

Town of Colchester, Connecticut

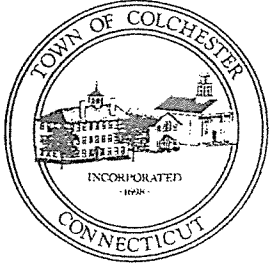
127 Norwich Avenue, Colchester, Connecticut 06415

Gregg Schuster, First Selectman

Board of Selectmen Agenda
Regular Meeting
Thursday, August 1, 2013
Colchester Town Hall – 7:00 PM

RECEIVED
COLCHESTER, CT
2013 JUL 29 PM 2:35
NANCY A. BRAY
TOWN CLERK
Nancy A. Bray

1. Call to Order
2. Additions to the Agenda
3. Approve Minutes of the July 18, 2013 Commission Chairmen Meeting
4. Approve Minutes of the July 18, 2013 Regular Board of Selectmen Meeting (with corrections per attached memo)
5. Citizen's Comments-
6. Boards and Commissions – Interviews and/or Possible Appointments and Resignations
 - a) Agricultural Commission – Resignation of Joanne Becker
 - b) Economic Development Commission- Resignation of Steven Cohn
 - c) Agricultural Commission – Appoint Alan Zimmerman to Member For a Two Year Term to Expire 11/30/2014
7. Budget Transfers
8. Tax Refunds & Rebates
9. Discussion and Possible Action on Fire Truck Rescue Bid Award
10. Discussion and Possible Action on WJJMS-Community/Senior Center Project
11. Discussion and Possible Action on White Oak Farm Conservation Subdivision, Lebanon Ave. (Route 16) and Goldberg Rd.
 1. Cancellation of his Active Road Permit for Phase B-Sherman's Brook Rd. &
 2. Release of Surety Bond for Phase A-2 and Release of Surety Bond for Phases B-G & Lebanon Ave.
12. Discussion and Possible Action on Personnel Policies
13. Discussion and Possible Action on Setting Town Meeting to Discuss Blight Ordinance
14. Citizen's Comments
15. First Selectman's Report
16. Liaison Report
17. Executive Session to Discuss Town Hall and School Facility Security
18. Executive Session to Discuss Negotiations With Colchester Firefighters Union UPPFA, IAFF, Local #3831 Contract
19. Adjourn



Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Gregg Schuster, First Selectman

Commission Chairman Regular Meeting Minutes
Thursday, July 18, 2013
Colchester Town Hall – 7:00 PM
Meeting Room 1

NANCY A. BRAY
TOWN CLERK

Nancy A. Bray

RECEIVED
COLCHESTER, CT
2013 JUL 22 AM 10:50

MEMBERS PRESENT: First Selectman Gregg Schuster, Selectman James Ford, Selectman Stan Soby, Selectman Greg Cordova and Selectman Rosemary Coyle.

MEMBERS ABSENT:

OTHERS PRESENT: Jim. Paggioli, Walter Cox, Don Lee, Rob Tarlov, Adam Turner, Kate Byroade, Patricia Watts, Tom Tyler, Falk von Plachecki, Steven Cohn, Rich LeMay, Gail Therian and other citizens.

1. **Call to Order**

First Selectman G. Schuster called the meeting to order at 7:00 p.m.

2. **Commission Updates – Commission Chairs**

First Selectman G. Schuster read a written report for the **Board of Education** submitted by Chairman Ron Goldstein. (attached)

Rob Tarlov reported that the **Board of Finance** is working on two major items now, the school building project and the Capital Improvement Plan. Over the last four (4) years, the Board has funded and addressed the shorter term capital items and is now moving on to the long term capital items. The Board is also beginning to address the Board of Education Capital Improvement Plan. The Board is also looking at the costs of repairing existing buildings if the proposed school building project does not move forward. These figures will be available to the public for the comparison of brick and mortar costs vs. repair costs to the existing facilities.

