TOWN OF EAST WINDSOR
BOARD OF SELECTMEN
11 RYE STREET
BROAD BROOK, CT 06016
First Selectman’s Office – (860) 623-8122

Jason E. Bowsza - First Selectman
Marie E. DeSouza - Deputy First Selectman
Sarah A. Muska - Selectman
Charles Nordell - Selectman
Alan Baker - Selectman

REGULAR MEETING AGENDA
THURSDAY, SEPTEMBER 15, 2022 AT 7:00 P.M.

1. TIME AND PLACE OF MEETING
   Thursday, September 15, 2022 at 7:00 p.m.
   Town Hall – John Daly, Jr. Meeting Room
   11 Rye Street, Broad Brook, CT 06016
   Join Meeting Via Zoom:
   https://zoom.us/j/3326833563
   Meeting ID: 332 683 3563
   Passcode: townhall
   One tap mobile:
   16465588656,3325833563# US (New York)
   13126266799,3326833563# US (Chicago)
   Dial by your location:
   +1 646 558 8656 US (New York)
   +1 312 626 6799 US (Chicago)
   +1 301 715 8592 US
   +1 346 248 7799 US (Houston)
   +1 669 900 9128 US (San Jose)
   +1 253 215 8782 US
   Meeting ID: 332 683 3563

2. PLEDGE OF ALLEGIANCE

3. ATTENDANCE

4. APPROVAL OF MEETING MINUTES

5. PUBLIC PARTICIPATION

6. COMMUNICATION

7. BOARD AND COMMISSIONS RESIGNATIONS AND APPOINTMENTS
   A. Resignations: none
   B. Reappointments:
      1. Jim Thurz (D), Planning and Zoning Commission regular member for a term expiring
         October 1, 2026

*Any starred items will not be discussed but will remain on the agenda pending receipt of additional information
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2. Ted Szymanski (D), Parks & Recreation Commission regular member for a term expiring October 1, 2027

C. New Appointments: none

8. UNFINISHED BUSINESS
   * A. Discussion of Windbrook Homes Developers Agreement
   B. Discussion of Blight Ordinance
   C. Establishment of Redevelopment Authority (former casino site) (attachment)

9. NEW BUSINESS
   A. Review Draft Ordinance
   B. Discuss Collins Non-Disclosure Agreement
   C. Tax Refunds

10. SELECTMEN COMMENTS AND REPORTS
    A. Jason Bowsza
    B. Marie DeSousa
    C. Sarah Muska
    D. Charlie Nordell
    E. Alan Baker

11. PUBLIC PARTICIPATION

12. EXECUTIVE SESSION
    Pursuant to C.G.S Sec. 1-200 (6)(b), strategy and negotiations with respect to pending claims or pending litigation, (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 possible.

13. ADJOURNMENT

DISTRIBUTION
Ruth Calabrese
Randi Reichle
Ted Szymanski
Jim Thurz
Kate Carey-Trull
Town Clerk
Journal Inquirer

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Town of East Windsor

Blight & Property Maintenance Code

(Repeal of Ordinance 89-3, Replacement of Ordinance 01-3)

Article 1

1-1. Title:
This Ordinance shall be referred to as the “Blight & Property Maintenance Code of the Town of East Windsor” (“this Code”) and the standards established herein shall be referred to as and constitute the minimum property standards of the Town of East Windsor (“Town”).

1-2. Purpose:
A. The Town of East Windsor recognizes that it is in the best interest of the community to provide for the general maintenance of property in Town. The purpose of this Code is to establish minimum standards and responsibilities for the maintenance of all premises in Town. This Code is also further intended to establish procedures for the enforcement and abatement of property maintenance violations in Town.
B. This Code is adopted pursuant to CGS §§ 7-148, 7-148aa and 7-152b, as amended.

