

**Town of East Windsor**  
**East Windsor Casino Impact Fund Distribution Ordinance**

The following ordinance was adopted at a Special Town Meeting duly warned and held on \_\_\_\_\_, 2019.

**“ORDINANCE REGARDING THE DISTRIBUTION OF FUNDS FROM  
THE TOWN OF EAST WINDSOR CASINO IMPACT FUND”**

Whereas the ordinance establishing the Casino Impact Fund (CIF) entitled “ORDINANCE REGARDING THE CREATION OF THE TOWN OF EAST WINDSOR CASINO IMPACT FUND” states

“The CIF shall ensure that issues associated with the casino are dealt with in a manner that supports: the growth of East Windsor, quality of life, infrastructure and public services. The procedure and process for disbursement will be determined through a separate ordinance”.

WHEREAS the Town wishes to ensure that the expenditures of such funds are made consistent with the Town Charter and for the purposes set forth in the Ordinance establishing the Casino Impact Fund (“the Fund”); and

WHEREAS the Town wishes to ensure that the duly authorized voters of the Town shall make the final decision by referendum as to the expenditure items (line item amounts and purposes) for said expenditures.

WHEREAS the Town wishes to have the Fund expenditure items(line items) appear on the ballot in the Annual Budget Referenda

NOW THEREFORE, the following shall be the process for annual expenditures from the Fund:

**1. The Casino Impact Fund Distribution**

- a. Distributions from the Fund shall be in accordance with the processes and dates to be included in the guidelines to be established by the Board of Selectmen for the annual budget process.
- b. With oversight by the Board of Selectmen, the First Selectman shall coordinate and manage the preparation of the Casino Impact Fund Distribution Requests for the ensuing fiscal year.
- c. On or before the date established in the annual budget guidelines every official, office, board, commission, agency, Warehouse Point Fire District, or department seeking an

appropriation from the Fund shall submit to the First Selectman, or a designee including information they possess (including, but not limited to, records, books, accounts, contracts, reports and other papers, backup information and documents) regarding specific CIF distribution requests.

d. The Board of Selectmen shall, following consultation with the Town Treasurer, determine in what form officials, offices, boards, commissions, agencies or departments shall submit the required information.

e. On or before the date the annual budget guidelines set forth, the First Selectman shall submit the Fund Distribution Requests to the Board of Selectmen. Said submission shall include the amount of money available for appropriation in the Fund for the ensuing fiscal year.

f. The proposed appropriation from the Fund shall be included in the proposed Board of Selectmen Annual Town Budget for the ensuing fiscal year as submitted to the Board of Finance.

**2. Public Hearings.** On or before the date the annual budget guidelines set forth, the Board of Selectmen shall at the outset of its deliberations conduct, at least, one (1) public hearing on the Fund Distribution Requests and Distribution. Notice of said hearing(s) shall be published within five (5) days after the submission of the Casino Impact Fund Distribution Requests to the Board of Selectmen. The **Public Hearing** may coincide and be part of the Public Hearings referred to in Section 8-4 Budget Procedures of the Town Charter.

**3. The Fund Distribution Message.** The **Fund Distribution** shall include a **Distribution** message, which shall be available at the first public hearing. The **Distribution** message shall contain the recommendations of the Board of Selectmen, a description of the important features of the **Fund Distribution** plan on a line item format, an explanation of all major increases or decreases and changes in **Distribution** recommendations as compared with the prior year, and a summary of the proposed distribution.

**4. The Casino Impact Fund Distribution** shall be a public record in the Office of the Town Clerk and shall be open to public inspection. The **Casino Impact Fund Distribution** related material shall be printed by the Town at the time of its submission to the public. On or before the dates set forth in the annual budget guidelines, the Board of Selectman shall direct that the **Casino Impact Fund Distribution Requests** are published.

## **5. Submission of the Budgets to Referendum**

**a. Initial Budget Referendum.** The **Fund Distribution** as approved by the Board of Finance shall be submitted to the voters of the Town by line item in the proposed Town Budget as part of the Budget Referendum to be held on the second Tuesday of

the month of May. Any subsequent submission of the **Fund Distribution to referenda should be part of the annual budget referenda when possible.**

**b. Referendum Outcomes. Approval of the Casino Impact Fund Distribution following Budget Referendum.** If the **Casino Impact Fund Distribution** is approved by a majority voting thereon at a Referendum, official copies of the **Casino Impact Fund Distribution** as finally approved shall be adopted and filed with the Town Clerk within five days of the approval.

**c. Failure of the Casino Impact Fund Distribution following Initial Budget Referendum.** If the **Casino Impact Fund Distribution** or any line item portion thereof fails at the initial Referendum, the **Casino Impact Fund Distribution** or the portion of the **Casino Impact Fund Distribution** that failed shall be returned to the Board of Selectmen who shall, following a public hearing, resubmit a **Casino Impact Fund Distribution** or that portion of the **Casino Impact Fund Distribution** that failed to the second Referendum to be held on the fourth Tuesday of the month of May.

**d. Failure of the Casino Impact Fund Distribution following the Second Budget Referendum.** If the **Casino Impact Fund Distribution** or any line item portion thereof fails at the third Referendum the, those expenditure items in the **Casino Impact Fund Distribution that did pass the referenda** shall be adopted and filed with the Town Clerk within five days of the approval.

**e. Expenditures from the Casino Impact Fund Distribution Not Adopted by referendum or Supplementary Appropriates shall not be allowed.**

**f. Supplementary Appropriation from Casino Impact Fund.** Upon request of any office, board, commission or similar body that additional funds in excess of what had been provided in the approved annual Casino Impact Fund Distribution or, if funds are required for which no provision was made in the annual Casino Impact Fund Distribution, the Board of Finance, upon recommendation of the Board of Selectman, after inquiry into and review of the request, may approve one or more appropriations. All Supplementary Appropriations from the Casino Impact Fund shall be approved by a Town Meeting.

6. Spending and accomplishments for each expenditure item appropriated from the Fund shall be reported to the East Windsor Treasurer's Office quarterly. The town annual report shall contain a separate section that discusses the status of the Fund activities. The section shall report spending and accomplishments for each expenditure item.

7. Unexpended funds that exceed 200% of the annual MMCT impact payment shall be returned to the general fund for the express purpose of reducing taxes.