Tom Tyler reported that the **Building Committee** attended on June 10, 2013 a Tri Board meeting of the Board of Selectmen, Board of Finance and the Board of Education where the William J. Johnston Middle School renovation and the addition of a Senior Center and Community Center plans were presented. At that meeting the three Boards unanimously supported the project to move it to Referendum. The Building Committee finalized the schematic drawings with Techton and is tweaking these drawings so they can be put on the Town's website for the public's review. They attended the Planning and Zoning Commission meeting on Wednesday, July 17, 2013 where the Connecticut General Statute 8-24 review received a favorable recommendation from the Commission which will be forwarded to the Board of Selectmen. The Committee plans to hold Public meetings on September 3 and September 9, 2013 to educate the public on the project and they will be attending the Open Houses at all four schools to answer questions, etc. To continue the process to the Referendum, the Committee will meet with the Board of Finance on August 7th and the Board of Selectmen on August 15 for the approval to move to a Town meeting. The notice of the Town meeting would then be published on August 31st and the Town Meeting will take place on September 23rd with the Referendum being held on October 9, 2013. A discussion followed and it was decided that the Board of Selectman will discuss at their August 1, 2013 meeting the scheduling of a Town Meeting to move this item to a referendum.

Falk von Plachecki reported that the **Conservation Commission** has issued Wetlands permits for Tony's Junkyard. He said that J. Gigliotti, Wetlands Enforcement Officer, did a good job gathering the information and getting it to the Commission. The consulting firm worked well with the Commission. Kurt Frantzen and along with another member of the Commission are working on updating the Inland Wetlands Regulations to incorporate the Department of Energy and Environmental Protection and the State Statutes changes and revisions. These updates should be ready to be presented at a Public Hearing in the early fall. At the July 10, 2013 meeting, an as-of-Right logging operation application was approved. At this meeting a request for a withdrawal and refund of fees for a subdivision application was received. Because fee refunds are not within the authority of the Commission, they could not separate the two requests and asked J. Gigliotti to advise the applicant to continue working on the revisions of the submitted plans for the next meeting. G. Schuster thanked the Conservation Commission for their work on Tony's Junkyard application.

Stephen Cohn reported the Economic Development Corporation is working on finalizing a pro-active approach to attract businesses to Colchester. They are also educating themselves on how taxes are calculated. There is one C-Tip application for the New England Properties, Inc. before them, which eventually will be presented to the Board of

Selectmen. He reported that he will be resigning from the Commission in the next few weeks due to personal commitments. G. Schuster thanked him for his service to the Commission, especially as Chairman.

Merja Lehetinen reported for **Cable Advisory Committee** that there is still competition for customers between AT & T and their competitors, resulting in lower fees. A T & T is looking at ending the promotion of land line service by 2020 which may be an issue for government and other type of businesses employees. Regarding Cable Companies, the regional cable companies are concerned that they may be dissolved, but there is a Federal mandate requiring that there be a local representative, so this cannot legally be done.

First Selectmen G. Schuster read a written report for the **Fair Rent Commission** submitted by Kimberley Russo.

First Selectman G. Schuster read a written report for the **Police Commission** submitted by Rob Parlee. (attached)

Rich LeMay reported that the **Sewer & Water Commission** ended the fiscal year in a good position and were able to put money into capital projects on both the Sewer and Water sides. The water lines have been accepted to the State garage facility and the sewer and water lines have been extended to Tractor Supply property and the wet water pump station should be operational very soon. The joint facilities side also closed the fiscal year in good shape and there is still no word regarding the STEAP grade to upgrade the plant. At the last joint facilities meeting it was decided that it would not be upgrading the Lebanon addition.

No Report Received from:

David Wasniewski concerning the **Agriculture Commission**
Dave Anderson concerning the **Board of Assessment Appeals**
Kevin Dalton concerning the **CHVFD Tax Exemption Commission**
Rose Levine concerning the **Commission on Aging**
Genea Bell concerning the **Ethics Commission**
Ellen Sharon concerning **Historic District Commission**
Jan LaBella concerning the **Housing Authority**
Nick Norton concerning the **Open Space Advisory Committee**
Sean O'Leary concerning the **Parks and Recreation Commission**
Joe Mathieu concerning the **Planning and Zoning Commission**
Brenden Healy concerning the **Police Retirement Board**
Robert Suchecki concerning the **Youth Services Advisory Board**
Lori Robinson concerning the **Zoning Board of Appeals**

3. Adjourn

R. Coyle moved to adjourn the Commission Chair Meeting at 7:21 p.m., second by G. Cordova
Unanimously approved. MOTION CARRIED.

