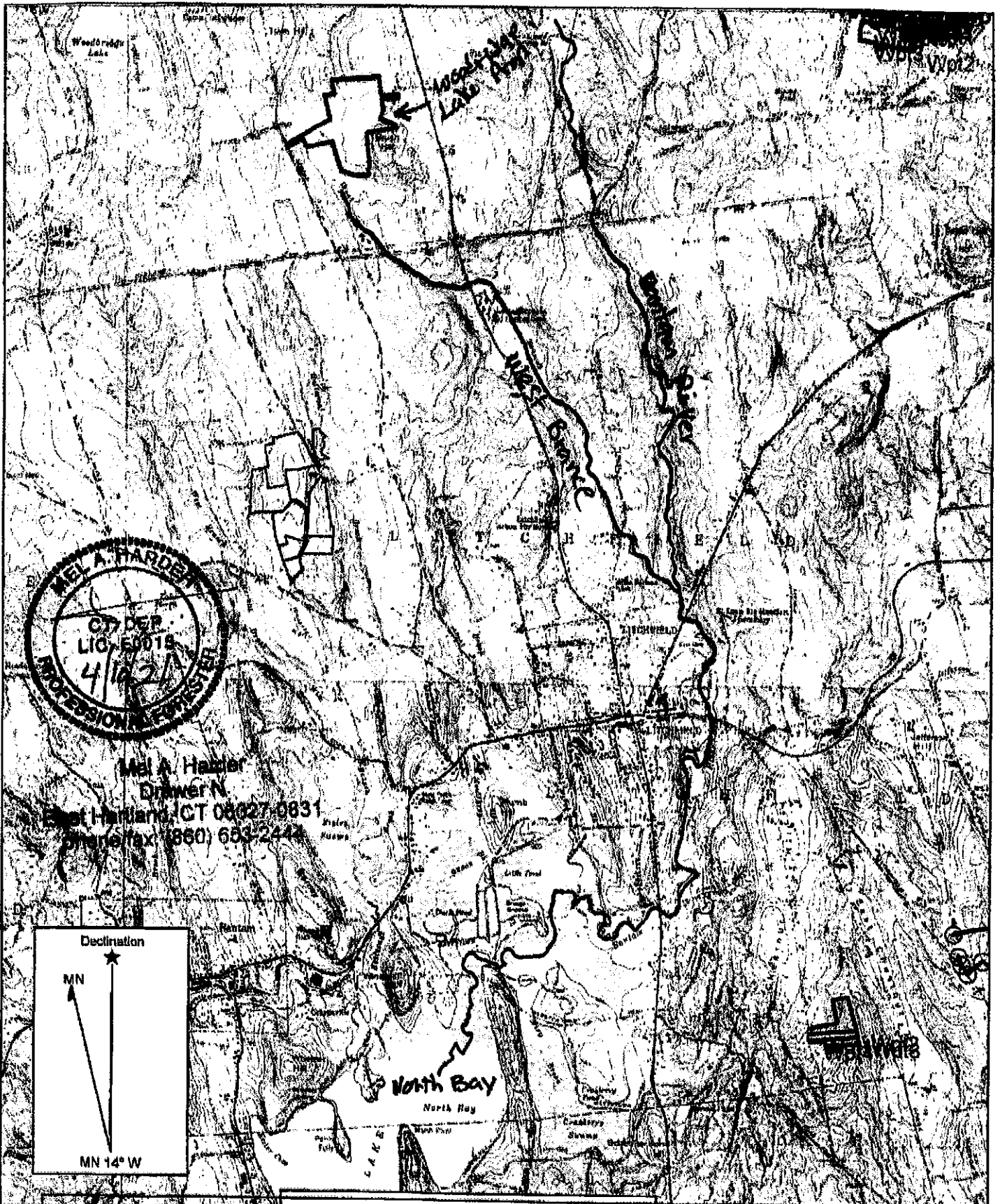
Correspondence: a) 9/3/21 Letter from C. Honan on Behalf of Concerned Litchfield Citizens: In reviewing the history of Goshen's actions, J. Zullo commented that WLSD had a recommendation to go to Torrington in 2019, but there would be no USDA rural funding for them. T. Waterhouse then outlined the delay with the route of the sewer line from Goshen to Torrington. Kate Honan, who signed the letter, explained the reasoning for WLSD reaching out to Litchfield for its preferred connection. J. Zullo clarified that their decision was based on the cost, and she concurred. He said Litchfield should not be in that equation of solving someone else's financial issue. J. Torrant asked Ms Honan why the Concerned Citizens are so concerned about the proposed pressure line coming down Beach Street. She said it was Litchfield rather than Beach Street they are concerned about, as Litchfield would take on the liability for Goshen's sewage by granting the easement. It is also against our Plan of Conservation and Development. She also felt the Class AA Bantam River would be downgraded to a Class B if treated sewage was forced into it. Attorney Perley Grimes further explained the history of why Goshen halted its path to Torrington with a bonding resolution already noticed. He said they abruptly stopped and pulled the bond notice to start discussions with the WPCA in Litchfield. When D. Raap questioned the reasoning for halting all that work, Mr. Grimes said they would have to ask Jim Mersfelder of the WLSD. J. Zullo said it was very clear that it was about the money. They wanted to leverage Litchfield into saving some of that cost. Mr. Grimes agreed that they thought they could get a better deal by going to Litchfield. Ms Honan said another reason she is against this is that they would have to build a larger interceptor on White Woods Road at an additional \$15.5 million, and the USDA said that was too expensive. The compromise was for WLSD to build a 1 million gallon holding tank of raw sewage on their leach fields that she said would cause odors.