1-3. Applicability:
A. This Code shall apply uniformly to the maintenance, use and occupancy of all premises, unless otherwise specified herein, now in existence or hereafter constructed, maintained or modified and shall include:
   1. Dwellings or dwelling units including one-family, two-family and multiple-unit dwellings.
   2. Lots, parcels or land or portions thereof, whether improved or unimproved.
   3. Buildings of non-dwelling use, including all commercial land and buildings and mixed-use properties that may include one or more dwelling units.
   4. Rooming houses and apartments, boarding houses, group homes, lodging houses, rooming houses or tenement houses.
B. This Code shall not apply to property described as follows:
   1. Municipal, State or Federal Property
   2. To any building, other than which is not a dwelling unit, on a parcel of land or portion thereof which is essential to a bonified-commercial farming operation, which is recognized and registered with the, as such with the Town’s Assessor, including but not limited to those receiving a P.A-490 farming exemption.

1-4. Severability:
In the event that any part of this Code is declared invalid for any reason, all other provisions of this Code shall remain in full force and effect.

1-5. Usage of Terms; conflict with other provisions:
A. Where terms are specifically defined or the meaning of such terms are clearly indicated by their context, that meaning is to be used in the interpretation of this Code.
B. Where terms are not specifically defined and such terms are defined in the Charter and Municipal Code of the Town of East Windsor, such terms shall have the same meanings for the interpretation and enforcement of this chapter.
C. Where terms are not specifically defined in this chapter, they shall have their ordinarily
accepted meanings or such meaning as the context may imply.
D. The provisions of this code shall not be construed to prevent the enforcement of other codes,
ordinances or regulations of the Town of East Windsor.
E. In any case where a provision of this code is found to be in conflict with a provision of any
zoning, building, fire, safety, or health ordinance, regulation or other provision of the Charter
and Municipal Code of the Town of East Windsor or the State of Connecticut, the provision
which establishes the higher standard for the promotion and protection of the health and safety
of the people of the Town of East Windsor shall prevail.

1-6. Authorization:
A. The First Selectman shall appoint one or more Property Maintenance Officers who shall be charged
with the enforcement, interpretation, and administration of this code. Such official(s) shall be
employed by the Town of East Windsor.

Article 2

2-1. Definition of Terms:
The following definitions shall apply. The Merriam-Webster dictionary shall serve as a second authority
only when a term is found not to have been defined herein.

ABANDON
To directly or indirectly give up control or cease to maintain; for vehicles, the physical condition, length of
time since last used on a public highway, whether or not it is registered, and length of time since it was last
used or capable of being used for its designed or intended purpose.

ACCESSORY STRUCTURE
A structure the use of which is customarily incidental and subordinate to that of a principal building,
structure or use on the same lot.

BLIGHTED PREMISES
Any building, structure, parcel of land or portion thereof which is found by the Property Maintenance
Officer to contain one or more conditions as described in Article 2 § 2-2 and for which a Citation or Order
has been issued.

PROPERTY MAINTENANCE OFFICER
An individual or individuals appointed by the First Selectman whose role it is to inspect and reinspect
premises which may contain code violations as described herein, and who may and commence enforcement
actions for violations of this code in accordance with Article 3 of this code.

CITATION HEARING OFFICER
An individual or individuals, who is an elector of the Town, appointed by the First Selectman and sworn in
by the Town Clerk whose role it is to conduct hearings authorized by this chapter code and as required
by the Connecticut General Statutes. A Citation Hearing Officer shall not be a Property Maintenance Code
Officer, Police Officer or other employee of the Town.

CONNECTICUT GENERAL STATUTES (CGS)
Includes any applicable amendments.
COMMUNITY STANDARD
A judgment by a reasonable member of the community.

DAYS
Calendar days. For the purposes of establishing timeframes, the date of receipt of a notice, order or other communication shall not be included (the timeframe starts the day after receipt).

DEBRIS
Material which is incapable of immediately performing the function for which it was designed, including, but not limited to, abandoned, discarded or unused objects, parts of automobiles, furniture, appliances, cans, boxes, bags, scrap metal, tires, batteries, containers, garbage, rubbish, refuse, machinery and vehicles.

INOPERABLE (Motor Vehicle)
A motor vehicle which is incapable of being legally operated on public roads without major work or modification. Missing parts, broken or severely damaged components shall be prima facie evidence of inoperability.

JUNKED (Motor Vehicle)
A motor vehicle located on the premises which is inoperable; this definition shall also include parts of motor vehicles or iron, metal, glass, paper, cordage or other waste or discarded or secondhanded materials which have been a part or intended to be a part of any motor vehicle.