Respectfully submitted,

Gail Therian
Clerk

Attachment 1 (Board of Education Report)
Attachment 2 (Fair Rent Commission Report)
Attachment 3 (Police Commission Report)

REPORT OF THE BOARD OF EDUCATION

The Board of Education closed a successful school year on June 24th, with graduation at which we heard from two our Valedictorian, Megan Ganley, who will be attending Boston College in the Fall, and her sister, Shannon Ganley who will be attending The College of the Holy Cross in the Fall. We also heard from Lamb Essayist Zach Grinfeld who will be attending Hofstra University School of Engineering and Applied Science. Although thunderstorms threatened and the power even went out for a few minutes, the ceremony was a success.

Now as we prepare for the new school year, we welcome Ann Watson as the new Principal of Colchester Elementary School. Ann comes to us from Avon, where she also was an elementary school principal, and we look forward to having her on the team. At the elementary school we are also excited to be preparing for the introduction of All-Day Kindergarten for all students. At the Intermediate School, our Assistant Principal is leaving to become Principal of an elementary school in a nearby district – the search process for her replacement is underway and we should have the position filled for the start of school.

The entire District is also preparing for the roll-out of Connecticut's new teacher and administrator evaluation program, and the continuing implementation of Connecticut's new Common Core State Standards for our curriculum. These two initiatives have required a tremendous amount of work and training in new procedures, and the entire District team is to be applauded for its success in meeting the new requirements.

Thank you.

To: Colchester Board of Selectman

From: ~~Kimberley Russo~~, Chairwoman, Colchester Fair Rent Commission

Date: July 16, 2013

The Colchester Fair Rent Commission has been actively responding to and acting on requests from Colchester residents with respect to issues relating to fair rent complaints. All of these requests were dealt with in a timely and efficient manner and resolved to the best of our abilities. We have also received a number of requests that do not fit the Commission's operating guidelines and have referred the individuals to other organizations that may be of assistance to them. As an example, we have received a request for aide from an individual residing in East Hampton. Another example, we received a request for assistance from an individual having issues with a storage unit that was not part of a residential lease agreement. Both were referred to Connecticut Legal Services for support.

In January 2013 we welcomed a new member, Valerie Griff, to the committee. Also in January 2013, Jack Faski stepped down as Chairman of the committee but remains an active member and Kimberley Russo stepped up as Chairwoman.

We continue to remain committed to supporting Colchester residents when issues regarding their rental leases arise.

Derrick Kennedy

From: robert.parlee <robertparlee@hotmail.com>
Sent: Tuesday, July 16, 2013 7:17 PM
To: Derrick Kennedy
Subject: Re: Commission Chair Meeting July 18, 2013 Reminder

Hi Derrick I will not be attending the meeting .but here is what the Police commission is working on. We are updating the rules and regs by adding a gun light policy we are also working in getting info on the DARE car so we can sell it. We just promoted officer Regnere to officer first class. Officer Dimauro and officer Edwards attended a state firearms laws update seminar. And as if June 24 the prescription drug drop box has collected 265.9 lbs. thank you .
Robert Parlee police commission chairman.

Sent from my iPhone

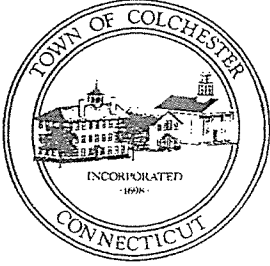
On Jul 16, 2013, at 11:23 AM, "Derrick Kennedy" <dkennedy@colchesterct.gov> wrote:

A reminder to all, if you are unable to attend the Commission Chair Meeting on Thursday, please send your reports to me via email.

Thank you.

Derrick M. Kennedy, MPA
Executive Assistant to the First Selectman

Town of Colchester
127 Norwich Avenue
P: (860) 537-7220
F: (860) 537-0547



Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Gregg Schuster, First Selectman

Board of Selectmen Minutes
Regular Meeting Minutes
Thursday, July 17, 2013
Colchester Town Hall – 7:00 PM
Meeting Room 1

NANCY A. BRAY
TOWN CLERK

RECEIVED
COLCHESTER, CT
2013 JUL 22 AM 10:58

MEMBERS PRESENT: First Selectman Gregg Schuster, Selectman Stan Soby Selectman James Ford, Selectman Greg Cordova and Selectman Rosemary Coyle.

MEMBERS ABSENT:

OTHERS PRESENT: A. Turner, Jim Paggioli Chief Walter Cox, Don Lee, Patricia Watts, Kate Byroade, Cheryl Hancin, Merja Lehetinen, Gail Therian, and other citizens.

1. Call to Order

First Selectman G. Schuster called the meeting to order at 7:23 p.m.

2. Additions to the Agenda - None

J. Ford moved to add to the agenda, "Cyber Safety" as Item 3 and to renumber the agenda accordingly, seconded by R. Coyle. Unanimously approved. MOTION CARRIED.

3. Cyber Safety

Merja Lehetinen told the Board that she has concerns about cyber safety. She relayed her experience regarding the use of information about her home. She feels the citizens of Colchester should consider the opt-out option to not have their property listing on the Colchester website. G. Schuster said that he will be following up on a suggestion by the Town's insurance broker regarding Cyber Safety Security insurance. He also said that the Town must remain in compliance with all laws.

4. Approve Minutes of the June 20, 2013 Regular Board of Selectmen Meeting

R. Coyle moved to approve the minutes of the June 20, 2013 Regular Board of Selectmen meeting, seconded by G. Cordova. Unanimously approved. MOTION CARRIED

5. Citizen's Comments-

T. Powell expressed concerns about his driveway washing out from runoff and the removal of two items from his tax roll.

6. Boards and Commissions – Interviews and/or Possible Appointments and Resignations

a. Fire Department Task Force

Judith Didato interviewed for this position.

R. Coyle moved to appoint Judith Didato to the Fire Department Task Force, seconded by G. Cordova. Unanimously approved. MOTION CARRIED.

7. Budget Transfers None

8. Tax Refunds & Rebates

R. Coyle moved to approve a tax refund in the amount of \$110.02 to Matthew Macclain-Demar, seconded by G. Cordova. Unanimously approved. MOTION CARRIED.

9. Discussion and Possible Action on Ambulance Incentive Program Status

Chief Cox presented an analysis on ambulance covering including the number of Calls to Paid Staff, Calls to Mutual Aid and Total Openings on EMS schedule. He said there is a need to develop more of an incentive to cover each ambulance shift. His recommendation would be to increase the pay per shift to \$50, and eliminating the \$15 pay for an additional call. To ensure the second ambulance calls are covered, he recommended that the \$15 per call pay be continued. He said that by increasing the overall base for shift coverage, there should be a positive response resulting in ambulance shifts being filled and prevents calls from going to mutual aid. He said that this incentive plan will not have an effect on the current budget. Discussion followed with the Board being in support of this incentive program. No action was taken.

10. **Discussion and Possible Action on Plan of Conservation and Development Contract**

A. Turner presented the draft contract, scope of work and payment schedule of the Updating of the Plan of Conservation and Development. Discussion followed regarding the scope of work.

S. Soby moved to that the Board of Selectmen accept the proposed contract from Planimetrics to complete an update of the Plan of Conservation and development (POCD) and authorize the First Selectman to sign all necessary documents; seconded by J. Ford. Unanimously approved. MOTION CARRIED.
11. **Discussion and Possible Action on Senior Center Program Coordinator Job Description**

The Board reviewed the Senior Center Program Coordinator Job Description and made one small change.

R. Coyle moved to approve the revised job description for Program Coordinator, seconded by G. Cordova. Unanimously approved. MOTION CARRIED.
12. **Discussion and Possible Action on Library Programming Assistant Job Description**

The Board reviewed the Library Programming Assistant Job Description and made several changes.

S. Soby moved to approve the creation of the Library Programming Assistant Job Description as amended, seconded by G. Cordova. Unanimously approved. MOTION CARRIED.
13. **Discussion and Possible Action Parks & Recreation Office Assistant Job Description**

One minor correction was made to the Job Description and the Board noted that the Work Environment section included in this job description should be included in the two other job descriptions reviewed this evening.

