

# TOWN OF EAST WINDSOR BOARD OF SELECTMEN

## REGULAR MEETING

Thursday, May 20, 2021  
7:00 p.m.  
East Windsor, Connecticut

Meeting held via ZOOM Teleconference  
Meeting ID: 332 683 3563  
Town Hall closed to the Public by  
Executive Order of First Selectman Jason E. Bowsza  
Due to Coronavirus pandemic

### Meeting Minutes

*\*\*\* These Minutes are not official until approved at a subsequent meeting\*\*\**

#### Board of Selectmen:

Jason E. Bowsza, First Selectman  
Marie DeSousa, Deputy First Selectman  
Alan Baker, Selectman  
Sarah Muska, Selectman  
Charlie Nordell, Selectman

**ATTENDANCE:** Board of Selectmen: Jason E. Bowsza, First Selectman; Marie DeSousa, Deputy First Selectman; Alan Baker, Selectman; Sarah Muska, Selectman; Charlie Nordell, Selectman

**ABSENT:** All Selectmen were present this evening.

**GUESTS signing in to teleconference:** George Krivda, American Rescue Plan Consultant;  
Broad Brook Fire Department: Vinny LaMay, Captain; Board of Finance: Noreen Farmer; Planning Department: Ruth Calabrese, Zoning Enforcement Officer/Wetlands Agent; Parks and Recreation/Community Services: Melissa Maltese, Director of Recreation and Community Services; Police Commission/Capital Improvement Planning Committee/Republican Party Chairman: Bob Leach, Chairman; resident: Joe Malenfant.

**TOWN OF EAST WINDSOR  
BOARD OF SELECTMEN  
Regular Meeting – May 20, 2021  
ZOOM Teleconference  
Meeting ID: 332 683 3563  
MEETING MINUTES**

**1. TIME AND PLACE OF MEETING:**

First Selectman Bowsza called the May 30, 2021 Regular Meeting of the East Windsor Board of Selectmen to order at 7:00 p.m. The Meeting is being held via teleconference due to closure of the Town Hall to the Public as the result of the coronavirus pandemic.

**2. PLEDGE OF ALLEGIANCE:**

First Selectman Bowsza requested Deputy First Selectman DeSousa to lead everyone in reciting the Pledge of Allegiance.

**3. ATTENDANCE:**

First Selectman Bowsza noted the Board has established a quorum with five members present via video conference.

**4. APPROVAL OF MEETING MINUTES:**

**A. April 15, 2021 Board of Selectmen Regular Meeting Minutes:**

First Selectman Bowsza called for a motion to consider approval of the Board Meeting Minutes for April 15, 2021.

**MOTION: To APPROVE the Board of Selectmen Regular Meeting Minutes of April 15, 2021 as presented.**

Muska moved/DeSousa seconded/**DISCUSSION/CORRECTIONS:** None  
**VOTE by rollcall: In Favor: DeSousa/Baker/Nordell/Muska**  
(No one opposed/No Abstentions)

**B. May 6, 2021 Board of Selectmen Regular Meeting Minutes:**

First Selectman Bowsza called for a motion to consider approval of the Board's May 6, 2021 Meeting.

**MOTION: To APPROVE the Board of Selectmen Regular Meeting Minutes of May 6, 2021 as presented.**

Muska moved/DeSousa seconded/**DISCUSSION/CORRECTIONS:** None  
**VOTE by rollcall: In Favor: DeSousa/Baker/Nordell/Muska**  
(No one opposed/No Abstentions)

**TOWN OF EAST WINDSOR  
BOARD OF SELECTMEN  
Regular Meeting – May 20, 2021  
ZOOM Teleconference  
Meeting ID: 332 683 3563  
MEETING MINUTES**

**5. PUBLIC PARTICIPATION:**

First Selectman Bowsza announced the first opportunity for the public to offer comments or ask questions.

**Bob Leach, 39 Church Street:** Mr. Leach indicated he's curious; he doesn't see any nominations on the Agenda for Commissions or Boards. Mr. Leach indicated he knows of people who are interested in volunteering for the Capital Improvement Planning Committee. First Selectman Bowsza indicated that prior to today he knew of someone who plans to apply for the next CIP appointments, which start in July. Mr. Leach reported the CIP is currently down to three members.

**6. COMMUNICATIONS:**

**A. Testimony in Support of HB 1113 Letter:**

First Selectman Bowsza referenced his letter dated May 12, 2021 to the Government Administration and Elections Committee regarding HB 1113 (See Attachment A). First Selectman Bowsza noted that annually the State reviews continued use of their facilities, including Solnit North in Warehouse Point. He noted the Town has an interest in acquiring the facility if the opportunity arose. The letter has been submitted on behalf of the Town; First Selectman Bowsza indicated he gave oral testimony as well.

Selectman Muska questioned what the timeline would be before the Town would take ownership should this Bill pass? First Selectman Bowsza reported this Bill didn't pass out of Committee; this won't happen this year. First Selectman Bowsza explained the process of the State divesting itself of properties located within municipalities. He suggested that if the State were to release Solnit North the conveyance would take six to eight months.

First Selectman Bowsza reported that the Town gets PILOT payments (payment in lieu of taxes) for all State properties located in East Windsor; the pilot payment in total is \$548,000.

Selectman Nordell questioned the Town's intended use for the property, and the process and associated costs for converting it. First Selectman Bowsza explained the use would depend on the language within the Bill; Selectman Nordell was raising questions that would be answered via a feasibility study which would come later in the acquisition process. He suggested this letter is just a marker letting the State know of the Town's interest; he will resubmit this letter annually. The State continues to use the Solnit facility.

**TOWN OF EAST WINDSOR  
BOARD OF SELECTMEN  
Regular Meeting – May 20, 2021  
ZOOM Teleconference  
Meeting ID: 332 683 3563  
MEETING MINUTES**

**B. Testimony in Support of HB 1114 Letter:**

First Selectman Bowsza reported this letter is a similar communication to the Government Administration and Elections Committee regarding HB 1114 (See Attachment B), which considers lifting the low-income restriction on the South Road property. This Bill did pass through the Committee, and now moves on to the House and Senate. First Selectman Bowsza suggested he should have an answer by June 9<sup>th</sup>. The request to remove the low-income restriction would then enable the Town to move forward with the sewer line improvements; we would still need to resolve the lot line issues to identify specific lots for each resident/homeowner.

**7. BOARDS AND COMMISSIONS RESIGNATIONS AND APPOINTMENTS:**

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

**8. UNFINISHED BUSINESS:**

**A. South Road Ownership Option Update:**

First Selectman Bowsza indicated the Town is still working out the legal issues to convey the properties to the residents (see additional discussion above regarding HB 1114 letter).

Brief discussion followed regarding issues related to the property being considered one parcel vs. separate lots when privately owned.

**\*B. Polling Location Change Update.**

Any starred (\*) items will not be discussed but will remain on the agenda pending receipt of additional information.

**\*C. Broad Brook Fire Memorandum of Understanding:**

Any starred (\*) items will not be discussed but will remain on the agenda pending receipt of additional information.

**D. Wetlands Violation Citations and Procedures Ordinance:**

**TOWN OF EAST WINDSOR  
BOARD OF SELECTMEN  
Regular Meeting – May 20, 2021  
ZOOM Teleconference  
Meeting ID: 332 683 3563  
MEETING MINUTES**

First Selectman Bowsza reported the Wetlands Violation Citation and Procedure Ordinance (See Attachment C) was approved by the Wetlands Commission, and is now before the Board for consideration and possible referral to Town Meeting. He noted Wetlands Agent Ruth Calabrese and Selectman Baker have been instrumental in development of this Ordinance; he asked them to explain their proposal to the Board.

First Selectman Bowzsa reported the Ordinance has been reviewed by Pullman & Comley prior to submission to the Board.

Selectman Baker opened discussion by noting that the Wetlands Commission has tried to get this Ordinance passed a couple of times but have been unsuccessful in the past. The Ordinance has been developed to create an identifiable process to address violations to wetlands and associated properties, and to define a path for the alleged violator to seek compliance, or request a hearing to discuss the alleged violation. Selectman Baker clarified that the process has not been created to make money, but rather to seek compliance without incurring the cost of going to Court to seek resolution. Court judgements are far more costly for the violator and the Town/taxpayer than local fees.

Selectman Baker noted the development of this process mirrors what the Planning and Zoning Commission has done for years.

Wetlands Agent Calabrese shared a flow chart with the Board, showing the various stages of the process with possible resolutions along the way. Wetlands Agent Calabrese noted there at least three opportunities to seek compliance prior to being issued a citation. Selectman Baker suggested generally residents, and the better developers, respond quickly and the issue is resolved. He estimated 10% of the violations continue on to enforcement action. If an issue is a significant violation, such as polluting a stream, a citation is issued, which gives the violator 30 days to comply, or seek a hearing on the alleged violation.

Selectman Baker cited Wetlands Agent Calabrese is currently working on a significant violation which is an example of why this Ordinance is necessary. A Notice of Violation was issued, the violator wouldn't appear to discuss the issue, and the matter is now in court – which is costly for everyone. Selectman Baker suggested the Ordinance is really a process to help the violator at the local level. If the Wetlands Commission isn't a good steward of the wetlands it reverts to DEEP, and all applications would be reviewed by DEEP rather than by the local Commission.

**TOWN OF EAST WINDSOR  
BOARD OF SELECTMEN  
Regular Meeting – May 20, 2021  
ZOOM Teleconference  
Meeting ID: 332 683 3563  
MEETING MINUTES**

Selectman Baker noted the Wetlands Commission discussed this Ordinance at length before Wetlands Agent Calabrese joined us; it's now been vetted by Pullman & Comley. He and Wetlands Agent Calabrese are submitting the Ordinance to the Board for approval, and referral to Town Meeting, which they would prefer to be held in-person when the Governor reopens public meetings.

First Selectman Bowsza opened discussion to the Board.

Selectman Nordell asked if a fee schedule had been proposed as well, as he didn't see it included in the Board packet. Selectman Baker and Wetlands Agent Calabrese replied affirmatively, noting the Wetlands Commission must approve the fee schedule associated with the Ordinance. Selectman Baker reiterated this proposal isn't to make money, it's to seek compliance. He suggested the fees resulting from a court judgement are far more expensive than the citation fees.

Selectman Nordell questioned if anyone has been appointed as the Hearing Officer; he didn't recall the Board appointing anyone. First Selectman Bowsza indicated the Hearing Officer is Bob Slate; his term expires February, 2022.

First Selectman Bowsza called for additional comments; no other issues were raised.

First Selectman Bowsza thanked the Wetlands Commission for all the work they did on this proposal; he thanked Wetlands Agent Calabrese for her contribution as well.

Selectman Baker questioned when the Town might be able to hold an in-person Town Meeting? First Selectman Bowsza indicated the remote meetings extend to June 30<sup>th</sup>; consideration of an in-person Town Meeting would be after that period.

First Selectman Bowsza called for a motion from the Board.

**MOTION: That the Board of Selectmen APPROVES the Inland Wetland and Watercourse Agency Citation Ordinance and MOVES IT TO TOWN MEETING.**

**Baker moved/Muska seconded/DISCUSSION:** Deputy First Selectman DeSousa suggested adding language "when appropriate" after sending the Ordinance to Town Meeting as she thought there was a timeframe to hold the Town Meeting; First Selectman Bowsza indicated that statement was incorrect.

**VOTE by rollcall: In Favor: DeSousa/Baker/Nordell/Muska  
(No one opposed/No Abstentions)**

**TOWN OF EAST WINDSOR  
BOARD OF SELECTMEN  
Regular Meeting – May 20, 2021  
ZOOM Teleconference  
Meeting ID: 332 683 3563  
MEETING MINUTES**

**9. NEW BUSINESS:**

**A. Request to Bring Your Own Bottle (BYOB) Permission at Summer Concert Series to Include Melissa Maltese:**

First Selectman Bowsza reported the Parks and Recreation Department is planning a Concert Series on two Thursday evenings each month for June, July, and August. The question has come up if people attending the concerts can bring their own alcohol to the events, which are being held on Town property. First Selectman Bowsza asked Melissa Maltese, Director of Recreation and Community Services, to join the Board for discussion.

Director Maltese reported the first concert is scheduled for June 10<sup>th</sup>, from 6:30 p.m. to 8:00 p.m. The group scheduled to perform is “Steel N’ Easy”. The full line-up will be announced next week. Director Maltese reported she’s been getting calls from groups who want to promote the Concert Series; the calls are related to the public’s ability to bring their own wine to the events. Director Maltese reported the current policy is no alcohol is to be allowed on Town property. She is seeking assistance from the Board, with guidance from the Police Department.

First Selectman Bowsza reported he had believed there was an outright ban on consumption of alcohol on Town property, but, reviewing the Ordinance he believes there is an exception. The Ordinance suggests the Board of Selectmen may approve the use of alcohol. First Selectman Bowsza indicated Director Maltese has spoken with the Chief of Police, who has suggested an application be developed which would be submitted to the Board of Selectmen by the organization promoting the event. The application should indicate the anticipated size of the group, the nature of the event, and should contain signatures from the Police, the Fire Marshal, and the Town Planner. Director Maltese would be the hosting organization for the Concert Series.

Director Maltese reported she’s researched applications and would like to model East Windsor’s application after the Town of Cromwell.

Deputy First Selectman DeSousa suggested this proposal will be beneficial and enhance the event for those attending; it’s only for an hour and a half. Director Maltese noted this would also take pressure off of Park staff who presently have to ask people to put their alcohol away. First Selectman Bowsza felt this eliminates 19-year old Summer staff from having to control the alcohol use at the Park. Discussion continued regarding the issues experienced by Park staff related to alcohol.

**TOWN OF EAST WINDSOR  
BOARD OF SELECTMEN  
Regular Meeting – May 20, 2021  
ZOOM Teleconference  
Meeting ID: 332 683 3563  
MEETING MINUTES**

Selectman Muska questioned that this would be just for the Concert Series and not during regular Park operation? Director Maltese replied affirmatively. As an example, First Selectman Bowsza noted Director Maltese will submit one application for the 8 dates of the Concert Series; he cited the Board's ability to turn down a hosting organization if they chose. Selectman Nordell suggested adding time limits for the events to the application; First Selectman Bowsza suggested perhaps having a Police Officer attend the events would be helpful as well.

The majority of the Board was comfortable with First Selectman Bowsza working with Director Maltese regarding development of the application as the Concert Series will begin soon; Director Maltese felt she had time for the Board to review a draft application. First Selectman Bowsza suggested he'll have a draft application available for the next Board meeting.

**B. Broad Brook Fire Department 125<sup>th</sup> Anniversary Celebration to Include Vinny LaMay:**

First Selectman Bowsza introduced Captain Vinny LaMay to the Board.

Captain LaMay reported this year is the 125<sup>th</sup> Anniversary of the establishment of the Broad Brook Fire Department (BBFD). They would like to hold an event at Reservoir Park, which would include a bounce house, food services, and a fireworks display. The anniversary will be celebrated August 21<sup>st</sup>, with a parade beginning at 5:00 p.m. at the East Windsor Middle School and culminating at Reservoir Park around 6:00 or 6:30 p.m.

Captain LaMay recalled that in the past the BBFD had a beer garden at the carnivals. While they no longer have the volunteer capability to stage a carnival they would like to have a beer garden at Reservoir Park for participants of the parade. The beer garden would be a controlled environment and gated; only people over 21 would be allowed into the beer garden. Captain LaMay is looking for the Board's input on the proposal for the beer garden.

First Selectman Bowsza congratulated Captain on the Department's 125 years of service to the community. He suggested Captain LaMay's request started this discussion of alcohol on Town property; it seems like a reasonable request, and once we develop the application form for you to submit it seems like a good tip of the hat to a long-standing tradition. First Selectman Bowsza opened discussion to the Board.



**TOWN OF EAST WINDSOR  
BOARD OF SELECTMEN  
Regular Meeting – May 20, 2021  
ZOOM Teleconference  
Meeting ID: 332 683 3563  
MEETING MINUTES**

Selectman Nordell questioned if they would sell, or hand out the beer, as selling the beer would require a State permit. Captain LaMay reiterated the beer garden would only be for parade participants; they will be handing out the beer for free. Captain LaMay concurred, selling the beer would require a Day Liquor Permit. First Selectman Bowsza noted that under the current Zoning Regulations liquor can't be sold in an R-3 Zone, which is the location of Reservoir Park.

Selectman Baker cited his previous residency in Warehouse Point and his limited knowledge of the Warehouse Point Fire Department beer garden; he questioned if there were other responsibilities associated with the beer garden – like having certified members checking IDs – that the department would be responsible for? Captain LaMay theorized that because they sold beer on their property they probably needed to certify some of their people to do that. Captain LaMay indicated the BBFD has always given out the beer without cost, the beer garden has always been controlled; they have also had a Police Officer on duty as well. First Selectman Bowsza noted the Warehouse Point Fire Department is located within a B-2 Zone.

Selectman Muska congratulated Captain LaMay; she noted she's looking forward to the event. Everyone has been inside for so long; it will be a nice event for everyone.

Selectman Nordell suggested it will be nice to see the BBFD have a parade on this side of town again. Captain LaMay cited the Department lacks the manpower to hold carnivals as they did in the past; many people are looking forward to this event.