Possible Executive Session Re Labor Contract Ratification: Motion: J. Torrant moved to go into executive session at 7:19 p.m. and J. Zullo seconded. All Selectmen were present and voted in favor. Out of executive session at 7:22 p.m. D. Raap announced the LMEA Union contract has been approved, signed and ratified by the Board of Selectmen.

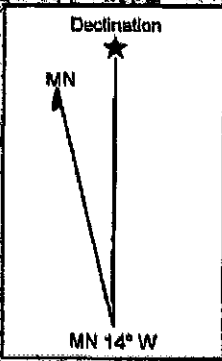
Adjournment: Motion: J. Torrant moved to adjourn at 7:22 p.m. and J. Zullo seconded. All voted aye and the motion carried.



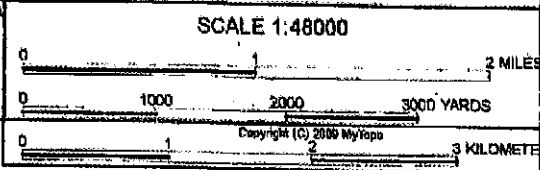
Denise Raap, First Selectman



Mel A. Hazler
 Drawer N
 West Torrington, VT 05077-0831
 Phone/fax: (860) 683-2444



Name: WEST TORRINGTON
 Date: 04/10/21
 Scale: 1 inch = 4,000 ft.



Map showing flow of West Branch and Bantam River into North Bay of Bantam L.

The Hovel
Pinchpenny Park
Litchfield CT 06759

p.m.rosenberg@bnc.oxon.org

4 September 2021

To the Litchfield Board of Selectmen:

This is to be read and entered into the minutes of the regular meeting on 7 September at 5:30 p.m.

Further to my letters published in the Republican-American, Litchfield.bz, and LitchfieldMonitor.com, as well as my emails to and discussions with certain members of the board and my having given the first selectwoman a copy of the relevant Waterbury ordinances, I must remind the selectman that it's high time for Litchfield to draft and enforce an ordinance dealing with motor vehicle scofflaws, as Waterbury has just done.

Without such an ordinance, dealing with the problem—even with the new strategy as recently explained to me by the first selectwoman—is pretty much a waste of time, energy, and postage. Litchfield needs an ordinance similar to the one enacted by Waterbury to do the job properly and get town residents to register their motor vehicles as required by law and thus pay their share of town taxes.

No two ways about it. And the process should start without delay—i.e., by a motion at this meeting—to have the town attorney draft the requisite ordinance to take to a town meeting as soon as possible.

I attach the 3 October story copied from the Republican-American as well as the Waterbury ordinance and enabling state statute for your convenience.

Yours faithfully,

Paul Mordecai Rosenberg

Paul Mordecai Rosenberg

Dodging tax will cost you

Waterbury to hand down \$250 fines for out-of-state plates

BY MICHAEL PUFFER

REPUBLICAN-AMERICAN 3 September 2021

WATERBURY — Mayor Neil M. O’Leary said this fall the city will begin handing out \$250 tickets to city residents with cars improperly registered out of state.

“We are aiming for some time in October or November,” O’Leary said. “I believe we are going to meet that goal.”

Aldermen have adopted ordinance changes giving the city authority to issue \$250 tickets to residents dodging local motor vehicle taxes by registering vehicles out of state.

Connecticut police officers already had authority to hand out \$1,000 fines under the state’s authority but had to enforce them through state courts, a cumbersome process that rarely ended up with a fine being enforced.

Waterbury police handed out 19 tickets since the beginning of 2019 for vehicles improperly registered out of state. Fourteen received a negotiated plea meaning a warning, community service or a reduced fine, according to Waterbury police. Five more are still “pending” in the court system.

State Rep. Michael DiGiovancarlo, D-74th District, was so irritated by all the out-ofstate plates in Waterbury that he championed a change in state law which allows cities to enforce a \$250 sanction. Di-Giovancarlo is also a city alderman and police officer.