S. Soby moved for the Board of Selectmen to accept the revised Parks & Recreation Office Assistant Job Description position as .amended, seconded by G. Cordova. Unanimously approved. MOTION CARRIED.
14. **Discussion and Possible Action on Short Term Rental Agreement with Ryan Business Systems, Inc Cragin Library Copier**

K. Byroade, Library Director explained to the Board that after the new lease from Ryan Business Systems was approved It was discovered that the new copier would not have the ability to provide different prices for public users. Ryan Business Systems would like to opportunity to test alternative products. A solution should be reached within the six (6) months.

R. Coyle moved to approve the rental of a new Canon copier with Ryan Business Systems, Inc. for six months and authorize the First Selectman to sign all necessary documents, seconded by S. Soby. Unanimously approved. MOTION CARRIED
15. **Discussion and Possible Action on Historic Documents Preservation Grant Program**

R. Coyle moved to pass the following Resolution: **RESOLVED:** That Gregg B. Schuster, First Selectman, is empowered to execute and deliver in the name of, and on behalf of, the Town of Colchester a contract with the Connecticut State Library for a Historic Documents Preservation Grant, seconded by S. Soby. Unanimously approved. MOTION CARRIED.
16. **Discussion and Possible Action on Fire Sprinkler Service, Inspection & Maintenance Bid Award**

J. Paggioli, Director of Public Works presented his award recommendation for Fire Sprinkler Service, Inspection, Maintenance and Repair. Discussion followed.

S. Soby moved that the Board of Selectmen enter into a contract with Simplex-Grinnell for the supplying of Fire Sprinkler Service; Inspection, Testing, Maintenance and Repair in Town and School buildings as detailed in the Town of Colchester RFP #2013-15, for a period of from July 1, 2013 to June 30, 2016; and hereby authorize the First Selectman, with consultation of the Superintendent of Schools to sign and deliver said agreement and necessary documents required. Unanimously approved. MOTION CARRIED.

J. Ford suggested that "subject to a non-appropriation clause be added to the original motion.

S. Soby moved to add "subject to a non-appropriation clause" to the original motion, seconded by G. Cordova. Unanimously approved. MOTION CARRIED.
17. **Discussion and Possible Action on Elevator/Chair Lift Maintenance, Service & Repair Bid Award**

J. Paggioli, Director of Public Works presented his award recommendation for the Elevator – chair Lift Maintenance, Service and Repair.

J. Ford moved that the Board of Selectmen enter into a contract with The Independent Elevator Company for the supplying of Elevator & Chair Life maintenance, Service and Repair in Town and School buildings as detailed in the Town of Colchester RFP #2013-11, for a period of from July 1, 2013 to June 30, 2016, subject to a non-appropriation clause, and hereby authorize the First Selectman, with consultation of the Superintendent of Schools to sign and deliver said agreement and necessary documents required.
18. **Discussion and Possible Action on Personnel Policies**

S. Soby and J. Ford are working on the Hiring and Dismissal policy. This item will remain on the agenda for the next meeting.

19. Discussion and Possible Action on Blight Petition

G. Schuster read a letter from Shipman and Goodwin, the Town attorneys, stating that a Town Meeting will need to be held regarding the petition for a Town Meeting regarding a blight ordinance. Discussion followed regarding the creation and enforcement of a blight ordinance. The setting of a Town Meeting will be discussed at the August 1, 2013 meeting.

20 Citizen's Comments

J. Knapp commented on the law being made part of a Union contract.

21. First Selectman's Report

G. Schuster reported that the Town was one of the fourteen towns to receive a Main Street Investment Fund grant. The grant is in the amount of \$285,000 to improve the streetscape on Linwood Avenue. A new resident trooper has been assigned, but not transferred yet. A bid for the refurbishing of Rescue 128 has been received and is being reviewed. The heat wave is expected to last a few more days and C L & P representatives have asked that everyone try and conserve energy because of the increase in demand. The Fire Department Task Force met on Monday, July 15, 2013. Mary Ellen Harper is now Chairman and David Martin is the Vice Chairman. The Task Force meets on the first and third Monday of the month. No volunteers have come forward for the Elderly Task Force. R. Coyle will send a list of names of people who may want to volunteer to D. Kennedy for him to contact.