First Selectman Bowsza advised Captain LaMay he'll get back to him after developing the draft application.

**C. American Rescue Plan Grant Program to Include George E. Krivda, Jr.:**

Mr. George Krivda, Jr., the consultant for the American Rescue Plan Grant Program joined the Board virtually. Mr. Krivda opened discussion by noting he understood the Board had received a draft of the document explaining the program (*See Attachment D*), and the application for the program, which will be available for businesses and non-profit organizations to complete electronically via the Town's website. Mr. Krivda suggested he would defer promotion of the program to First Selectman Bowsza.

Mr. Krivda asked the Board for input on the program.

**TOWN OF EAST WINDSOR  
BOARD OF SELECTMEN  
Regular Meeting – May 20, 2021  
ZOOM Teleconference  
Meeting ID: 332 683 3563  
MEETING MINUTES**

Deputy First Selectman DeSousa asked about the eligibility requirements of being in business for 12 months; she questioned what about a new business that was just opening up when everything shut down – would they qualify for the program? Mr. Krivda reported there will be an evaluation process associated with selection of participants. He suggested he would advocate for leniency when considering eligibility, but cautioned there is limited money available to assist the businesses and non-profits. First Selectman Bowsza also noted there are conditions imposed by the Federal Government as well; the program is intended to recognize the assistance is pandemic related. Selectman Nordell suggested a longer period of loss might be needed to determine just a declining business vs. a business disrupted by COVID. Selectman Baker suggested setting a timeline, and including a caveat regarding the possibility of a second review for businesses on the edge if funding is available. Selectman Muska agreed with Selectman Baker, and with changing the language to “12 months prior to the pandemic”.

Mr. Krivda suggested the 12-month timeframe was meant to establish that an applicant was an actual business entity in East Windsor, and is a measurement or metric to assist in determining that fact. A business must also provide tax records for 2019 and 2020 and demonstrate the economic loss was due to the pandemic. Approval of assistance will be up to the Board of Selectmen. Mr. Krivda acknowledged there will be hard decisions to be made, but there also needs to be parameters which are flexible to be within the Federal rules and yet allow the Board to be flexible and transparent. Mr. Krivda felt everyone has the right intent regarding the program.

First Selectman Bowsza queried the Board on their opinion of the eligibility criteria; the consensus of the Board was ok with the criteria as summarized.

Zoning Enforcement Officer Calabrese shared a copy of the draft application with the Board. First Selectman Bowsza indicated the application form would be available on the Planning Department webpage, and can be completed electronically. Selectman Nordell suggested adding contact name to the application; you have contact information but you want to be sure you’re talking to the right person. First Selectman Bowsza noted the cash is supposed to be available from the Federal Government by July 15h; he had intended to go live with the program June 1<sup>st</sup>, and to be soliciting applicants through July 1st. He questioned if the program should be delayed until the cash has been received? Deputy First Selectman DeSousa suggested adding that information to the application, and begin promoting the program as First Selectman Bowsza suggested.

**TOWN OF EAST WINDSOR  
BOARD OF SELECTMEN  
Regular Meeting – May 20, 2021  
ZOOM Teleconference  
Meeting ID: 332 683 3563  
MEETING MINUTES**

Selectman Baker questioned what the applicant gets as confirmation of receipt of the submission? Would it be an electronic response to the submission, or an e-mail; would it include any information regarding the expectation of the Board's decision?

First Selectman Bowsza indicated he and Mr. Krivda will review the application document with Pullman & Comley, and will work with Planning Department staff regarding the revisions. He'll provide a revised draft for the Board's review at the June 3<sup>rd</sup> meeting.

First Selectman Bowsza requested taking Agenda item **9E – Open Space Assessment Ordinance** under **NEW BUSINESS** out of order.

**MOTION: To GO OUT OF THE AGENDA ORDER and take item 9E – Open Space Assessment Ordinance under NEW BUSINESS next.**

**Baker moved/Muska seconded/DISCUSSION:** None.

**VOTE by rollcall: In Favor: DeSousa/Baker/Nordell/Muska  
(No one opposed/No Abstentions)**

**E. Open Space Assessment Ordinance (See Attachment F):**

First Selectman Bowsza noted this proposal has come out of the Planning Department, and has been a long-standing goal of the Conservation Commission for some time.

First Selectman Bowsza suggested this draft has been modeled after a similar ordinance promoted in Ellington. For a property owner to be eligible for this option the property must be located in Residential Zones R-1, R-2, and R-3, and Agricultural Zones A-1 and A-2. Zoning Enforcement Calabrese noted the Conservation Commission had wanted all zones, including Commercial Zones, to be eligible, while the Planning and Zoning Commission felt the Residential and Agricultural Zones were more applicable. First Selectman Bowsza also noted a property must be at least 4 acres in size to be eligible. Zoning Enforcement Officer Calabrese suggested the Planning and Zoning Commission would prefer a larger size for eligibility, while the Conservation Commission preferred the 4 acres.

First Selectman Bowsza queried the Board for comments.

Selectman Nordell questioned if a property owner needs to reapply annually, or if the use of the land doesn't change is the initial application sufficient? First

**TOWN OF EAST WINDSOR  
BOARD OF SELECTMEN  
Regular Meeting – May 20, 2021  
ZOOM Teleconference  
Meeting ID: 332 683 3563  
MEETING MINUTES**

Selectman Bowsza referenced Section 5E, noting the Planning and Zoning Commission has suggested adding a “time period” associated with the land use. Selectman Baker noted “490 land” includes a time period; this use should include similar language, although he felt it should be longer than a year.

Selectman Nordell asked if the responsibility for reapplying should be on the landowner, or would the Town notify them? First Selectman Bowsza suggested tying the renewal process to the revaluation, which is done every 5 years, or tying renewal to the 490 renewal. Selectman Baker suggested the 490 renewal is the responsibility of the landowner; First Selectman Bowsza suggested the responsibility for renewal is a common practice for eligible landowners who are used to the process.

Zoning Enforcement Officer Calabrese questioned if Assessor Totz has offered feedback, as she’ll be the person determining the use. First Selectman Bowsza will confer with Assessor Totz.

The consensus of the Board was agreement to tie the reapplication process to the 490 reapplication process.

**D. Review of Demolition Delay Ordinance 03-3:**

First Selectman Bowsza referenced the current Demolition Delay Ordinance 03-3, (See Attachment E) which requires a 90-day delay of demolition of historic buildings. First Selectman Bowsza noted there are currently some building projects going on which have run into problems with the demolition of historic barns. The Demolition Delay Ordinance precludes those projects from moving forward in a reasonable time period without consultation with the Historical Preservation Commission.

First Selectman Bowsza noted that currently the Historic Preservation Commission lacks a quorum so they’ve been unable to hold meetings to make decisions. Reviewing the ordinance First Selectman Bowsza suggested it also vests significant authority with the Historical Preservation Commission, which is an advisory commission. First Selectman Bowsza indicated he discussed potential revisions with Pullman & Comley; the revised Ordinance would refer requests for demolition of historic structures to the Board of Selectmen, and the Board may extend the period of time for referrals if deemed necessary. First Selectman Bowsza cited the Board would be more likely to have quorums to take action; he also suggested perhaps a more reasonable timeframe could be considered.

**TOWN OF EAST WINDSOR  
BOARD OF SELECTMEN  
Regular Meeting – May 20, 2021  
ZOOM Teleconference  
Meeting ID: 332 683 3563  
MEETING MINUTES**

Selectman Baker recalled when he was working on seeking approval for the trail for Melrose Park he had to consult DEEP, who also referred him to the State Archaeologist, who had asked if they intended tearing down the barns in the fields above the trail. Selectman Baker recalled the State Archeologist advising him that historic barns should be “graded” for consideration for preservation; he questioned if the State is involved in this process? First Selectman Bowsza referenced C.G.S. 29-406 – Permit for a particular structure, exemptions, and waiting period – which is the enabling Statute which allows the Ordinance to be operative, and leaves the discretion to the local authority. First Selectman Bowsza reviewed the process for the Board, noting a proposed edit made by Pullman & Comley regarding acting within 30 days appears to be incorrect, as action is based on a specific period from the publication of a public notice. Discussion continued regarding the process for publication of notice and action.

Deputy First Selectman DeSousa recalled when the demolition of a house was proposed in Warehouse Point; she noted the Historical Commission had not had an opportunity to review if the building was on the State Historical Registry. Deputy First Selectman DeSousa questioned how the Board of Selectmen would know if something is historically protected? First Selectman Bowsza reviewed the requirements for public notice, which triggers a delay if an inquiry is made. He reiterated the current problem is with the automatic referral to the Historical Preservation Commission who currently lacks the ability to establish a quorum; he also reiterated their advisory role. Deputy First Selectman DeSousa cited her personal opinion regarding demolition of the Broad Brook Mill, while on the historical side other people have differing opinions. Discussion continued regarding the Broad Brook Mill.

