



## MEMORANDUM

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**TO:** LINDA BETTENCOURT  
ACTING CITY AND TOWN CLERK

**FROM:** KORI WISNESKI, DEPUTY CITY ATTORNEY

**DATE:** JULY 15, 2013

**RE:** NOTICE OF REGULAR ORDINANCE STUDY COMMITTEE MEETING

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THE ORDINANCE STUDY COMMITTEE WILL HOLD ITS REGULAR MEETING ON TUESDAY, JULY 16, 2013 AT 7:00 P.M. IN THE LEGAL DEPARTMENT OFFICE (ROOM 204).

RECEIVED  
13 JUL 15 AM 10:13  
TOWN CLERK  
MIDDLETOWN, CONN.

\* THE MUNICIPAL BUILDING IS WHEELCHAIR ACCESSIBLE \*

Ordinance Study Committee  
Municipal Building  
Legal Department, Room 204  
245 DeKoven Drive  
Middletown, Connecticut 06457

AGENDA FOR REGULAR MEETING  
TO BE HELD  
JULY 16, 2013 AT 7:00 P.M.

RECEIVED  
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TOWN CLERK  
MIDDLETOWN, CONN.

**A. Call to Order.**

**B. Approval of Minutes.**

1. Regular Meeting of May 21, 2013.

**C. New Business.**

1. Proposed Revision - Chapter 74, Article IV, Section 74-41, Effect of payments under Workers' Compensation Act;
2. New Article and Section - Chapter 272, Article III, Miscellaneous, Section 272-23, Income and Expense Penalty Waiver;

Merger Ordinances:

3. New Article - Chapter 31, Article XI, Public Works Department; and
4. New Article - Chapter 31, Article XII, Recreation and Community Services Department.

**D. Adjournment.**

cc: Mayor Daniel T. Drew

Ordinance No.

ORDINANCE

**BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** that Chapter 74, Article IV, Section 74-41 of the Middletown Code of Ordinances be, and hereby is, amended to read as follows:

Article IV. Retirement System

Section 74-41. Effect of payments under Workers' Compensation [Amended 1-3-2000]

All ~~moneys~~ monies received by any member or dependent as an award payable by the City and/or its Workers' Compensation insurer under the State of Connecticut Workers' Compensation Act shall be deducted from any concurrent payments provided under this article.

Submitted by: Councilwoman Mary Bartolotta

Approved by: Ordinance Study at its meeting held on

**Status:**

**by Common Council, City of Middletown  
at its meeting held on:**

Ordinance No.

**ORDINANCE**

**BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:** That Chapter 272. TAXATION. of the Middletown Code of Ordinances be and hereby is amended by adding Article III, Miscellaneous, and a new section, § 272-23, to read as follows:

**Article III: Miscellaneous**

**Section 272-23. Income and Expense Penalty Waiver.**

As provided under Conn. Gen. Stat. § 12-63c(d), which authorizes municipalities to waive the assessment penalty described in §12-63c(d), the Tax Assessor of the City of Middletown shall waive the ten percent assessment penalty described in §12-63c(d) upon receipt of such information that the owner of the real property required to submit the information is not the owner of such property on the assessment date for the grand list to which such penalty is added.

Submitted by: Councilwoman Mary A. Bartolotta

Approved by: Ordinance Study at its meeting held on

**Status:**  
**by Common Council, City of Middletown**  
**at its meeting held on:**

ORDINANCE NO.

ORDINANCE

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:  
That Article XI be added to Chapter 31 of the Middletown Code of Ordinances as follows:

ARTICLE XI  
PUBLIC WORKS DEPARTMENT

**Section 31-40. Creation**

In accordance with Chapter V, Section 1B, and Chapter III, Section 6 of the Charter of the City of Middletown, the Middletown Public Works Department is created and that the Parks Division of the Parks and Recreation Department is merged into said Department.

**Section 31-41. Composition; purpose**

The Department shall consist of a Director, Deputy Director and such other staff as may be deemed necessary by the Mayor and Common Council. The Public Works Department has oversight of Highways and Streets, Traffic Safety, Plant and Facilities including City Schoolgrounds, Parks and Recreation Facilities, Highways and Streets, Sidewalks, curbs, Engineering Services, Recycling, Sanitation, Building Inspections, Parking areas, and City Vehicles.

**Section 31-42. Duties and Responsibilities**

The Department shall be responsible for the various plant, facility and grounds owned by the City along with the services and equipment necessary for their continued upkeep. The Department will supervise and control the inspection of all structures in said City, the planning, surveying, constructing and reconstructing, altering, paving, repairing, maintaining, cleaning, lighting and inspecting of highways, sidewalks, curbs, and other public improvements and city buildings; the care, removal, planting and preservation of trees within highways or public places; engineering work for the City; supervision and control of the grounds used for parks and recreation purposes and of all buildings, structures, apparatus, and equipment used in connection therewith; and supervision and control of all new construction, including electrical and plumbing appurtenances as provided in the building code adopted by the City.

Submitted by: Councilwoman Mary Bartolotta

Approved by: Ordinance Study at its meeting held on July 16, 2013

**Status:**  
**by Common Council, City of Middletown**  
**at its meeting held on:**

ORDINANCE NO.

ORDINANCE

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Article XII of Chapter 31 be added to the Middletown Code of Ordinances as follows:

**ARTICLE XII**

**RECREATION AND COMMUNITY SERVICES DEPARTMENT**

**Section 31-43. Creation**

In accordance with Chapter V, Section 1B, and Chapter III, Section 6 of the Charter of the City of Middletown, the Middletown Recreation and Community Services Department is created and the Recreation Department and Senior Services be merged into said Department.

**Section 31-44. Composition; purpose**

The Department shall consist of a Director and such other staff as may be deemed necessary by the Mayor and Common Council.

The Recreation and Community Services Department shall have oversight of athletic, leisure and recreation programs for seniors, adults, youth, and children.

**Section 31-45. Duties and Responsibilities**

A. The Department shall be responsible for planning, organizing, and supervising various programs and activities provided by the City for a diverse population including coordinating older adult programs provided by the City or by public and private agencies and providing such service to the extent possible. The Department will supervise all personnel providing such programs.

B. The Department shall review and analyze the needs of the Community, including older adult citizens and make recommendations to the Mayor and Common Council. The Department will be responsible for the daily operations of the senior/community center.

C. The Department shall establish rules and regulations for the safety of program participants for the enjoyment of City parks, recreational areas and City beaches.

Submitted by: Councilwoman Mary Bartolotta

Approved by: Ordinance Study at its meeting held on July 16, 2013

**Status:**  
by Common Council, City of Middletown  
at its meeting held on: