

I. TIME AND PLACE OF MEETING

Ms. Menard called the meeting to order on Tuesday, April 20, 2010, at 7:00 p.m. at the East Windsor Town Hall

II. ATTENDANCE

Denise Menard, First Selectman
Mark Simmons, Deputy First Selectman
Gilbert Hayes, Selectman
Richard Pippin, Jr., Selectman

Unable to attend: John Burnham, Selectman (scheduled)

III. ADDED AGENDA ITEMS

MOTION: To add the Approval of Special Meeting Minutes of April 15, 2010 to Section IV, Previous Minutes, Item B.

Made by Mr. Simmons, Seconded by Mr. Pippin

ALL MEMBERS IN FAVOR. MOTION CARRIED

IV. PREVIOUS MINUTES

A. Approval of Regular Meeting Minutes of April 6, 2010
(Motion to amend)

MOTION: To approve the Regular Meeting Minutes of April 6, 2010, with an amendment to the motion made in New Business, Section D – said amendment is set forth in Attachment A to these minutes.

Discussion: It was also noted by Mr. Burnham in a telephone call prior to the meeting that the Page 3 Presentation was to “Mr. Smyth” and the correct spelling of his name is noted for the record.

Made by Mr. Simmons, seconded by Mr. Hayes

ALL MEMBERS IN FAVOR. MOTION CARRIED.

B. Approval of Special Meeting Minutes of April 15, 2010

MOTION: To approve the Special Meeting Minutes of April 15, 2010 as submitted.

Made by Mr. Simmons, seconded by Mr. Hayes

ALL MEMBERS IN FAVOR. MOTION CARRIED

V. PUBLIC PARTICIPATION - None

VI. COMMUNICATIONS – *The following were for the Board’s information:*

A. Review of Board of Selectmen Website emails

The board briefly reviewed the emails and discussed future action. Ms. Menard will copy the Board members on the responses and/or forward it on to the appropriate

personnel. Mr. Pippin and Mr. Burnham will get hard copies of the emails and Mr. Simmons and Mr. Hayes can receive it by email.

- B. Tax Collector correspondence
- C. Grand List of October 1, 2009
- D. Top Ten Taxpayer list for October 1, 2009
- E. Connecticut Labor Force Data/March 2010
- F. CCM Update

VII. SELECTMEN'S REPORTS

A. Denise Menard, First Selectman

- Ms. Menard did a presentation on the website improvements, including the new feature of the Tax Calculator. She ran a demonstration of how residents can use this website function.
- The latest Citizens Hour went well. She explained there was not an evening when BOF, BOS and BOF were available, as well as conference room and with vacation it made it challenge.
- The Public hearing on the 26th
- Ron Masters East Windsor Rotary Club Resident of the year
- Tree Dedication for the Garden Club was held at the Melrose Schoolhouse
- WHP Fire 100th anniversary celebration upcoming
- Opening Day of baseball is soon
- Next Wednesday there will be a town meeting

B. Mark Simmons, Deputy First Selectman

- Veterans – He discussed an anticipated May 2011 event tentatively at the Reservoir Park where \$2,500 donated by Veterans and American Legion. May 31, Memorial Day Service and the days events were detailed.
- PZC Farm regulations are being debated and not much progress
- BMX Skatepark – latest fundraiser was a big success in that they earned \$1200.
- EDC are gearing up to become more proactive they are supporting Route 140 sewer project with a view of being more business friendly. They will have a booth on May 8 at Community Day. Movie complex in SW is a huge project that will positively affect East Windsor.

C. John L. Burnham, Selectman – no report

D. Gilbert R. Hayes, Selectman

- BOE - Tim Howes is planning a formal presentation for accreditation went through on May 6.
- He is on the Donate Life Committee and he thanked the Town for flying flag the out front.
- Community Conversation committee – he explained what they do and that it's ongoing. They want to have one outreach meeting at Millpond Community room.

- East Windsor Education Foundation gives grants to teachers with special projects has a spring grant meeting and May 19 the meeting will be held. He thanked Geisslers who contributes to the funding.

E. Richard P. Pippin, Jr., Selectman

- East Windsor Housing – Officers to remain the same and they are working on energy assistance grants and he detailed some of the great savings for residents. Also they will be getting some help from Manchester Recruits for help with projects and they have contacted WFSB for publicity for that project.
- Conservation Commission - he detailed pending applications, as well as action by the Committee

MOTION: To go out of agenda order to Executive Session

Made by Mr. Simmons, seconded by Mr. Hayes

ALL MEMBERS IN FAVOR. MOTION CARRIED.

***XII. EXECUTIVE SESSION**

Pursuant to C.G.S. Section 1-200 (6)

Land Acquisition

Motion: To enter into Executive Session at 7:35 p.m. pursuant to C.G.S. Section 1-200(6) Land Acquisition to include members of the Board of Selectmen as well as Laurie Whitten, Town Planner, Amy Blaymore with Trust for Public Land, and Natural Resource Preservation Committee members Bob Slate and Jim Strempher.

Made by Mr. Simmons, seconded by Mr. Pippin

ALL MEMBERS IN FAVOR. MOTION CARRIED

MOTION: To come out of Executive Session at 7:50 p.m.

Made by Mr. Pippin, seconded by Mr. Simmons.

ALL MEMBERS IN FAVOR. MOTION CARRIED.

NO ACTION

MOTION: To remain out of agenda order to Item 10B

Made by Mr. Simmons, seconded by Mr. Hayes

ALL MEMBERS IN FAVOR. MOTION CARRIED.

***Xb: Review proposed Ordinance Concerning Local Property Tax Relief for Certain Older Adults or Permanently and Totally Disabled**

Samantha Lee, Carol Madore and Jason Bowsza came before the table. Mr. Bowsza again thanked the players who put so much hard work on this project and the Board of Selectmen as well for the support. He noted the Board has reviewed what has been put together and they are here to field questions. Mr. Simmons noted a lot of work on this and he noted the well known unemployment woes and social security cuts.

Mr. Bowsza reiterated the intent of program to become self funding eventually. Mr. Simmons noted that Mr. Burnham was not present to provide his opinions and it was noted there will be a town meeting where opinions can be stated as well. It was noted that Mr. Burnham was looking for the board to postpone this item but it was noted these volunteers have been before the board many times and have explained the plan in detail and it was felt there was no need to delay action. Again it was noted at Town Meeting there will be discussion as well.

This item is not funded in the 2010/2011 budget and in fact it can be funded when the time is right. Assessor noted its questionable how many qualified residents would jump at it but the processes and procedures will be in place. The Assessor feels it's the right thing knowing what elderly are going thru and if at town meeting it does not get approved at least there was an attempt. This concept presented in the past has never gotten to this step – town meeting will involve additional discussion.

Mr. Bowsza concluded by noting this is a little help - not a free pass – just a little help.

**MOTION: To recommend to town meeting “Ordinance Concerning local Property Tax Relief for certain older adults or permanently and totally disabled (Attachment D).
Made by Mr. Pippin, seconded by Mr. Simmons
ALL MEMBERS IN FAVOR. MOTION CARRIED**

**MOTION: To return to agenda order
Made by Mr. Hayes, seconded by Mr. Simmons
ALL MEMBERS IN FAVOR. MOTION CARRIED.**

VIII. BOARD AND COMMISSION RESIGNATIONS & APPOINTMENTS

- A. Resignations: None
- B. Re-Appointments: None
- C. New Appointments:

Discussion and appointment of Natural Resource Preservation Committee Members to the new Conservation Commission Laurie Whitten came before the Board to discuss this item. This was decided at Charter Revision to split Inland Wetlands and Conservation. The ordinance has passed and now need to appoint members – the Natural Resource members are to be conservation members

**MOTION: To appoint Albert Grant, Robert Slate, Jim Strempher, James O'Donnell as full members to the Conservation Commission terms set forth in the April 6, 2010 memo from Robin Newton (Attachment B)
Made by Mr. Hayes, seconded by Mr. Simmons
ALL MEMBERS IN FAVOR. MOTION CARRIED.**

- D. Board and Commission Current Vacancies (Attached)

IX. NEW BUSINESS

A. Discussion of Future Plans for Windsorville Cemetery to include Dan Burnham,
President of the East Windsor Cemetery Association

Dan Burnham, President, Dave Longo, member, Craig Arnold, Treasurer, Richard Osborn, Director, Elisabeth Burnham Director all came before the Board.

An issue was brought to the Board's attention about cutting of wood on town property by Cemetery Association. The Association has stopped cutting until resolution of this matter. There was lengthy discussion on how this came before the board, including the maintenance involving in clearing brush and "leaners", to discussion of expanding the cemetery and to the allegations of a logging operation. Mr. Dan Burnham explained the agreement the Association made with Mr. Longo - Longo did the work to get the clearing and trees cut and in return Mr. Longo got the wood.

The fact that the cemetery is town land and not Cemetery Association land was discussed at length, including the need for involvement by planning and zoning for any plans of expansion. Ms. Menard talked about the cemetery properties and wondered if it would be more proper to deed those cemeteries to the Association as it might be a cleaner way to avoid Town involvement with cemetery business, but that begs the question of "giving" town property away.

The wood needs to be taken care of and as there was no past policy regarding gentlemen's agreements, this is a new age, and while it was felt Mr. Longo earned the wood Ms. Menard noted all need to go forward from here out and make sure they go through the proper process involving Town land.

The timing of the wood removal was discussed and Mr. Longo noted it is easier to leave the wood until the Fall, but all those at table felt it needs to be removed. It was consensus of the board Dave Longo could take the fire wood cut and stacked.

MOTION: The Board acknowledged the agreement Cemetery Association had with Dave Longo and allow him to take the wood as had been agreed with the Cemetery Association.

Made by Mr. Hayes, seconded by Mr. Pippin

Discussion: The wood is to be removed from the site no later than July 1. Dave Longo why so important to remove? Ms. Menard noted this ongoing issue that needs resolution and he agreed that July 1 sounds reasonable.

ALL MEMBERS IN FAVOR. MOTION CARRIED

It was reiterated this is town property and nothing further can be done until going through proper process. Ms. Menard felt deeding the property was easiest - the cemetery association pays the liability insurance on those areas they are managed by Cemetery Association. Ms. Menard will look into how to get the deed property of Windsorville and she will investigate it.

MOTION: To recommend the First Selectmen investigate deeding the property for cemeteries, beginning with the Windsorville Cemetery. Report to be brought back to the Board in the future.

Made by Mr. Pippin, seconded by Mr. Simmons

Discussion – if land deeded to cemetery do they still need to go thru permit process? Laurie Whitten stated less of issue if owned – if there is tree clearing that's one thing, but expansion of cemetery is another – but it would be easier process if land deeded to them.
ALL MEMBERS IN FAVOR. MOTION CARRIED.

Mr. Arnold asked if they need approval of Board of Selectmen to expand Windsorville Cemetery. Yes, but Ms. Menard will investigate the process to see how difficult deeding will be.

B. Warehouse Point Fire Commission request for added appropriation

James Barton, Chief Warehouse Point Fire and Vick DeCapua, Chairman of Warehouse came before the board. They detailed for the board the water damage from rain that occurred at the WHP Fire Department, Company One, Bridge Street. They detailed the age of the building and history of repair, including there are two portions to the roof, the original roof was done 20 years ago and addition done in early 70's and it has never been resurfaced and this is first time major problem with leaks.

They contacted three contractors with only one written reply and estimate just under \$15,000 – this is rubber roof, insulate and repair and replace gutters to make sure water runs off.

Mr. Barton indicated they are seeking funding of the full the \$15,000. Ms. Menard noted it's not a town building. Chief Barton said they get that answer a lot but the town funds the department, so what are they to do?

Discussion took place regarding past practices and Chief Barton gave examples of when the town has funded projects such as this, items that were not part of the operating budget. Also at this point, extensive discussion took place regarding instituting a fire tax and how that is done in Enfield. Mr. DeCapua noted if they receive no help they may be forced under state statute to reopen district tax. Per Chief Barton the Town built the addition. In the 60's they stopped taxing the district.

The fact that only one bid was received was discussed at length. Mr. Pippin heard at the last public meeting concern that local residents are not offered work. Chief Barton noted that if use state contracted vendors you get state discount as you are a municipality.

FEMA funds were not requested, nor would they be appropriate as it has been leaking and it's been repaired out of operating budget – but now it is beyond repair.

At this point it was indicated the Board wants three bids. Mr. DeCapua noted they are trying to do all they can to keep cost at reasonable level, but also want quality work. He

also noted there is a time element also as this is an emergency for them. Ms. Menard stated it will not go to the Board of Finance without proper quotes and detail so the Board cannot recommend it without back up – it won't fly.

Chief Barton noted it had been stated that if the project is over \$20,000 they need three bids, but he pointed out this is under \$20,000. He reiterated they sought multiple bids, but only have one. The board stated he needed to have three bids.

Chief Barton heatedly stated he does not have to come back with more than one bid, if the rule is that it has to three bids for a project over \$20,000. Mr. Pippin replied that if there is not more than one bid he won't vote for it.

No action taken.

C. Community Day Proclamation

MOTION: To authorize the First Selectmen to sign the Community Week Proclamation and proclaim Community Week May 2 to May 2, 2010.

Made by Mr. Pippin, seconded by Mr. Simmons

ALL MEMBERS IN FAVOR. MOTION CARRIED.

D. Approval of Tax Refunds

MOTION: To approve the tax refunds in the amount of \$195.92, as recommended by the Tax collector

Made by Mr. Simmons, seconded by Mr. Hayes

ALL MEMBERS IN FAVOR. MOTION CARRIED.

X. UNFINISHED BUSINESS

A. Discussion of Ordinance to Create and Become a Member of the Central Connecticut Solid Waste Authority

John Adams, the First Selectmen of Granby, came before the Board and distributed material and made a power point presentation. Ms. Menard detailed the history behind this Ordinance and previous presentations.

Mr. Adams has been active in CRCOG as Vice Chair. The CRRA contracts are up 2011/2012 and he noted the history behind the movement and the displeasure with some aspects of the current scenario – he detailed the study to look at solid waste options. CRRA was the manager and primary source of refuse. A study showed issues with CRRA and suggested better management and in an effort to look at resolution and possible formation of solid waste authority.

Municipalities are looking for more control with solid waste authorities – also looking for legislation to expand CRRA board so it has more representation. CRRA is fighting this.

Formation is being done under statute to deal with an issue of mutual interest. The draft ordinance was created and had input from various communities in formation of the Authority and the Authority will draft the bylaws. The Ordinance needed a voting structure – CRRA feels it is a power play by towns to take control. He detailed the voting structure and how it is broken out and negated the allegations that this is MDC towns trying to take over CRRA. There would be an executive board to manage the authority and made up of members represented in size and geography and he detailed the districts

By passing the ordinance and joining the Authority it gives the Town voting right to draft bylaws. At any point a town can withdraw from the Authority – it is not binding – but at some point there will likely be a financial contribution by towns – primarily to hire consultants and lawyers to draft RFP for contractual obligation with hauler. They have requested earmark for \$2 million and that would service the financial engine to form the Authority. Granby was first to adopt the ordinance; he noted he is an unpaid first selectmen. He noted 49 towns had expressed desire to participate – East Windsor would get 2 votes. The bylaws what issues are handled by executive vs. general membership. As soon as two towns adopt the ordinance the solid waste authority is formed but of course the more towns the better.

By passing the ordinance and joining solid waste authority the Town is part of developing bylaws. At this point he noted he was not sure how many towns adopted the ordinance and Ms. Menard was surprised as she thought more towns were involved. Mr. Adams noted the various ways towns are passing ordinances and timelines are different. He also noted at the same time, CRRA is sending out sample contracts and terms are better than in past so these efforts in reaction to this process. Towns are seeking transparency and accountability and create the most cost effective mechanism to dispose waste.

They are asking towns for original \$500 contribution and commitment to solid waste authority through passage of model ordinance by June 1. He noted there may be flexibility in that date but the clock is ticking with need to either go with CRRA or explore another authority.

He went over the timeline for this process. He discussed the solicitation and the balls that are in the air at this point – trying to get it in place to see if there is an alternative to CRRA. They have a model contract from CRRA that has asked for comments as well – he noted Granby is considering that also, as all should. There is a Bill at legislature to expand CRRA board membership – ultimately may get what they want by having greater representation at CRRA.

He noted those who have been instrumental in this effort and he hopes East Windsor will consider and invited questions now or in the future. Ultimately they are looking for best option for this large budget item.

Mr. Adams noted they issued a request for information, a precursor to RFP, and got six vendors showing there is competition. He also anticipates that CRCOG as a whole will look at CRRA piece as well. The options are plentiful now and it may be a majority of towns go with CRRA in a five year contract and explore options throughout those five years.

Town of East Windsor
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Ms. Menard noted that this and CRRA contract probably have to be put side by side and compared. She noted when East Windsor joined CRRA it was not right when all other towns came in – so East Windsor’s contract expires 2012.

He noted tipping fees were \$70 a ton when process started in 2008 and when got consultants report CRRA dropped by \$10 a ton.

The ordinance does have to go to town meeting – board felt there was power in numbers.

MOTION: To recommend to Town Meeting the Ordinance to Create and Become a member of the Central Connecticut Solid Waste Authority (Attachment C)

Made by Mr. Pippin, seconded by Mr. Simmons

ALL MEMBERS IN FAVOR. MOTION CARRIED.

B. Review proposed Ordinance Concerning Local Property Tax Relief for Certain Older Adults or Permanently and Totally Disabled – *TAKEN OUT OF AGENDA ORDER ABOVE.*

C. *Discussion of current Property Maintenance Code

Ms. Menard detailed that there is no one who volunteers for this, so what has been done for the most part is having North Central Health visit. The board discussed a blight ordinance instead of a maintenance code. For example if grass is so high there is a vermin problem then the town hires lawn care person to cut grass, bill the property owner, if they pay fine, if they do not pay lien the property. It was the consensus of the board to look into a blight ordinance at future meetings.

XI. BUDGET MATTERS - the board reviewed materials presented

A. Updates on 2010-2011 Budget

1. April Recyclable and MSW Report

2. April Gas/Oil Report

3. Budget by Department (dated 4/8/2010)

4. Discussion of Hiring and Non-essential spending freeze (Although Board discusses once a month – the last memo was “until further notice” and it was recommended this continue until the end of the budget process)

XII. EXECUTIVE SESSION - *TAKEN OUT OF AGENDA ORDER ABOVE.*

Pursuant to C.G.S. Section 1-200 (6)

Land Acquisition

It was noted at the next meeting the Board will receive an update of legal matters in Executive Session.

Town of East Windsor
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XIII. ADJOURNMENT

MOTION: To adjourn at 9:45 p.m.
Made by Mr. Simmons, seconded by Mr. Hayes
ALL MEMBERS IN FAVOR. MOTION CARRIED.

Respectfully submitted,

Cynthia D. Croxford
Recording Secretary

*Starred items will not be discussed, but will remain on agenda pending receipt of additional information.

A

Board of Selectmen's meeting
April 6, 2010

To amend the following motion

IX. NEW BUSINESS

D.To adopt Resolution and authorize Denise Menard, First Selectman to sign the application and the Assistance Agreement with the State of Connecticut Small Cities Community Development Program in an amount not to exceed \$500,000.00

To include approval of the following resolution in its entirety:

WHEREAS, federal monies are available under the Title I of the Housing and Community Development Act of 1974, 42 U.S.C § 5301, et. seq., as amended, also known as Public Law 93-383, and administered by the State of Connecticut, Department of Economic and Community Development as the Connecticut Small Cities Development Block Grant Program; and

WHEREAS, pursuant to Chapter 127c, and Part VI of Chapter 130 of the Connecticut General Statutes, the Commissioner of the State of Connecticut Department of Economic and Community Development is authorized disburse such federal monies to local municipalities; and

WHEREAS, it is desirable and in the public interest that the Town of East Windsor make an application to the State for \$500,000 in order to undertake and carryout a Small Cities Community Development Program and to execute an Assistance Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE Board of Selectmen

1. That it is cognizant of the conditions and prerequisites for the state financial assistance imposed by Park VI of Chapter 130 of the CGS.
2. That the filing of an application for State financial assistance by Town of East Windsor in an amount not to exceed \$500,000 is hereby approved and that First Selectman, Denise Menard is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, to carryout approved activities and to act as the authorized representative of Town of East Windsor



B

RECEIVED

TOWN OF EAST WINDSOR
PLANNING & ZONING DEPARTMENT
11 RYE STREET
BROAD BROOK, CT. 06016
FAX: (860) 623-6030

APR - 6 2010

TOWN PLANNER LAURIE WHITTEN, CZEO, AICP

ZONING ENFORCEMENT OFFICER, Robin M. Newton

MEMORANDUM

TO: Denise Menard, First Selectman, and
East Windsor Board of Selectmen

FROM: Robin M. Newton, Assistant Town Planner, ZWEO

DATE: April 6, 2010

SUBJECT: **Appointed of Natural Resource Preservation Committee Members to new Conservation Commission**

In accordance with the ordinance that was passed and took effect on March 19, 2010 establishing a new separate Conservation Commission I am requesting that the current members of the Natural Resource Preservation Committee be appointed as members of the Conservation Commission.

Specifically,		Terms
Albert Grant	Unaffiliated	April 20, 2010 to April 20, 2014
Robert Slate	Democrat	April 30, 2010 to April 20, 2013
Jim Stremper	Unaffiliated	April 20, 2010 to April 20, 2013
James O'Donnell	Democrat	April 20, 2010 to April 20, 2012

There are currently 4 vacancies. 1 Regular member and 3 alternates. I will send letters to both the Republican and Democratic Town Parties to solicit possible interested members.

C

**ORDINANCE TO CREATE AND BECOME A MEMBER OF THE CENTRAL
CONNECTICUT SOLID WASTE AUTHORITY**

Section One: Statement of Purpose

Pursuant to Section 7-273aa of the Connecticut General Statutes Annotated, which provides that any two or more Connecticut municipalities may, by concurrent ordinances of their legislative bodies, create a regional solid waste authority under the provisions of Sections 7-273aa to 7-273oo, inclusive ("Chapter 103b"), to jointly manage solid waste and recycling services on behalf of its members, the purpose of this Ordinance is to create such a regional authority to be known as the Central Connecticut Solid Waste Authority ("CCSWA"). Upon adoption of this Ordinance by two or more municipalities, CCSWA shall be created.

Section Two: Creation of the Regional Solid Waste Authority

CCSWA is hereby created as a regional authority under the provisions of Chapter 103b and shall have all the rights, powers, duties and obligations of a regional authority pursuant to Chapter 103b and Chapters 446d and 446e of the Connecticut General Statutes Annotated.

Section Three: Designation of Regional Solid Waste Authority

The Town of East Windsor hereby designates CCSWA as its regional solid waste authority, including its regional resource recovery authority, and adopts the provisions of Chapter 103b in connection with this election to become a member of CCSWA; provided, however, that this designation and membership election shall not constitute a commitment of the Municipality's solid waste or recycling streams, and provided further that the Municipality agrees that it shall take no action, now or in the future, contrary to its currently existing legal obligations and commitments, including, without limitation, making any pledge of its municipal solid waste or recycling streams to a disposal or recycling option chosen through CCSWA which has an effective date commencing prior to the expiration date of any currently existing waste stream commitment to another disposal or recycling arrangement. By adopting this Ordinance, the Municipality shall not be obligated now or in the future to make any such commitment of its solid waste or recycling streams, or to commit any funding toward CCSWA, without further express authorization by its legislative body.

Section Four: Purpose of the Authority

The purpose of CCSWA shall be to solicit and jointly manage solid waste and recycling services on behalf of its members.

Section Five: Principal Address of the Authority

The principal address of CCSWA shall be 241 Main Street, Hartford, Connecticut 06106, c/o the Capitol Region Council of Governments.

Section Six: Members of the Authority

The members of CCSWA shall be the municipalities, including the Municipality, which adopt this Ordinance. Each member municipality shall be assigned to one of four sub-regions of CCSWA: (1) the Northwest Sub-Region, (2) the Naugatuck Valley Sub-Region, (3) the Greater Capitol Sub-Region or (4) the Shoreline Sub-Region.

Section Seven: Voting System for Meetings of the Authority's Full Membership

The number of votes to be cast by each municipal member of CCSWA at any meeting of the authority's full membership shall be determined in accordance with the following five-tiered voting system based on the individual population of each municipal member compared to the total population of all CCSWA municipal members (all such population figures to be derived from the most recent annual data published by the Connecticut Department of Public Health):

- (a) each municipal member whose individual population is less than one percent of the total population of all CCSWA municipal members shall have one vote;
- (b) each municipal member whose individual population is equal to or greater than one percent, but less than two percent, of the total population of all CCSWA municipal members shall have two votes;
- (c) each municipal member whose individual population is equal to or greater than two percent, but less than five percent, of the total population of all CCSWA municipal members shall have three votes;
- (d) each municipal member whose individual population is equal to or greater than five percent, but less than ten percent, of the total population of all CCSWA municipal members shall have four votes; and
- (e) each municipal member whose individual population is equal to or greater than ten percent of the total population of all CCSWA municipal members shall have five votes.