LEGAL OCCUPANCY
Occupancy in accordance with state building and fire codes, local zoning regulations, local housing ordinances and all other pertinent codes.

LODGING HOUSE
A building or place where lodging is provided (or which is equipped regularly to provide lodging by prearrangement for definite periods), for compensation, for three or more, but not exceeding 12 individuals, not open to transient guests.

MACHINERY
An assemblage of parts that transmits forces, motor and energy, one to another in a predetermined maneuver; a mechanically, electrically or electronically operated device for performing a task; an instrument designed to transmit or modify the application of force, power or motion.

MOTOR HOME
A vehicular unit designed to provide living quarters and necessary amenities which are built into an integral part of, or permanently attached to, a truck or van chassis, including campers and conveyor trailers.

MOTOR VEHICLE
Any vehicle propelled or drawn by any power other than muscular, any device suitable for the conveyance of, drawing or other transportation of persons or property, whether operated on wheels, runners, a cushion of air or by any other means.

MOTORCYCLE
A motor vehicle, with or without a sidecar, having not more than three wheels in contact with the ground.
and a saddle or seat on which the rider sits or a platform on which the rider stands, including motor scooters or bicycles with an attached motor.

NEIGHBORHOOD
An area of the Town comprising all premises or parcels of land, any part of which is within a radius of 1,000 feet of any part of another parcel or lot within the Town.

OWNER/ OCCUPIER
Any person, institution, founder, entity or authority which owns, leases, rents, possesses, or is responsible for property within the Town.

PERSON
Any individual, agent, corporation, limited-liability company, association, co-partnership, company, firm, business trust or other aggregation of individuals, but does not include the state or any political subdivision thereof, unless the context clearly states or requires.

PREMISES
Any building, structure, land or portion thereof, including all appurtenances, owned or controlled by a person.

PROPERTY MAINTENANCE ASSESSMENT BOARD
A body appointed by the First Selectman pursuant to Connecticut General Statutes §7-148ff(c)(4)

PROXIMATE PROPERTY
Any premises or parcel of land within 1,000 feet of the boundary of a blighted premises.

RECREATIONAL VEHICLE
A motor vehicle of the type designed for off-the-road uses for recreation, entertainment or pleasure and which is not authorized by the state to be operated on public streets and highways, including but not limited to minibikes, ATVs, trail bikes, dune buggies, snowmobiles and swamp buggies.

REFUSE
All putrescible (likely to decay/rot) and non-putrescible solids, including garbage, rubbish, ashes and dead animals. These terms shall include paper, rags, cartons, boxes, wood, excelsior, softwood shavings used for packing good or stuffing furniture, rubber, leather, tree branches, yard trimmings and other combustible waste materials.

RUBBISH
Non-putrescible solid wastes such as batteries, paint scrapings, paper, cardboard, plastic containers, yard clippings, wood, tin cans, tires, glass, metal and used automotive parts, cold ashes, junk, discarded containers, dust, sweepings, wastepaper, boxes, crates, rags, clothing, textiles, glass and similar waste materials ordinarily accumulated in and around residential premises.

TRAILER
Any rubber-tired vehicle without motive power drawn or propelled by a motor vehicle and used to transport personal property materials or equipment, whether or not permanently affixed to the bed of the trailer.

TRUCK
A motor vehicle designed, used or maintained primarily for the transportation of property; a motor vehicle with an enclosed forward passenger compartment and an open rearward compartment used for the
transportation of property.

WASTE
Household items, including but not limited to sofas, mattresses, furniture, machinery and/or appliances or Land-clearing debris and materials resulting from demolition activities other than clean fill.

WATERCRAFT
A ship, vessel, boat or craft capable or designed for the use of water transport with or without a motor.

YARD VEGETATION
Grass, weeds, garden plants, shrubs, leaves, branches, limbs, brush and similar materials grown on and/or emanating from the premises.