Selectman Baker suggested directing the Board of Selectmen to seek input from the Historical Preservation Commission. He cited situations in the past when the intent of that Commission wasn't to block demolition but to delay it to ascertain the value of a structure, like an historic barn; a better solution may have been to have it taken down in a manner so it could be rebuilt at another location. The decision regarding demolition shouldn't lie only with the Board of Selectman; Selectman Baker felt the Board should seek input regarding the uniqueness of a structure to the Town's history. While the timeframe doesn't have to be 90 days Selectman Baker felt the Board should refer the historical significance to someone with the knowledge to make that decision; he didn't feel the Board should abandon the historical value of a structure.

Selectman Nordell agreed with Selectman Baker; he felt there should be some type of historical review and he didn't feel the Board has that knowledge.

**TOWN OF EAST WINDSOR  
BOARD OF SELECTMEN  
Regular Meeting – May 20, 2021  
ZOOM Teleconference  
Meeting ID: 332 683 3563  
MEETING MINUTES**

Selectman Baker questioned if an outside consultant should be considered if the Historical Preservation Commission is unable to act. While he felt the Board should make the final decision he felt the Board should get a recommendation from the Historical Preservation Commission, and the demolition should be debated publicly.

First Selectman Bowsza will continue to review revisions with Pullman & Comley before bringing another draft to the Board.

**10. SELECTMEN COMMENTS AND REPORTS:**

**A. Jason Bowsza:**

*(See Attachment G)*

**B. Marie DeSousa:**

Deputy First Selectman DeSousa indicated she had only one meeting this month; it was last night and she's relayed information related to that meeting to the Board earlier.

**C. Charlie Nordell**

Selectman Nordell indicated on May 10<sup>th</sup> he attended the special presentation made by the East Windsor Police Department to the Diversity Council. The Police presented testimony on how they handle situations, train officers, their progress on becoming an accredited Police Department, and where they stand regarding complying with the new Police Accountability Bill. They also discussed their future plans and techniques and ways in which they will improve the Department's ways of handling racial, social, and sexual orientation issues. The presentation was very informative and Selectman Nordell thought it displayed how diverse and advanced our Town's Police Department already is. Selectman Nordell wished the meeting had been better attended and he looks forward to seeing our Police grow and adapt with all of the goals they have set for themselves.

On May 11<sup>th</sup> the Town Budget Referendum was held and all the budget questions passed.

On May 12<sup>th</sup> Selectman Nordell reported he attended the Police Commissioners' Meeting. Several complaints about speeding on Depot Street and Reservoir

**TOWN OF EAST WINDSOR  
BOARD OF SELECTMEN  
Regular Meeting – May 20, 2021  
ZOOM Teleconference  
Meeting ID: 332 683 3563  
MEETING MINUTES**

Avenue were brought to their attention and the Department will be taking action on this and will be monitoring both roads with more frequency.

On May 13<sup>th</sup> Selectman Nordell indicated he attended the last PTO Meeting of the year. Despite all of the COVID restrictions we still managed to raise money and hold fundraisers that support both the Broad Brook Elementary School and the East Windsor Middle School. Selectman Nordell noted they're still looking for members if anyone is interested for next year.

**D. Alan Baker:**

Selectman Baker had no report for this meeting:

**E. Sarah Muska:**

**(See Attachment H)**

**11. PUBLIC PARTICIPATION:**

**Bob Leach, 39 Church Street:** Mr. Leach wanted to clarify the Board of Selectmen's approval of the use of alcohol on Town property. He noted Scout Hall is a leased property but it resides on Town property; he imagined that it would include that facility. He questioned if his assumption was correct?

First Selectman Bowsza indicated he didn't have the benefit of the Scout Hall lease before him so his comments would be a guess but he felt that the building is under the control of Scout Hall, whatever isn't covered in the lease would be covered by the Town. For example, if the Fire Department wanted to do their beer garden on one of the soccer fields the Board of Selectmen would likely have jurisdiction over that, but if there was someone who wanted to do a wine tasting inside Scout Hall First Selectman Bowsza didn't believe the Board of Selectmen would have jurisdiction over that; that would fall to the Scout Hall Committee. Mr. Leach suggested it's been assumed since Scout Hall is on Town property that no alcohol was allowed. He suggested the Police Commission would review that and move forward from there. First Selectman Bowsza noted that some members of the Scout Hall Committee have asked that the lease be reviewed; that could be a discussion point at that time.

**Joe Malenfant, 4 South Road:** Mr. Malenfant thanked First Selectman Bowsza and the Board for everything they're doing over here; this place has been known as the Twilight Zone, and hopefully that will come to an end.

**TOWN OF EAST WINDSOR  
BOARD OF SELECTMEN  
Regular Meeting – May 20, 2021  
ZOOM Teleconference  
Meeting ID: 332 683 3563  
MEETING MINUTES**

Mr. Malenfant had a question regarding the sewer reline; he understands they have to replace 100 feet of sewer; is that in the yards. He questioned if he needs to move his stuff out of the yard so they have room to work? First Selectman Bowsza suggested he'll have Town Engineer Norton contact Mr. Malenfant directly.

12. **EXECUTIVE SESSION/Pursuant to C.G.S. Sec. 1-200 (6)(b), negotiations, (6)(e) discussion of any matter which would result in the disclosure of public records or the information contained therein described in subsection (b) of section 1/210 -**  
Action is possible:

**MOTION: To GO INTO EXECUTIVE SESSION at 9:01 p.m. Attending the Executive Session were First Selectman Bowsza, Deputy First Selectman DeSousa, Selectman Baker, Selectman Muska, and Selectman Nordell.**

**DeSousa moved/Baker seconded/DISCUSSION: None.**

**VOTE by rollcall: In Favor: DeSousa/Baker/Nordell/Muska  
(No one opposed/No Abstentions)**

LET THE RECORD SHOW the Recording Secretary signed out of the meeting at 9:01 p.m.

First Selectman Bowsza announced the Board had come out of Executive Session at 9:16 p.m. He queried if there was any further business to come before the Board; no one requested further discussion.

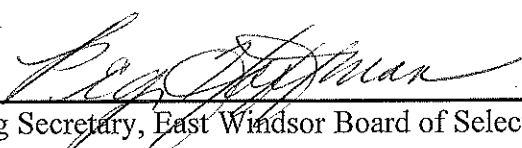
13. **ADJOURNMENT:**

**MOTION: To ADJOURN the Regular Meeting at 9:16 p.m.**

**Nordell moved/Baker seconded/DISCUSSION: None**

**VOTE: In Favor: Unanimous**

Respectfully submitted

  
Peg Hoffman, Recording Secretary, East Windsor Board of Selectmen

**ATTACHMENTS:**

A – First Selectman Bowsza's letter dated May 12, 2021 to the Government Administration and Elections Committee regarding HB 1113 regarding Solnit North



**TOWN OF EAST WINDSOR  
BOARD OF SELECTMEN  
Regular Meeting – May 20, 2021  
ZOOM Teleconference  
Meeting ID: 332 683 3563  
MEETING MINUTES**

B – First Selectman Bowsza’s letter dated May 12, 2021 to the Government Administration and Elections Committee regarding HB 1114, which is consideration of lifting the low-income restriction on the South Road property .

C - Wetlands Violation Citation and Procedure Ordinance

D - American Rescue Plan Grant Program application explanation document

E - Current Demolition Delay Ordinance 03-3

F – Open Space Ordinance

G- Selectman’s Report – First Selectman Bowsza

H - Selectman’s Report – Selectman Muska

(Deputy First Selectman DeSousa and Selectman Baker had no report this evening; a summary of Selectman Nordell’s Report is included in the meeting transcription)

3W - 5/20/2021 Attachment A

6A

**TOWN OF EAST WINDSOR**  
FIRST SELECTMAN JASON E. BOWSA

May 12, 2021

Government Administration and Elections Committee  
Legislative Office Building  
300 Capitol Avenue  
Suite 2200  
Hartford, CT 06106

Re: Testimony in Support of HB 1113

Distinguished Members of the GAE Committee,

I am writing to you today in strong support of the Town's request for HB 1113. This request would benefit the Town of East Windsor, and I ask your indulgence to let me explain why.

HB 1113 requests that the State-owned facility known as Solnit North be conveyed to the Town of East Windsor. There are several reasons for the Town to make this request. First, it is ideally located within the town to serve as a complete municipal complex for the Town. Currently, municipal departments are scattered in four different buildings across town. Co-locating all municipal services in one space would increase municipal efficiencies and allow services to be better provided to our constituents.