Section Eight: Appointment, Removal and Term of Office of a Municipal Member Representative

Each municipal member shall appoint one representative to CCSWA, which shall be the current chief elected official of the municipality or that official's designee, and that representative shall exercise the voting powers established for that municipal member as set forth in this Ordinance. As long as the method of appointment and removal and the term of office of each municipal member representative shall be consistent with the first sentence of this section, the details of such appointment, removal and term of office shall be as determined by the appointing municipality; provided however, that not more than half of the terms of all such municipal representatives shall expire within any one fiscal year.

Section Nine: Annual Meeting and By-Laws of the Authority

There shall be at least one annual meeting of all municipal members of CCSWA, to elect the members of the Executive Committee and enact such other business as shall be deemed advisable at such meeting, all as provided in the by-laws of CCSWA to be adopted after its formation. It shall require the affirmative vote of a majority of all CCSWA municipal members to enact the authority by-laws or adopt any amendments thereto, such vote to take place at a duly-called meeting of the full membership of CCSWA, with proxy voting to be permitted at such meeting.

Section Ten: Prohibition Against Member Monetary Compensation Other Than Host Community Compensation

The members and member representatives of CCSWA shall receive no monetary compensation solely for their service as members and member representatives of CCSWA; provided, however, that the ability of CCSWA, if it chooses to do so in its sole discretion, to pay host community compensation to municipal members which agree to host facilities owned or used by CCSWA within their municipal borders shall not be affected by this prohibition.

Section Eleven: Executive Committee of the Authority

The full membership of CCSWA shall elect an Executive Committee to manage the operations of CCSWA, provided, however, that the specific division of responsibilities for such management between the Executive Committee, the full membership of CCSWA and any other body or officer of CCSWA shall be consistent with the by-laws of CCSWA to be adopted after its formation. No member of CCSWA shall have more than one representative on the Executive Committee, and each member of the Executive Committee shall have one vote, without regard to the voting system established by Section 7 of this Ordinance for meetings of the authority's full membership. The members of such Executive Committee shall constitute an odd number, shall include at least one representative of each of the five voting tiers established pursuant to Section 7 of this Ordinance for meetings of the authority's full membership,

and shall also be determined by considerations of geographical representation based on the four sub-regions established under Section 6 of this Ordinance, all such matters and the terms of office and appointment of such Executive Committee members and other matters pertaining thereto to be specifically determined in a manner consistent with the by-laws of CCSWA to be adopted after its formation.

Section Twelve: Adoption

This Ordinance is hereby adopted pursuant to and in compliance with all laws governing the Municipality's adoption of ordinances.

Dated: _____, 2010

D

TOWN OF EAST WINDSOR

ORDINANCE CONCERNING LOCAL PROPERTY TAX RELIEF FOR CERTAIN OLDER ADULTS OR PERMANENTLY AND TOTALLY DISABLED.

WHEREAS, Connecticut General Statutes 12-129n authorizes municipalities to provide property tax relief to residents of East Windsor based on specific criteria;

NOW, THEREFORE BE IT ORDAINED by the legislative body of the Town of East Windsor in a meeting duly assembled that, pursuant to the Charter of the Town of East Windsor and Section 12-120n of the Connecticut General States, the following Ordinance is adopted:

SECTION 1. PURPOSE:

The purpose of this Ordinance is to assist elderly or totally disabled homeowners with their real property taxes. Pursuant to Section 12-129n of the Connecticut General Statutes the Town grants a tax credit deferment for eligible residents of the Town on the terms and conditions hereinafter provided.

SECTION 2. EFFECTIVE DATE OF TAX CREDIT DEFERMENT.

The tax credit deferment shall commence with the taxes due on the Grand List of October 1, XXXX and thereafter until the Ordinance shall be repealed by action of the Town's Legislative Body.

SECTION 3. ELIGIBILITY.