2-2. Definition of Standards:
The Property Maintenance Officer (PMO) and Citation Hearing Officer shall use the following criteria when evaluating a building, structure or parcel of land to determine if a violation exists. The presence of one or more of the following conditions may constitute a violation of this code:

1. Any condition which may present a serious threat to the health, safety and welfare of Town citizenry;

2. A building, structure, parcel of land, or portion thereof which is not being maintained, as evidenced by the existence of one or more of the following conditions:

   a. Missing, broken or boarded windows or doors;

   b. Collapsing or deteriorating exterior walls, shutters, roofs, stairs, porches, handrails, railings, basement hatchways, chimneys, flues, awnings or floors;

   c. Exterior walls, including retaining walls, which are defaced by graffiti and/or contain holes, breaks, loose or rotting materials or which are not properly surface coated to prevent deterioration;

   d. Foundation walls which contain open cracks and breaks that pose a threat to public health and safety; (special consideration for crumbling foundations)

   e. Overhang extensions, including but not limited to canopies, marquees, signs, awnings, stairways, fire escapes, standpipes and exhaust ducts which contain rust or other decay and pose a hazard;

   f. Chimneys and similar appurtenances which are in a state of disrepair;

   g. Insect screens which contain tears or ragged edges;

   h. Refuse, rubbish, trash or debris improperly stored or accumulated on the premises, or inoperable/unregistered vehicles, machinery and/or watercraft on the premises;

   i. Overgrown grass or weeds allowed to reach and remain at a height of 12 inches (one foot)
Draft for Legal Review - with BOS revisions - June 3, 2022, Revised July 27, 2022

or more for a period of at least seven (7) days.

i. Vegetation of any type which, in the opinion of the Property Maintenance Officer is injurious to public health or safety.

j. Vermin and/or animal infestations;

k. Fences which are broken, rotted or in an otherwise dilapidated condition; or

l. Swimming pools with standing water and/or which are in a state of disrepair.

m. Solid waste which has accumulated or is being stored on a premises in a manner which is offensive, unsightly, unsanitary or not in keeping with community standards.

n. The outdoor storage of wanted and/or useful materials or equipment for a period of more than sixty (60) days in any front yard or which is not being maintained in an orderly manner; and is creating a blighting factor for adjacent properties.

3. Any other exterior condition reflecting a level of maintenance which is not in keeping with community standards or which constitutes a blighting factor for adjacent property owners or occupants, or which is an element contributing to the progressive deterioration of the neighborhood;

4. A condition attracting illegal activity as documented in Police Department records;

5. A condition which is a fire hazard as determined by the Fire Marshal or as documented in Fire Department records;

6. Any condition or combination thereof which is creating a substantial and unreasonable interference with the use and enjoyment of other premises within the surrounding area as documented by multiple discrete neighborhood complaints, police reports, the cancellation of insurance on proximate properties or similar circumstances, and which any condition that is negatively impacting property values.

7. A condition which is negatively impacting neighborhood property values.

Article 3

3-1. Procedure:

A. Complaints. Any person or legal entity may report a complaint of a violation of this Code to the PMO. Complaints shall be submitted in writing on the Complaint Form. Upon receipt of any such complaint, a project or case number shall be assigned.

B. Inspections. The PMO may inspect any property in response to a received complaint or for any property which is believed to be blighted for which no complaint has been received. The PMO shall prepare a brief report of all findings for any property found to be in violation of this code.
C. Warning Letter: The PMO may issue a Property Maintenance Violation Warning for any property found to be in violation of the criteria established in § 2-2 of this code. Such notice shall include at a minimum:

1. A description of the real estate, sufficient for identification, specifying the violation(s) alleged to exist and the remedial action required;
2. A due date for the performance of any act required to remedy the violation and what action needs to be taken to remedy the violation;
3. The amount of the civil penalties/fines, liens, special assessments, costs or fees that may be imposed for noncompliance after the due date;
4. At the discretion of the PMO, the contact information for the Town’s Community Services Department for the purposes of referral assistance for those in need.

D. Delivery of Written Warning: Delivery of a written warning to the responsible party shall be by one or more of the following methods:
   a. By leaving the written warning or citation at the usual place of abode of the responsible party or by in-hand delivery to the responsible party;
   b. By certified, registered mail addressed to the responsible party at the last known address, with postage prepaid;
   c. By posting and keeping posted for a period of at least seven (7) days a copy of the written warning in a conspicuous place on the premises.