Secondly, the campus has sufficient space for the Town to establish a new Senior Center/Community Center through a conversion of existing infrastructure on the property. This would serve a dual purpose by allowing adequate handicapped-accessible programming space for the elderly (which we do not really have now,) as well as providing space for after-school activities, civic group meeting space, and additional athletic fields for the community.

Thirdly, the facility is located in the heart of East Windsor's economic development corridor, and conveniently right off the highway. Ensuring municipal functions and resources are in close proximity to East Windsor's commercial activity – and potential activity – would serve the community's interests well.

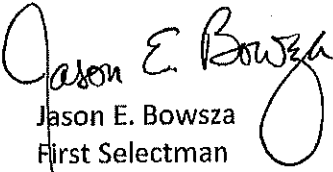
Finally, the property as is it is currently used is quite costly in comparison to the number of clients served. The State could realize financial economies by better utilizing other existing facilities for clients and forego having to financial support this underutilized and expensive resource.

May 12, 2021

Page 2

The facility has significance to East Windsor for more than a century. It would be a wonderful opportunity for the Town of East Windsor if we could use it to streamline municipal services and enhance constituent services by securing control of the property.

Respectfully submitted,

  
Jason E. Bowsza  
First Selectman

BN- 5/20/2021 - Attachment B  
WB

## **TOWN OF EAST WINDSOR**

FIRST SELECTMAN JASON E. BOWSA

May 12, 2021

Government Administration and Elections Committee  
Legislative Office Building  
300 Capitol Avenue  
Suite 2200  
Hartford, CT 06106

Re: Testimony in Support of HB 1114

Distinguished Members of the GAE Committee,

I am writing to you today in strong support of the Town's request for HB 1114. This request would have a direct benefit to residents in the Town of East Windsor.

Through circumstances beyond the control of the homeowners in the South/Phelps Road neighborhood, the Town has become the property owner of the underlying land. This has left the homeowners without rights to the property, although they still own their homes. This adversely affects their home values, limits their ability to secure loans, discourages investment, and leaves the Town in the position of being a landlord. The current arrangement does not well serve any party involved.

If the request is approved, the Town intends to subdivide the four (4) acre parcel into sixteen (16) lots to then sell to those homeowners who want ownership of the land on which their homes are located. It is the intention of the Town to sell the property to the homeowners for \$1 per parcel. This would immediately boost the equity of the homeowners and absolve the Town of ownership responsibilities. The increased equity would also allow the homeowners to borrow against it for future home improvement purposes or realize more of a profit at the point of some future sale.

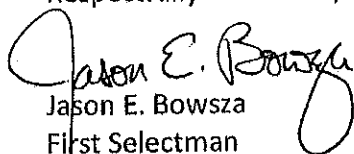
The Town is specifically requesting that the low-income restriction be lifted. According to the Connecticut Department of Housing, approximately fourteen percent of the housing stock in East Windsor qualifies as "affordable," far exceeding the goals established in C.G.S 8-30g. Lifting the restriction on the properties will allow the market to control the price and expand the pool of future homebuyers and prevent the current building owners from having to establish a procedure to evaluate and review real estate transactions for compliance with this restriction once they acquire the land.

May 12, 2021

Page 2

The Town very much appreciates your consideration of this matter. It is our view that there is a real need to resolve this longstanding issue affecting the homeowners on the affected parcels, and that legislative approval through the conveyance process is the most effective way of accomplishing that goal. If any further information is needed to support our request, the Town would be happy to provide it.

Respectfully submitted,

  
Jason E. Bowsza  
First Selectman

**TOWN OF EAST WINDSOR**  
**Wetlands Violation Citations & Procedures, Ordinance # 2021-\_\_\_\_\_**

The following ordinance was adopted at a Special Town Meeting duly warned and held on \_\_\_\_\_.

**BE IT ORDAINED:**

**ORDINANCE ENTITLED "WETLANDS VIOLATION CITATIONS & PROCEDURES"**

**A. Purpose:**

The purpose of this Ordinance is establish penalties for violations of the Town of East Windsor Inland Wetlands and Watercourses Regulations (the "Regulations"), establish a procedure for issuance of citations to violators, for collections of fines and to have the Town of East Windsor's citation hearing procedure apply to citations hereunder issued.

**B. Statutory Authority:**

Pursuant to Connecticut General Statutes ("C.G.S.") Section 22a-42g, as may be amended, and in addition to the remedies provided in C.G.S. Section 22a-44, the Wetlands Enforcement Official is authorized to issue citations for violations of the Town of East Windsor Inland Wetlands and Watercourses Regulations to the extent and manner provided for herein. A citation may be issued for those types of Inland Wetlands and Watercourses violations specified in Section C of this ordinance. In such instances, each citation will apply jointly and severally to the person who owns the property and such person's employees, agents, contractors and subcontractors, as the case may be. Each day that any violation continues shall be deemed a separate offense, for which a separate citation may be issued. No citations may be issued against the State or any State Official or employee acting within the scope of his employment.

**C. Issuance of Citation(s); Schedule of Fines:**

Any person who commits, takes part in, or assists in, any violation of the Town of East Windsor Inland Wetlands and Watercourses Regulations shall be issued a citation in accordance with the Town of East Windsor Inland Wetlands and Watercourses Schedule of Fines ("Fines Schedule"). The Fines Schedule shall be maintained and updated by the Inland Wetlands and Watercourses Agency and kept in the East Windsor Planning and Development Office.

All fines assessed and due hereunder shall be made payable to the Treasurer, Town of East Windsor. Such payment(s) shall be made inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment(s).

**Nature of Violation (for activities with no active permit):**

1. Conduct, activities in the upland review area which do not pose an immediate danger to a wetland or watercourse:
2. Conduct activities in the upland review area which may pose an immediate danger to a wetland or watercourse:
3. Conduct activities in a wetland or watercourse which cause limited and/or correctable damage to a wetland or watercourse:
4. Excavating, filling and/or draining of any portion of a wetland or watercourse:
5. Diverting, damming or otherwise changing the course of a watercourse:
6. Conduct any activity which causes sediment to flow into any wetland or watercourse or otherwise causes the pollution of a wetland or watercourse:
7. Conduct activity, in an inland/wetland or watercourse or regulated area, or any other regulated activity not listed above:

**Nature of Violation (for activities with an active permit):**

1. Failure to install and maintain silt control measures, silt fence, haybales, riprap and other similar sediment controls measures in accordance with an approved plan:

2. Non-compliance with permit conditions:
3. Conduct which exceeds the scope of the wetlands permit and encroaches upon or impacts upland review areas:
4. Conduct which exceeds the scope of the wetlands permit and encroaches upon or impacts a wetland or watercourse:

Each day that the violation remains uncorrected shall be considered a separate offense. Fines may accrue for each day that a violation continues.

**D. Service of Notice; Citation:**

Any citation issued under this Ordinance shall be in writing and shall be deemed to have been sufficiently given, for all purposes, if provided in one of the following forms, unless otherwise stated:

1. In-hand service, by the Wetlands Enforcement Official or designated agent and/or employee.
2. Certified mail return receipt requested and regular mail, to the last known address of the person cited or to the address listed in records at the Assessor's Office.
3. Service by a State Marshal who shall serve the person named in the citation in-hand or by leaving a true copy of the citation at the usual place of abode of such person or by any other service authorized for the service of civil process in the State of Connecticut. Marshal's service shall be effective at the time the personal, abode or other service is made by the serving marshal.
4. A citation sent by regular mail shall be deemed and considered received on the fourth (4<sup>th</sup>) business day following mailing.

The Wetlands Enforcement Official shall file and retain a true and accurate copy of (i) the original citation so served, (ii) the date, place and manner of service, and (iii) the date of mailing, if service is effectuated by mail. If service is executed by a State Marshal, the Marshal's return of service shall be filed and retained by the Wetlands Enforcement Official.

**E. Citations and Procedures:**

1. Any person that is issued a citation pursuant to this Ordinance shall be afforded a period of 30 (thirty) calendar days, from receipt of said citation, to make an uncontested payment of the fine specified in the citation. If the person cited makes an uncontested payment, in full, of the fine within the prescribed 30 (thirty)-day period, the IWWA agent shall make a record of such payment and issue a confirmation to owner that the violation has been remedied and no further action is needed.

The amount of such fine shall be equivalent to the amount provided in the Fines Schedule, in accordance with Section C of this Ordinance.

2. If a person who has been issued a citation does not make an uncontested payment, in full, of the fine specified in the citation and within the time allowed under Section E.1 of this Ordinance, the Wetlands Enforcement Official shall, within three (3) months of the expiration of said uncontested payment period, send a notice to the person cited, , informing such person:

- a. Of the allegations against him or her and the amount of the accumulated fines, as established by the Fines Schedule;
- b. That the person cited may contest liability before a Hearing Officer appointed by the Board of Selectman, as provided in Section E.5 of this Ordinance, by delivering, in person or by mail, within ten (10) days of the date of the notice, a written demand for a hearing;
- c. That if the person cited does not demand such a hearing within , an assessment and judgment shall be entered against him or her;
- d. That such judgment may issue against him or her without further notice.

3. If the person who is sent the notice pursuant to Section E.2 above chooses to admit liability for any alleged violation, he or she may, without requesting a hearing, pay the full amount of the fine(s) so assessed, either in person or by mail, to the Planning Office of the Town of East Windsor. Any person who does not deliver or mail written demand for a hearing within ten (10) days of the date of the notice described in Section E.2 shall be deemed to have admitted liability, and the Wetlands Enforcement Official shall certify to the Hearing



Officer that such person has failed to respond. The Hearing Officer shall thereupon enter and assess the fines provided for by this section and shall follow the procedures set forth in Section E.4 of this Ordinance.

4. The Board of Selectman shall appoint one citation Hearing Officer to conduct hearings provided by this section. Hearing Officers shall serve for terms of two (2) years, unless earlier removed for cause. Neither the Wetlands Enforcement Official nor any employee, agent or member of the Town of East Windsor Planning and Development Department or Inland Wetlands Commission who exercises Wetlands Commission Authority may be appointed as a Hearing Officer.

5. 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 (15) days nor more than thirty (30) days from the date of the mailing of hearing notice, provided that the Hearing Officer shall grant, upon good cause shown, any reasonable request by any interested party for postponement or continuance. An original certified copy of the initial notice of violation issued by the issuing official shall be filed and retained by the municipality, and shall be deemed to be a business record within the scope of CGS §52-180 and evidence of the facts contained therein. The presence of the Wetlands Enforcement Official shall be required at the hearing. A person wishing to contest liability shall appear at the hearing and may present evidence on his or her behalf. The Wetlands Enforcement Official may present evidence on behalf of the Town of East Windsor. If the person who received the citation fails to appear, the Hearing Officer may enter an assessment by default against him or her upon a finding of proper notice and liability under the applicable provisions of the Town of East Windsor Inland Wetlands Regulations and this Ordinance. The Hearing Officer may accept written information by mail from the person who received the citation and may determine thereby that the appearance of such a person is unnecessary. The Hearing Officer shall conduct the hearing in the order and form and with such methods of proof as he or she 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 Hearing Officer shall announce his or her decision at the end of the meeting. If the Hearing Officer determines that the person who received the citation is not liable, the Hearing Officer shall dismiss the matter and enter that determination in writing accordingly. If the Hearing Officer determines that the person who received the citation is liable for the violation, the Hearing Officer shall forthwith enter and assess the fines against such person as provided by this Ordinance.

5. If such assessment is not paid on the date of its entry, the Hearing Officer shall send, by first class mail, a notice of the assessment to the person liable and shall file, not less than thirty (30) days nor more than twelve (12) months after such mailing, a certified copy of the notice of assessment with the Clerk of the Superior Court, together with the appropriate entry fee. Further proceedings may then be held pursuant to the applicable provisions of the Connecticut General Statutes pursuant to C.G.S. 7-152c.

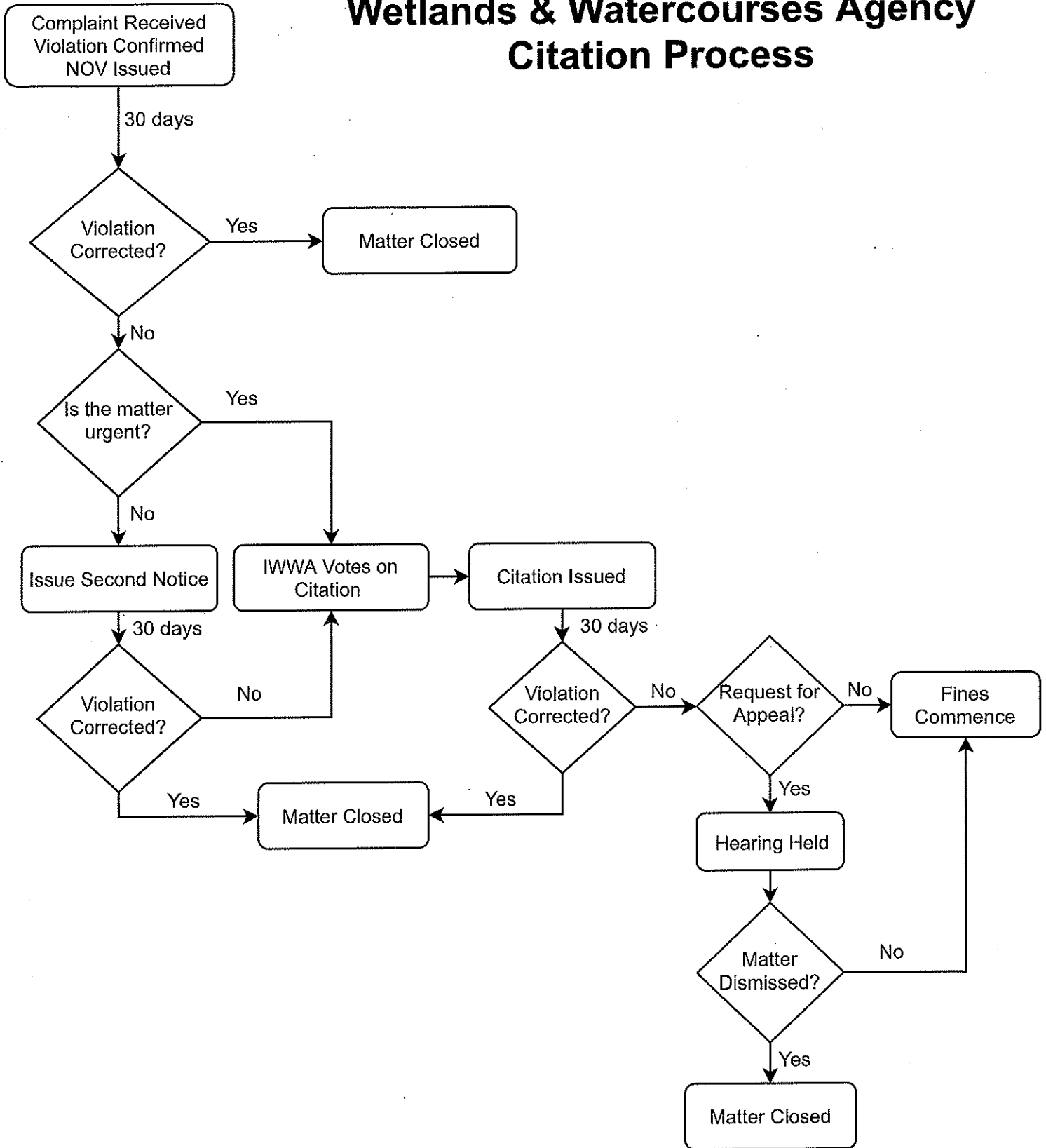
Said Ordinance shall become effective fifteen (15) days from publication thereof.



2020 revisions to proposed 2012 wetlands enforcement ordinance RFC  
(comment added)

04/06/2021

# DRAFT - East Windsor Inland Wetlands & Watercourses Agency Citation Process



BA- 5/20/2021 Attachment D

90

**East Windsor E.R.A.S.E. COVID-19 Grant Application**  
**(Emergency Relief and Stabilization Effort)**

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

Full Name of Business or Non-Profit:

\_\_\_\_\_

Address:

\_\_\_\_\_

Telephone Number:

\_\_\_\_\_

E-mail Address:

\_\_\_\_\_

Applying as a: Business or Non-Profit (Please circle one)

Commented [g1]:

**If applying as a Business, please supply:**

Tax Records from 2019 and 2020,

Demonstration of an economic loss due to the pandemic,

A narrative clearly describing the nature of losses incurred due to the pandemic,

Documentation supporting the number of employees prior to the pandemic and the number of employees at the time of this application,

A listing of all federal or state assistance applied for and/or received (i.e., PPP loans, etc.)

Date of the Businesses closure, if applicable,

A declaration indicating how the grant funds will be spent.

**If applying as a Non-Profit, please supply:**

Proof of 501c status,

Revenue statements from 2019 and 2020,

Demonstration of an economic loss due to the pandemic,

A narrative clearly describing the nature of losses incurred due to the pandemic,

Documentation supporting the number of employees prior to the pandemic and the number of employees at the time of this application,

A listing of all federal or state assistance applied for and/or received (i.e., PPP loans, etc.)