Police Chief Fernando Spagnolo said police get tips concerning out-of-state plates “all the time,” but stressed the city is more interested in people properly registering cars than it is in collecting fines.

People who receive tickets will be able to avoid the fine by properly registering their vehicles.

O’Leary said he’s tapped former Southbury town

assessor Michael Moriarty – a lifelong Waterbury resident – to hear appeals of the tickets. O’Leary said he sees outof- state plates “everywhere” in the city but is confident the new system will effectively encourage compliance.

Even if people avoid paying fines by properly registering vehicles, the city could be in for a big increase in revenue.

WHEREAS, The Board of Aldermen of the City of Waterbury, being desirous of amending the Waterbury Code of Ordinances, does hereby approve and adopt the following amendments to the Code.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WATERBURY THAT: Waterbury Code of Ordinances Chapter 12, "Civil Enforcement", is amended as follows:

Chapter 12 – Civil Enforcement

§ 12.01 CITATIONS AND APPEAL AUTHORIZED

(A) Pursuant to Connecticut General Statutes § 7-148(c)(10), the City may enforce violations of the City of Waterbury Zoning Regulations and this Code of Ordinances the provisions of this Code designated in ~~§ 12.02~~ by the issuance of a citation. ~~This chapter shall not preclude enforcement of violations of other provisions by citation if expressly provided for elsewhere within this Code.~~ Each citation shall be issued by a police officer or designated municipal employee who shall issue a written warning providing notice of the specific violation before issuing the citation. Such citation may be appealed through the citation appeal procedure established in § 12.03.

~~§ 12.02 ZONING REGULATIONS AND CODE SECTIONS TO BE ENFORCED BY CITATION~~

~~—The City of Waterbury Zoning Regulations and the following sections of this Code are hereby designated for enforcement by citation pursuant to this chapter:~~

~~—§ 90.05 Signs and Street Stands~~

~~—§ 99.55 Snow and Ice Removal~~

~~—§ 99.57 Snow and Ice Not to be Shoveled into Street~~

~~—§ 161.02 Permits (Donation Bins)~~

~~—§ 161.04 Requirements for Operation and Maintenance (Donation Bins)~~

~~§ 12.03 CITATION APPEAL PROCEDURE~~

(A) *Applicability.* Unless otherwise expressly provided within this Code, this section shall apply upon the issuance of a citation for violation of any provision of this Code or the City of Waterbury Zoning Regulations.

(B) *Appointment of citation hearing officers.* The Mayor shall appoint one or more citation hearing officers, other than police officers or employees or other persons who issue citations, to conduct hearings authorized by this section.

(C) *Notice of violation.* Within twelve months from the expiration of the period for the uncontested payment of fines, penalties, costs or fees for citations issued under any provision of this Code or zoning regulations adopted pursuant to § 7-14B of the Connecticut General Statutes, the city shall send notice to the person cited. The notice shall inform the person cited: (1) Of the allegations against him, and the amount of the fines, penalties, costs or fees due; (2) that he may contest his liability before a citation hearing officer by delivering in person or by mail written notice within ten days of the date thereof; (3) that if he does not demand such a hearing, an assessment and judgment shall be entered against him; and (4) that the judgment may issue without further notice.

(D) *Admission of liability.* If the person or entity who is sent notice pursuant to subsection (C) of this section wishes to admit liability for any alleged violation, he may, without requesting a hearing, pay the full amount of the fines, penalties, costs or fees admitted to in person or by mail to an official designated by the city. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of the person making the payment. Any person who does not deliver or mail written demand for a hearing within ten days of the date of the first notice provided for in subsection (C) above shall be deemed to have admitted liability, and the designated municipal official shall certify the person or entity's failure to respond to the citation hearing officer. The citation hearing officer shall thereupon enter and assess the fines, penalties, costs or fees as set forth in the schedule of fees, charges, penalties and rewards attached to the annual budget of the city, pursuant to § 41.11 of this Code, and shall follow the procedures set forth in subsection (G) of this section.

(E) *Right to hearing; notice; timing of hearing.* Any person who requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than fifteen days nor more than thirty days from the date of the mailing of notice, provided the citation hearing officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance.