E.D. Citations:

1. Issuance:

   If the corrective actions specified in the warning letter are not taken, the PMO may issue a written citation to the responsible party and any lienholder pursuant to CGS §7-148gg. Such citation shall include at a minimum:

   1. A description of the real estate sufficient for identification, specifying the violation(s) alleged to exist and the remedial action required;
   2. Detailed information regarding the contents of the initial warning (which may be a copy of such written warning) and the failure of the owner/occupier to take the corrective actions specified therein;
   3. Notice of potential fines and/or liens that may be assessed by the Town pursuant to the Blight and Property Maintenance Fine Schedule.
   4. The amount of the civil penalties/fines, special assessments, costs or fees due for noncompliance;
   5. At the discretion of the PMO, the contact information for the Town’s Community Services Department for the purposes of referral assistance for those in need.
6. A statement that the owner/occupier may contest his liability and request a hearing before the Citation Hearing Officer by delivering, in person or by mail, written notice of objection within 10 days of the date of receipt of the citation.

2. Collection of Fines:
   If a citation fine issued in response to a violation under this code is paid within the timeframe specified, the PMO shall perform an inspection to verify if compliance with this code has been achieved. If this inspection determines there is compliance with this code, the matter will be closed. If a property inspection determines that compliance has not been achieved, a new citation may be issued.

3. Failure to Pay Fines:
   For any fine issued under the authority of this Code and for which the responsible party has failed to make payment, the Town shall send notice of such failure to pay after not less than ten (10) days and within twelve (12) months of the expiration of the fine payment deadline. Such notice shall include:
   a. A copy of the CitationNotification notice.
   b. A statement that the owner/occupier may contest his liability and request a hearing before the Citation Hearing Officer by delivering, in person or by mail, written notice of objection within 10 days of the date of receipt,
   c. A statement that if no hearing is requested, the assessment and judgement shall be entered against the owner and that such judgement may issue without further notice.

F.E. Hearings:
1. The Citation Hearing Officer is designated to conduct hearings in accordance with and pursuant to C.G.S § 7-152c and this code when requested by a responsible party who has been cited under this Code.
2. For any fine issued under the provisions of this code for which the responsible party fails to make payment the PMO shall submit a Request for Assessment to the Citation Hearing Officer.
3. Any Request for Hearing submitted by a responsible party following receipt of a citation as specified herein shall be sent to the Citation Hearing Officer by the PMO.

4. The Citation Hearing Officer shall establish a hearing date within fifteen (15) days and thirty (30) days from the date of request provided the Citation Hearing Officer shall grant, upon good cause shown, any reasonable request by any interested party for postponement or continuance. An original or certified copy of the initial warning and subsequent citation issued by the PMO shall be filed and retained by the Town and shall be deemed to be a business record within the scope of CGS § 52-180 as evidence of the facts contained therein. The presence of the PMO shall be required at the hearing if such person so requires. A person wishing to contest his/her liability shall appear at the hearing and shall present evidence. A designated Town official, other than the Citation Hearing Officer, shall present evidence on behalf of the Town. If the owner/occupier who requested the hearing fails to appear, the Citation Hearing Officer may either dismiss the citation or enter a default against him/her and dismiss the appeal upon a finding of proper notice and liability under this chapter. At the hearing, the Citation Hearing Officer shall accept relevant evidence including but not limited to: testimonial evidence from the PMO.
and appellant, evidence that may include copies of police reports, investigatory and citation reports, and other documents. The Citation Hearing Officer shall conduct the hearing in the order and form and with such methods of proof as is fair, reasonable and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The Citation Hearing Officer shall provide a decision after the end of the hearing. If the Citation Hearing Officer determines that the person is not liable under the citation, the Citation Hearing Officer shall dismiss the matter and enter his/her determination, in writing, accordingly. If the Citation Hearing Officer determines that the person is liable under the violation, the Citation Hearing Officer shall enter his/her determination, in writing, accordingly and include any assessment of civil penalties/fines, costs or fees against such person as apply, and shall further provide a copy of his written decision to the First Selectman.

5.4. Following the issuance of any Notice of Assessment issued by a Citation Hearing Officer, a Notice of Property Maintenance Lien shall be filed in court pursuant to CGS §7-152 and provided to the Town’s Tax Collector.

5.5. Any person aggrieved by any order, requirement or decision of the Citation Hearing Officer may take an appeal in accordance with § 7-152(g).