Date of the Non-Profit closure, if applicable,

A declaration indicating how the grant funds will be spent.

## Demolition Delay

### TOWN OF EAST WINDSOR

The following ordinance was adopted at a Special Town Meeting duly warned and held on May 15, 2003.

#### "Demolition Delay Ordinance"

WHEREAS, Connecticut General Statutes section 29-406(a) provides that certain criteria be met prior to the issuance of a demolition permit; and

WHEREAS, Connecticut General Statutes 29-406(b) authorizes municipalities to impose a waiting period of not more than ninety (90) days before granting any permit for the demolition of any building or structure or part thereof; and

WHEREAS, the Board of Selectmen finds that not only public health, safety and welfare will be served by imposing such a waiting period in order that buildings may be saved from demolition, but also that such a waiting period can help preserve valuable town landmarks significant to the fabric of town heritage, which is part of a broad public trust;

NW THEREFORE, be it ordained by the Town of East Windsor that:

#### **Section 1. Permit to demolish buildings and structures**

No person, firm, corporation, or other entity shall demolish any building, structure, or part thereof, without first obtaining a permit from the Building Department, which permit shall be valid for no longer than six (6) months after the date of issue. No permit shall be issued until the applicant:

- a. Complies with the provisions of the Connecticut General Statutes sections 29-401, et seq; and
- b. Complies with the provisions of this ordinance.

#### **Section 2. Application for a demolition permit; procedures**

- a. No person/entity shall receive a demolition permit without having first submitted to the Building Department a completed application for the issuance of a demolition permit, upon a form to be provided by the Building Department.
- b. Such form shall require any information deemed important by the building official, including the following:
  1. the address of the building to be demolished
  2. the name and address of the building's owners
  3. the date on which the demolition is desired to begin, and
  4. the approximate age and type of building to be demolished.
- c. No permit for the demolition of any building or part thereof which is more than 75 years old (the applicant must file written verification of the age of the building, and if the building official is uncertain of the age, should treat it as 75 years or older); five hundred (500) square feet in size or larger; and of possible historical, architectural, or cultural significance to the town, shall be issued until a Notice of the Demolition Permit Application has been filed by the applicant on a form to be provided by the Building Department and published by the building official as hereinafter set forth.

#### **Section 3. Publication of Notice of Demolition Permit Application and Objections thereto**

- a. The Notice of Application shall be published by the building official in a daily or weekly newspaper having substantial circulation in town. The notice shall be published once within ten (10) days following the filing of the demolition permit application, and shall state the following: the date of the filing of the application; the location of the property; the name of the owners of the property; and that unless written objection, stating the nature of the objection, is filed with the building official

within fifteen (15) days of the publication of the Notice, the permit may be issued after the expiration of the fifteen (15) day period.

b. Not more than ten (10) days following the filing of the demolition permit application, the building official shall also ~~mail-transmit~~ a Notice of the application to the East Windsor Historical Commission, and to any other persons or entities who shall register with — the Building Department as herein provided.

c. In order to be entitled to notice by mail as provided by this ordinance, each person or entity other than the East Windsor Historical Commission desiring such notice shall register with the Building Department at any time after the effective date of this ordinance, and annually thereafter.

d. This ordinance shall not relieve the applicant of the obligation of giving notice to any other person or entities as otherwise required by law, including written notice or adjacent property owners.

e. A sign shall be posted by the applicant along the frontage of a property proposed for demolition no less than thirty (30) days prior to the issuance of a demolition permit for a site.

#### **Section 4. Objections**

All objections to any application covered by this ordinance shall be in writing and shall be delivered or mailed to the building official, the owner of the building to be demolished, and to the applicant. All withdrawals of objections shall, similarly, be in writing and shall be delivered or mailed to the building official, the owner of the building, and to the applicant.

#### **Section 5. Waiting Period**

No permit for the demolition a building, or structure, or part thereof, requiring a Notice of Demolition Permit Application shall be issued until the expiration of a period of ~~ninety-thirty (9030)~~ days from the date of the application, unless extended by the Board of Selectmen for no more than one hundred eighty (180) days. — Provided that if no objection or extension as herein provided is received by the building official within ~~fifteen-thirty (3015)~~ days of the publication and mailing of notices as provided in this ordinance, or if any objection as herein provided is withdrawn and such withdrawal is received — by the building official, the building official may issue the permit immediately forthwith.

#### **Section 6. Exceptions**

In the case of any unsafe building or structure, the building official may take emergency measures as prescribed by the State building code or the General Statutes.

#### **Section 7. Fines**

Any person/entity who violates any provision of this ordinance shall be fined not more than \$100.00 per day until the violation is remedied, up to the maximum permitted by state statute.

Said ordinance shall become effective fifteen (15) day from publication thereof.

Ord 03-03

Attest: \_\_\_\_\_  
Karen W. Gaudreau CCTC  
Town Clerk of East Windsor

Journal Inquirer  
June 21, 2003



## TOWN OF EAST WINDSOR

### ORDINANCE CONCERNING THE CLASSIFICATION OF LAND AS OPEN SPACE UNDER SECTION 12-107e OF THE CONNECTICUT GENERAL STATUTES

#### I. Purpose and Intent:

- A. It is hereby declared that it is in the public interest to encourage the preservation of open space land in the Town of East Windsor, to conserve the Town's natural resources, and to provide for the welfare and happiness of the residents of the Town of East Windsor. It is hereby further determined that it is in the public interest to prevent the forced conversion of open space land in the Town of East Windsor to more intensive uses as the result of economic pressures caused by the assessment thereof for purposes of property taxation at values incompatible with their preservation as such open space land.
- B. The purpose of this Ordinance is to establish the criteria and process by which certain lands in the Town of Windsor may be classified as "open space" for the purposes of property taxation ("Open Space Classification"), in accordance with Section 12-107e of the Connecticut General Statutes.

#### II. Definitions: For purposes of this Ordinance, certain terms and words are defined as follows. Unless the context clearly requires otherwise, all words, terms, and phrases used herein but not otherwise defined shall have the meaning respectively ascribed to them in Section 12-107b of the Connecticut General Statutes, as amended.

"Application" means that certain form M-30, entitled, "Application to the Assessor for Classification of Land as Open Space Land," prescribed by the Commissioner of the Department of Agriculture, and available at the Assessor's office, located at 11 Rye Street, Broad Brook, CT 06016.

"Assessor" means the Assessor for the Town of East Windsor.

"Plan of Conservation and Development" means the Town of East Windsor's plan of conservation and development, including any amendment thereto, prepared or adopted pursuant to Section 8-23 of the Connecticut General Statutes.

"Town" means the Town of East Windsor.

"Undeveloped Land" means land without buildings, roads, driveways or other permanent structures or active mineral extraction activities.

#### III. Classification of Land as Open Space Lands: The Planning and Zoning Commission of the Town of East Windsor, in preparing the Plan of Conservation and Development for the Town, may designate in such plan areas which it recommends for preservation as open space lands. Land included in any area so designated upon such plan, as adopted, may be



classified as "open space land" for the purposes of property taxation if there has been no change in the use of such area which has adversely affected its essential character as an open space land between the date of the adoption of such plan and the date of such classification.

IV. **Qualification Criteria:** For the purpose of open space land value assessment, and pursuant to the provisions of Section 12-107e of the Connecticut General Statutes, as amended, all land located in the R-1, R-2, R-3, A-1, or A-2 zones of the Town of East Windsor may be eligible for Open Space Classification. Upon Application by the property owner(s), parcels which qualify for Open Space Classification may be classified as such by the Assessor subject to the following provisions:

- A. The designated open space shall be any site or area of Undeveloped Land equal to or in excess of four (4) acres and may include any Undeveloped Land designated as "open space" on an approved subdivision map.
- B. When determining the total acreage of Undeveloped Land for purposes of Subsection IV, A, above, the Assessor will not include the minimal special requirements, or lot size required by the respective zone in such calculation.
- C. Contiguous parcels within a zone having the same title owner may be aggregated for the purpose of determining the area of Undeveloped Land which is eligible for Open Space Classification. Parcels which are intersected by a town or state road are considered contiguous parcels of land for purposes of Open Space Classification.
- D. Effective on the date of approval as a subdivision or re-subdivision, any land which had been designated as open space by the Assessor shall be removed from such designation, and a conveyance tax paid, if required under Section 12-504a of the Connecticut General Statutes.

V. **Application Procedure:** The following procedure shall be followed in filing the Application for Open Space Classification to the Assessor.