(F) *Hearing procedure.* An original or certified copy of the initial notice of violation issued by the issuing official or police officer shall be filed and retained by the municipality, and shall be deemed to be a business record and evidence of the facts contained therein. The presence of the issuing official or police officer shall be required at the hearing if such person so requests. A person wishing to contest his liability shall appear at the hearing and may present evidence in his behalf. A designated municipal official, other than the hearing officer, may present evidence on behalf of the municipality. If such person fails to appear, the hearing officer may enter an assessment by default against him upon a finding of proper notice and liability under the applicable statutes or ordinances. The citation hearing officer may accept from such person copies of police reports, investigatory and citation reports, and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The citation hearing officer shall conduct the

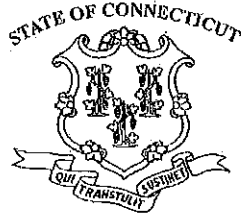
hearing in the order and form and with such methods of proof as he deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The citation hearing officer shall announce his decision at the end of the hearing. If the citation hearing officer determines that the person is not liable, he shall dismiss the matter and enter his determination in writing accordingly. If the citation hearing officer determines that the person is liable for the violation, he shall forthwith enter and assess the fines, penalties, costs or fees against such person as set forth in the schedule of fees, charges, penalties and rewards attached to the annual budget of the city, pursuant to § 41.11 of this Code.

(G) *Notice of assessment; filing in Superior Court; effect.* If such assessment is not paid on the date of its entry, the citation hearing officer shall send by first class mail a notice of the assessment to the person found liable and shall file, not less than thirty days or more than twelve months after such mailing, a certified copy of the notice of assessment with the clerk of the Superior Court for the Judicial District of Waterbury together with an entry fee of eight dollars. The certified copy of the notice of assessment shall constitute a record of assessment. Within such twelve-month period, assessments against the same person may be accrued and filed as one record of assessment. The clerk shall enter judgment, in the amount of such record of assessment and court costs of eight dollars, against such person in favor of the municipality. Notwithstanding any provisions of the Connecticut General Statutes, the hearing officer's assessment, when entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such person.

(G) *Right to judicial review.* A person against whom an assessment has been entered pursuant to this section is entitled to judicial review by way of appeal. An appeal shall be instituted within thirty days of the mailing of notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee for a small claims case, at the Superior Court for the Judicial District of Waterbury, which shall entitle such person to a hearing in accordance with the rules of the judges of the Superior Court.

§ 12.03 MOTOR VEHICLE REGISTRATION

Any person who violates Conn. Gen. Stat. § 14-12(a) shall be subject to a civil fine of two hundred fifty dollars. Such fine shall be suspended for any first time violator who presents proof of registration for such motor vehicle subsequent to the violation but prior to the imposition of a fine.



Substitute Senate Bill No. 261

Public Act No. 21-106

AN ACT CONCERNING RECOMMENDATIONS BY THE DEPARTMENT OF MOTOR VEHICLES, REVISIONS TO THE MOTOR VEHICLE STATUTES AND PEER-TO-PEER CAR SHARING.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (e) of section 1-1h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):

(e) Any person who misrepresents his or her age or practices any other deceit in the procurement of an identity card, or uses or exhibits an identity card belonging to any other person, shall be guilty of a class D misdemeanor and shall have such identity card revoked by the commissioner.

Sec. 2. Subsection (a) of section 14-50b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2021*):

(a) Any person (1) whose operator's license or [right] privilege to operate a motor vehicle in this state has been suspended or revoked by the Commissioner of Motor Vehicles, [or] (2) who has been disqualified from operating a commercial motor vehicle, or (3) whose identity card, issued under section 1-1h, as amended by this act, has been revoked due

Substitute Senate Bill No. 261

that it submits such report on January 1, [2020] 2022, whichever is later.

Sec. 32. (NEW) (*Effective July 1, 2021*) (a) Notwithstanding any provision of the general statutes or special act, municipal charter or ordinance, any municipality may, by ordinance adopted by its legislative body, establish a fine to be imposed against any owner of a motor vehicle that is subject to property tax in the municipality pursuant to subsection (g) of section 12-71b of the general statutes who fails to register such motor vehicle with the Commissioner of Motor Vehicles, provided (1) such motor vehicle is eligible for registration and required to be registered under the provisions of chapter 246 of the general statutes, (2) such fine shall not be more than two hundred fifty dollars, (3) any penalty for the failure to pay such fine by a date prescribed by the municipality shall not be more than twenty-five per cent of such fine, and (4) such fine shall be suspended for a first time violator who presents proof of registration for such motor vehicle subsequent to the violation but prior to the imposition of a fine.

(b) Any police officer or other person authorized by the chief executive officer of the municipality may issue a citation to any person who fails to register such motor vehicle. Any municipality that adopts an ordinance pursuant to subsection (a) of this section shall also adopt a citation hearing procedure pursuant to section 7-152c of the general statutes by which procedure such fine shall be imposed.

Sec. 33. Subsection (h) of section 14-96q of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(h) The commissioner may issue a permit for emergency vehicles, as defined in subsection (a) of section 14-283, as amended by this act, to use a blue, red, yellow, or white light or lights, including a flashing light or lights or any combination thereof, except as provided in subsection [(j)] (k) of this section.