G.E. Remediation of Violations by Town:

1. For any violation for which a Notice of Violation and Citation have been issued and where the violation remains, pursuant to § 7-148(c)(7)(H)(xv), the Town shall have the right to enter upon the subject property during reasonable hours for the purpose of remediating the identified code violations as follows:

a. Upon recommendation from the PMO, prior to the commencement of remedial action or the institution of a Special Assessment by the Town other than as authorized by § 3-1(G)(2) and 3-1(G)(3)-below, the PMO shall request approval to commence such action or assessment from the Property Maintenance Assessment Board pursuant to CGS §7-148B(c)(4).

b. Ten days prior to the remedial action, the PMO shall issue a Blight Remediation Order and Authorization for Right of Entry which shall be sent Certified Mail to the responsible party.

c. Following the expiration of the 10-day notice, the Town or authorized agent may, during reasonable hours, perform all necessary remedial actions to bring the property into substantial compliance.

d. Within fifteen (15) days of the completion of the remedial actions, the Town shall issue a request for payment to the responsible party indicating the amount to be paid, date payment is due and remedial actions performed.

e. If such payment is not made within the timeframe specified, the Town shall issue a Special Assessment, which shall be filed and constitute a lien on the subject real estate.

2. Any violation of §2-2-2(2);(1) or 2-2(2)(j) shall constitute a nuisance which may be abated by the Town at the expense of the owner, lessee or any other person in possession or any one of them in whom the PMO has given not less than 10 days' written notice of intention to abate such nuisance. Such expense may be collected by the Town in a civil action against any one or more of the above named responsible parties.

Commented [MB633]: Are we doing special assessments according to c. 7-148Bf. Special assessment on blighted property because if so, I don’t see the other requirements of that statute – see below.

Commented [JB54R33]: This isn’t what we had envisioned.

Commented [RC55]: This section allows for the issuance of fines, correct?

Commented [MB636]: (b) Prior to initial approval by the legislative body of such municipality of the plan for implementation of the special assessment to be provided pursuant to the provisions of this section, the executive authority of such municipality shall appoint a committee consisting of not less than six taxpayer of such municipality, one of whom shall be a landlord, the tax assessor and representatives of municipal agencies responsible for zoning and health, housing, fire and other safety code compliance. The committee shall undertake and complete, within a period not in excess of sixty days following such appointment, a study and investigation with respect to such special assessment and shall submit a report to the board of finance or equivalent body of such municipality. The report shall include, but not be limited to, the following: (1) A statement describing the fiscal effect of a special assessment on the revenue for the municipality; (2) identification of properties that may be subject to a special assessment; (3) the amount of property taxes generated by the properties and the cost to the municipality for code enforcement on such properties, including costs for police and fire personnel; (4) recommendations with respect to the form and extent of any assessment; and (5) standards for imposition of the assessment. In establishing any standards, the committee shall consider the number of outstanding health, housing and safety violations for the property, the number of times municipal health, housing and safety personnel have had to inspect the property and the cost to the municipality to enforce code compliance on the property. After the initial approval of the special assessment by the legislative body of such municipality, such plan may be amended from time to time by vote of its legislative body on recommendation of its board of finance or equivalent body without compliance with the

Commented [RC57]: I'm not sure if my edits are legally sound. Please check for me. Thanks.

Commented [MB638]: Let's discuss this section further. I don’t know that it’s entirely worth it.

a. It can be dangerous to enter private premises;

b. It will be requested by each and every neighbor – not sure if the town wants to be in the landscape business.

Commented [RC59]: Removed given I overgrown grass or weeds 2-2.1(J&J) were deleted.
For any property for which the condition constitutes an immediate threat to life, health, or safety or is otherwise unfit for human habitation, fails to comply with any order to repair or remove any building or portion thereof, or otherwise remediate the property, issues pursuant to the Connecticut General Statutes or to the East Windsor Code of Ordinances or when there exists actual and immediate danger upon the property, so as to endanger life or property, the PMO may proceed forthwith to cause to be done all work required to be done in compliance with such an order, and if necessary, to demolish or secure any structure or structures covered by any such order, and the Town shall have a lien on such property for the cost of such work or demolition, except that when no imminent danger exists, the owner or occupant of the property shall be given written notice of the Town’s intention to undertake said work at least 10 days prior to the commencement thereof, and the Town may recover all costs of the work or demolition, including any fees or interest related to completing said work, from the owner of such property by appropriate proceeding on complaint of said official. If the issue is of a persistent and recurring nature, the first ten (10) day notice will satisfy all future notice requirements for the same or similar violations.