The following criteria shall be met to be eligible for the tax credit deferment:

- (a) Applicants are (1) sixty-five (65) years of age or over at the close of the preceding calendar year, or whose spouses living with them are (65) years of age or over at the close of the preceding calendar year, or fifty (50) years of age or over and the surviving spouse of a tax qualified under this Ordinance at the time of his or her death, with respect to real property on which such applicants or their spouses are liable for taxes under Section 12-48 of the Connecticut General Statutes, or (2) under age sixty five (65) and eligible in accordance with applicable federal regulations to receive permanent total disability benefits under Social Security, or have been engaged in employment covered by Social Security and accordingly have not qualified for benefits hereunder, but have become qualified for permanent total disability benefits under any federal, state or local government retirement or disability plan, including the Railroad retirement Act and any government-related teacher's retirement plan, in which requirements with respect to qualification for such permanent total disability benefits are comparable to such requirements under Social Security.
- (b) Applicants have been taxpayers of the Town for one (1) year immediately preceding their application for tax credit deferments under this Ordinance;
- (c) The levels of qualifying income for the tax credit deferments under this Ordinance shall be those set out in Sec. 81f and Sec. 12-170aa of the Connecticut General Statutes adjusted annually as provided for in said General Statutes and the extended income limits as determined by a four (4) person panel to consist of the Assessor, Tax Collector, Treasurer and Human Services Director.
- (d) Applicants that have been verified as allowable by the Assessor for the State program but are denied State benefit due to income level will be allowed for consideration in this Ordinance based upon the established extended income limits determined by the above four (4) person panel.
- (d) Applicants must use the real property as their principal residence which is defined as having used the residence for not less than 184 days during each calendar year.

(e) All taxes relating to the real property for which the property tax credit deferment is applied for must have been paid in full for the two (2) years immediately preceding the receipt of property tax benefits during such period.

SECTION 4. APPLICATIONS.

(a) Applicants shall provide to the Assessor for the Town such information required to determine eligibility including, but not limited to, most recent federal tax returns or other proof of income, and complete such applications as required by the Assessor.

(b) Initial applications, together with such information required to determine eligibility for tax relief, shall be presented to the Assessor each year between February 1 and May 15. Thereafter, applicants shall file biennially for tax credit deferments under this Ordinance.

SECTION 5. DETERMINATION OF TAX RELIEF AND RELIEF ALLOWED.

(a) The intent of this Ordinance is to provide for an additional local tax relief for qualified real property.

(b) The determination of the total dollar amount of tax relief available for a budget year will be a recommendation by the Board of Selectmen to the Board of Finance as part of the annual budget process. The amount of relief funds to be recommended to grant relief to eligible applicants will be a process within the budgetary procedures.

(c) Applicants who are determined eligible for tax credit deferments under this Ordinance shall receive a credit To Be Determined as set forth in Section 5(b) provided that such credit shall be in conjunction with property tax relief under Sections 12-129b to 12-129d, inclusive and 12-170aa and shall not exceed in the aggregate the total amount of tax laid against the taxpayer.

(d) The Assessor shall review applications and information provided by applicants seeking tax credit deferments under this Ordinance. The Assessor shall determine eligibility of applicants not later than June 1 of each year and notify the Tax Collector of the amount of tax credit deferment.

(e) A four (4) person panel to consist of the Assessor, Tax Collector, Treasurer and Human Services Director will determine the extended income limits by which applicants will be qualified. This four (4) person panel will also assess the eligibility criteria annually.

SECTION 6. FUND DESIGNATION.

(a) The Local Property Tax Relief Fund, as approved by the initial budget, and/or any monies acquired by budget process or otherwise designated, will remain for the purpose of Local Property Tax Relief for certain Older Adults or Permanently and Totally Disabled. The monies allocated to this fund shall be designated specifically for the purpose of this fund, in accordance with GASB 54.

SECTION 7. TAX CREDIT DEFERMENT ACCEPTANCE/LIEN.

(a) The qualified applicants accepting entry into the Local Tax Relief Program as outlined will sign a no (0%) interest Tax Deferral Lien which will be placed against the subject property and, in accordance with CT General Statutes, this lien will remain in effect for fifteen (15) years.

(b) The Tax Deferral Lien will become due and payable when subject property is sold or conveyed, whether or not for value, or title is transferred. Such Lien will have a priority in the settlement of the applicant's estate. Satisfaction of the lien will be credited to the Local Property Tax Relief Fund as outlined in Section 6.

SECTION 8. NO CONFLICT WITH STATE STATUTES.

This Ordinance shall not be construed to conflict with any state statute, rule or regulation.