- A. Written Application: Applications for Open Space Classification shall be made in writing, and in the manner and on the forms prescribed by the Town. Applications shall be submitted to the Assessor's Office, located at 11 Rye Street, Broad Brook, CT 06016.
- B. Application Form: Applications for Open Space Classification shall be made on that certain form M-30, entitled "Application to the Assessor for Classification of Land as Open Space Land," as amended, prescribed by the Commissioner of the Department of Agriculture. This form is available from the Assessor's Office, located at 11 Rye Street, Broad Brook, CT 06016.
- C. Information Requested: Applications must be signed and dated by the respective property owner(s). All required sections of the Application shall be completed in full and must include the following information:

1. Description of the land, including Assessor's Map and Lot number;
2. A general description of the present land use of the property;
3. A statement of the potential tax liability for the land under the provisions of Sections 12-504a to 12-504e, inclusive, of the Connecticut General Statutes, as amended; and
4. Such other information as may be required by the Assessor to determine the eligibility of the land with respect to Open Space Classification.

D. Application Deadlines: Applications for Open Space Classification are accepted from September 1st to October 31<sup>st</sup> each year. By state law, filing deadlines during a revaluation year are extended through December 30th. Applications that are not filed within the prescribed timeframe or are deemed incomplete by the Assessor will not be accepted for Open Space Classification.

E. Determination and Classification: The Assessor shall determine whether there has been any change in the area designated as an area of open space land upon the Plan of Conservation and Development which adversely affects its essential character as an area of open space land and, if the Assessor determines that there has been no such change, the Assessor shall classify such land as open space land and include it as such on the Town's assessment grand list.

Commented [GAG1]: May want to include some temporal qualifier—e.g., annually, every two years, etc.

F. Valuation: Any land that receives Open Space Classification shall have an assessed value set at twenty-five percent (25%) of the excess acreage value set at the time of revaluation.

G. Failure to Submit Application: Failure to file an Application for Open Space Classification within the time limits prescribed in Subsection V, D and in the manner and form prescribed in Subsection V, B shall be considered a waiver of the right to such classification on the Town's assessment list.

VI. **Appeals:** Any person aggrieved by the Assessor's denial of an Application for Open Space Classification shall have the same rights and remedies for appeal and relief as are provided in the Connecticut General Statutes for taxpayers claiming to be aggrieved by the doings of Assessors or Boards of Tax Review.

Draft Date: 4/28/21 (CJC)

*BW- 5/20/2021 - Attachment G*

## First Selectman's Report – May 20, 2021

Beginning this week, Town facilities have re-opened to the public for normal business activities, except the Senior Center, which will reopen for normal, indoor activities beginning on June 1. The Town will be adhering to the guidelines issued by CDC and Governor Lamont's Executive Order – anyone who is fully vaccinated can come into municipal facilities unrestricted; anyone who is not fully vaccinated will still be required to wear a mask while indoors.

I was delighted to see all three ballot questions pass at last week's referendum. Approval of the added appropriation will allow us to bond for needed projects in our community significantly sooner, and to do so within our approved debt service budget. Approval of the Broad Brook Fire Department's budget allows for final resolution to the tax disparity between the two sides of town. And approval of the Town's annual budget allows for the implementation of several meaningful community improvements, including the new mental health unit in the police department and funding for long-term capital planning, while still reducing the mill rate. These three things are all big wins for the town.

On May 11<sup>th</sup>, I met with the new board leadership at the Connecticut Trolley Museum. The museum has been a staple in East Windsor since the 1940s, and their newly invigorated board has some amazing ideas for making the museum an even more impressive regional destination. We also discussed opportunities to seek additional state funding, as well as the new American Rescue Plan funding.

On May 12<sup>th</sup>, I was pleased to visit with Lincoln Technical Institute, who are celebrating their 75<sup>th</sup> anniversary, and have educated more than 250,000 students across the company's history. The school's leadership were kind enough to welcome my staff and me, and they provided us with an amazing tour of their facility.

That same day, I was happy to join ISO New England as a panelist to discuss the municipal perspective regarding the siting process for grid scale solar projects. It was a great opportunity to share some best practices, as well as both good and bad experiences, with industry leaders as this new technology continues to develop. Other panelists included representatives from the Siting Council, DEEP, and environmental advocacy groups.

On May 13<sup>th</sup>, I met with the president and CEO of Specialty Printing at their facilities in the industrial park. Specialty Printing started in a barn in Ellington, and now has more than 200 employees. They work closely with USDA, the USPS, Johnson and Johnson, and many household products. If you have food in your home, you have something that was made right here in East Windsor. Next week, DECD Commissioner Lehman and I will be visiting with them again to discuss expansion opportunities.

On May 14<sup>th</sup>, I testified in front of the legislature asking for the state to consider conveying the Solnit North facility (formerly the Connecticut Children's Place) to the Town of East Windsor, as well as asking them to lift the low-income restriction on homes in the South/Phelps Road development, a problem that has lingered for many years. Lifting the restriction is a significant step towards granting relief to those homeowners, and something that I'm hopeful will happen in the next few weeks.

We are winding down the Town's vaccination clinics shortly. Today, we partnered with Southern Auto Auction, Priority Urgent Care and USDA to hold a joint Farmers to Families Fresh Food Box distribution event, and a Johnson and Johnson vaccine clinic. Our final town-sponsored clinic will be tomorrow and will be held in the Mill Pond Village Club House from 8:30a to 4p. Walk-ins will be welcomed.

This Saturday, the Warehouse Point Library will be holding a book fair from 8am to 3pm to benefit and showcase the library. Stop down and add to your summer reading collection!

On June 1<sup>st</sup>, the Town will be sponsoring an economic development forum in partnership with AdvanceCT that will look into tools and strategies available to our community to encourage small-scale and large-scale economic development. The discussion will be held via zoom.

Lastly, we are excited to announce that the East Windsor Summer Concert Series will be on June 10<sup>th</sup>. It will be held at East Windsor Park from 6:30pm to 8pm and will be our first opportunity to showcase the newly installed band shell with the general public. Please join us if you can!

Respectfully submitted,

Jason E. Bowsza  
First Selectman

*SEL. 5/20/21 Attachment H*

## Selectmen's Report - May 20th, 2021

On May 10th, 2021 I attended the Diversity Council Special Meeting in conjunction with the East Windsor Police Department focusing on Police Reform in Connecticut. Chief DeMarco, Deputy Chief Hart and Lt. Carl gave a thorough and transparent presentation on all of the strides the Department has made to comply with the Police Accountability Bill and other policies. I feel that our Police Department is always proactive and always looking ahead and I commend them for their work. In honor of National Police Week, it was my pleasure to go on a ride-along with Officer Zachary Sherman on Sunday. Officer Sherman has been with the East Windsor Police Department for nearly six years. He is a valuable member of our patrol division and he is extremely knowledgeable. He educated me on Domestic Violence protocol and other areas of the job. This is my third ride-along with the Department and I encourage anyone who is interested in understanding the daily life of a police officer to contact the Police Department to make an appointment to go on one.

All three budget questions passed at last week's referendum. Thank you to all who came out to vote! With these results, there is much good that will be coming to the Town; including the Mental Health Team for the Police Department, savings to the taxpayers on interest payments and a reduction in our mil rate.

On May 12th, 2021 I attended the Board of Education meeting held via Zoom. Broad Brook Elementary School Principal Laura Foxx gave a presentation on ACES Day, which was held on May 11th, 2021 and Field Day will be June 4th, 2021. A Curriculum Report was given on the SATS. The official last day of school will be June 15th and Graduation Day is June 16th, 2021.

On May 13th, 2021 the Veterans Commission met at the American Legion Post 40. Much discussion revolved around the planning and execution of the Memorial Day Parade which is a go this year and will leave from the Town Hall Annex promptly at 10:00AM. The Veterans are considering holding another paver fundraiser for the Memorial Green and will be selling poppies Memorial Day weekend at Geissler's. Boy Scout Troop 89 will be assisting with the distribution of flags on Veteran's graves at St. Catherine's Cemetery beginning this evening. The Commission is hoping to make a decision on holding their Road Race at their next meeting, so planning can begin.

On May 19th, 2021 the Board of Finance held their regular meeting. The Board of Finance will be putting in a request to have a joint meeting with the Board of Education to discuss discrepancies within reports and to get on the same page when it comes to finances. \$300,000 of real estate taxes are still owed to the Town, \$260,000 of which belongs to Walmart. Many departments, including the Town Clerk and Police Department have met their Revenue budgets for the current fiscal year.

The Connecticut Trolley Museum begins their Summer Music Series tomorrow night with Just Jeannie. Tickets are \$10.00 and can be purchased at [www.ct-trolley.org](http://www.ct-trolley.org). The East Windsor Garden Club will be hosting their Plant and Yard Sale this Saturday from 9:00AM-2:00PM at 235 Rye St. in Broad Brook. There are a lot of exciting things happening in town, so get out and enjoy the weather and festivities!

Submitted With Sincerity,

Sarah A. Muska, Selectman