Special Consideration:

1. Notwithstanding anything herein to the contrary, special consideration may be given to individuals who demonstrate that the violation results from an inability to maintain an owner-occupied residence and no person with that ability resides therein. Such special consideration shall be limited to the reduction or elimination of civil penalties/fines, special assessments and/or an agreement that the Town or its agents may perform the necessary work and place a lien against the premises for the cost thereof in accordance with the provisions of this code.

Report to Board of Selectmen:

At least annually, the PMO shall report to the Board of Selectmen on the status of the Town’s Blight & Property Maintenance Code, such report shall include at least:

1. The number of Blight & Property Maintenance Code Violation investigations conducted by the Town;
2. Any civil penalties/fines, special assessments, liens or imposed by the Town; and
3. Any remedial actions completed by the Town
3.4 Review of established Blight and Property Maintenance Fine Schedule.
(b) Prior to initial approval by the legislative body of such municipality of the plan for implementation of the special assessment to be provided pursuant to the provisions of this section, the executive authority of such municipality shall appoint a committee consisting of not less than six taxpayers of such municipality, one of whom shall be a landlord, the tax assessor and representatives of municipal agencies responsible for zoning and health, housing, fire and other safety code compliance. The committee shall undertake and complete, within a period not in excess of sixty days following such appointment, a study and investigation with respect to such special assessment and shall submit a report to the board of finance or equivalent body of such municipality. The report shall include, but not be limited to, the following: (1) A statement describing the fiscal effect of a special assessment on the revenue for the municipality; (2) Identification of properties that may be subject to a special assessment; (3) the amount of property taxes generated by the properties and the cost to the municipality for code enforcement on such properties, including costs for police and fire personnel; (4) recommendations with respect to the form and extent of any assessment; and (5) standards for imposition of the assessment. In establishing any standards, the committee shall consider the number of outstanding health, housing and safety violations for the property, the number of times municipal health, housing and safety personnel have had to inspect the property and the cost to the municipality to enforce code compliance on the property. After the initial approval of the special assessment by the legislative body of such municipality, such plan may be amended from time to time by vote of its legislative body on recommendation of its board of finance or equivalent body without compliance with the requirements of this subsection applicable to such initial approval.

Let's discuss this section further. I don't know that it is entirely worth it.

A) It can be dangerous to enter private property

B) It will be requested by each and every neighbor – not sure if the town wants to be in the landscape business

C) This is a very political issue

D) If you decide to keep this section we will need to tweak to include subsections requiring a hearing prior and making it clear that the Town has no statutory authority to enter into any dwelling or other building.
TOWN OF EAST WINDSOR
BOARD OF SELECTMEN
RESOLUTION

RESOLUTION CONCERNING THE CREATION OF THE EAST WINDSOR
REDEVELOPMENT AGENCY AND THE APPOINTMENT OF THE MEMBERS OF
SUCH REDEVELOPMENT AGENCY

WHEREAS, the Town of East Windsor, Connecticut (the “Town”) desires to create the
East Windsor Redevelopment Agency pursuant to Chapter 130 of the Connecticut General Statutes
(“Chapter 130”) with the powers, duties and responsibilities granted to a redevelopment agency
under Chapter 130, including, but not limited to, the power to prepare, or cause to be prepared, a
redevelopment plan, as defined in Chapter 130, for the redevelopment of the former Showcase
Cinemas site located at 17 Bridge Street in East Windsor; and

WHEREAS, Chapter 130 requires that the legislative body of the Town approve the
creation of the Redevelopment Agency and the Board of Selectmen’s appointment of members to
such Redevelopment Agency; and

WHEREAS, at a meeting of the Board of Selectmen held on September 15, 2022, on a
motion by Board Member, ______________, and seconded by Board Member, ____________,
the following resolutions were adopted:

NOW THEREFORE BE IT RESOLVED, that the Board of Selectmen of the Town of
East Windsor hereby approves that:

(i) There is hereby created a redevelopment agency for the Town in accordance with
Section 8-126 of the Connecticut General Statutes, said agency to be known as the "East Windsor
Redevelopment Agency" (hereafter “Agency”).

(ii) The Agency shall be composed of seven (7) electors residing in the Town, appointed
by the Board of Selectmen and approved by the Town Meeting. The following electors shall be
appointed as members of the Agency to serve for an initial term as designated below:

<table>
<thead>
<tr>
<th>Name of Appointed Member</th>
<th>Expiration of Initial Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jason E. Bowsza</td>
<td>August 31, 2023</td>
</tr>
<tr>
<td>Denise Menard</td>
<td>August 31, 2023</td>
</tr>
<tr>
<td>Robert Rybick</td>
<td>August 31, 2024</td>
</tr>
<tr>
<td>Christopher Mickey</td>
<td>August 31, 2024</td>
</tr>
<tr>
<td>Michael Yost</td>
<td>August 31, 2025</td>
</tr>
</tbody>
</table>
Upon the expiration of the initial term, all subsequent appointment of members shall be for terms of 5 years, commencing on September 1 of the respective year. Each member shall serve until a successor is appointed and qualified. Vacancies shall be filled for the unexpired term. Any member may be removed upon the affirmative vote of the Board of Selectmen. The members of the Agency shall annually appoint a chairman, vice-chairman, and secretary.

(iii) The Agency shall exercise all of the powers, duties and responsibilities now or hereafter provided for redevelopment agencies by the Connecticut General Statutes, as amended from time to time, including, but not limited to, the power to acquire, lease, hold, manage and convey real and personal property, accept loans and make advances, redevelop property, and create and acquire interests in any legal entity that is necessary or desirable to carry out such redevelopment.

(iv) In exercising its powers, duties and responsibilities, the Agency shall prepare, or cause to be prepared, a redevelopment plan, as defined in Chapter 130, for the redevelopment of the former Showcase Cinemas site located at 17 Bridge Street in East Windsor and shall take the steps necessary under Chapter 130 to submit such redevelopment plan to the Town for approval.

(v) The Agency shall hold at least six (6) meetings each fiscal year, or more often, through special meetings, if appropriate. The Agency shall adopt, maintain, and update by-laws or rules of procedure which shall be effective upon approval by the Board of Selectmen. Any affirmative vote by the Agency shall require a majority vote of a seven (7) - member quorum.

(vi) The Agency shall keep all records of its meetings and other business and shall be responsible for compliance with the Freedom of Information Act. The Agency shall make an annual report to the Board of Selectmen consisting of its activities in the past fiscal year and planned activities for next fiscal year. The agency shall make such special reports as the Board of Selectmen may request from time to time.

(vii) The Agency members shall not be compensated for their services but may be reimbursed for reasonable expenses in order to carry out their duties. No Agency member may profit from, or engage in any transaction from which the member would receive an improper benefit.

(viii) The Agency shall coordinate its activities with the Town Planning and Zoning Commission, the Town Economic Development Commission and other interested officials and
agencies of the Town, and the Agency may invite to attend and participate in its meetings and deliberations, but without vote, any person not a member of the Agency.

(ix) The Agency may employ a secretary and such other officers, agents, technical consultants, legal counsel and employees as it may require, subject to budgetary limitations and relevant Charter provisions.

(x) The Agency shall not incur any expenses or obligate the Town to pay any expense in excess of the funds appropriated by the Town; and

BE IT RESOLVED, that this resolution including the creation of the Agency and the appointment of its members shall be subject to approval by the voters of the Town at a Special Town Meeting.
<table>
<thead>
<tr>
<th>Date of Voucher</th>
<th>Description</th>
<th>Amount</th>
<th>Paid Date</th>
<th>Tax</th>
<th>Int</th>
<th>L/F</th>
<th>Total Adjusted</th>
<th>Overpaid Tax</th>
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<td>172.50</td>
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<tr>
<td>2021-03-0060879 NICKOLAS BLANCHARD</td>
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<td>1,061.02</td>
<td>3,466.35</td>
<td>-2,405.33</td>
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3,466.35

1,061.02
3,466.35

-2,405.33