22. Liaison Report

S. Soby reported that the Police Commission is working to address concerns about crosswalk safety in the area of the Youth Services building. The Agriculture Commission accepted Liz Gilman's resignation and Allen Zimmerman the newly appointed alternate expressed an interest in becoming a full member. The Agriculture Commission worked with the Planning and Zoning Commission on the development of the draft Zoning regulations regarding agricultural uses. The Planning and Zoning Commission completed the 8-24 review of the school building project and is forwarding a favorable recommendation to the Board of Selectmen. At the July 17th meeting the Planning and Zoning Commission approved a request for partial overhead utilities for a resident on Reservoir Road. A preliminary review was held for a proposed project on Old Hartford Road and Upton Road.

23. Executive Session to Discuss Colchester Firefighters Union UPPFA, IAFF, Local #3831 Contract

R. Coyle moved to enter into executive session to discuss successor contract with Colchester Firefighters Union UPPFA, IAFF, Local 3831 and invite Attorney Patrick McHale, Chief Walter Cox and Dave Martin President of the Fire Department, seconded by G. Cordova. Unanimously approved. MOTION CARRIED.

Entered into executive session at 8:31 p.m.

Exited from executive session at 9:29 p.m.

24. Discussion and Possible Action on Colchester Firefighters Union UPPFA, IAFF, Local #3831 Contract

G. Cordova moved to approve the successor contract with Colchester Firefighters Union UPPFA, IAFF, Local 3831, seconded by S. Soby. Discussion followed. G. Cordova stated that he understood there are issues to be resolved. S. Soby said they need to be legally compliant. R. Coyle encouraged the Board to resolve the problems to be mutually acceptable with everyone. G. Schuster said that if the contract is ratified, he will reach out and try to resolve some of the inadequacies in the contract.

Unanimously approved. MOTION CARRIED.

25 Executive Session to Discuss Memorandum of Agreement with Local 1303-254 of Connecticut Council 4, AFSCME, AFL-CIO (Town Hall Union)

S. Soby moved to enter into executive session to discuss Memorandum of Agreement with Local 1303-254 of Connecticut Council 4, AFSCME, AFL-CIO (Town Hall Union), seconded by J. Ford. Unanimously approved. MOTION CARRIED.

Entered into executive session at 9:32 p.m.

Exited from executive session at 9:35 p.m.

26. Discussion and Possible Action on Memorandum of Agreement with Local 1303-254 of Connecticut Council 4, AFSCME, AFL-CIO (Town Hall Union)

R. Coyle moved to approve the Memorandum of Agreement with Local 1303-254 of Connecticut Council 4, AFSCME, AFL-CIO (Town Hall Union), seconded by J. Ford. Unanimously approved. MOTION CARRIED.

27 Adjourn

G. Cordova moved to adjourn at 9:35 p.m., seconded by J. Ford. Unanimously approved. MOTION CARRIED.

Respectfully submitted,

Gail Therian, Clerk

6/25/13

To Board of Selectman

I am resigning from the
Agriculture Commission effective
immediately.

Thank You

Joanne Becker
Joanne Becker

Steven Cohn
28 Mill Lane West
Colchester, CT 0645

To: Greg Schuster, First Selectman

Re: Resignation from Colchester Economic Development Commission

Greg,

After much thought, I have decided resign from the Colchester Economic Development Commission (EDC) effective July 22, 2013. I have made a significant time commitment to the Solomon Schechter Academy to serve on their Board and I need to trim back my other volunteer activities. I've been part of the EDC for eight years and it was a privilege to serve as Chairman for four of those years.

I truly feel the EDC is better positioned now than it ever was and will make significant contributions to enhancing the Town's relationship with the business community. Over the years we have taken a more proactive, aggressive approach with the CTIP, assisted with various projects, attended Town meetings to support businesses, and the upcoming outreach program with commercial developers will serve the Town well.

Thank you for your support over the years.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Cohn', written over a horizontal line.

Steven Cohn

Derrick Kennedy

From: Allen Zimmerman <apzz45@yahoo.com>
Sent: Tuesday, July 16, 2013 1:12 PM
To: Derrick Kennedy
Subject: agriculture commission

Follow Up Flag: Follow up
Flag Status: Flagged

Derrick. As you know, I am an alternate on the Agriculture Commission. Via this email I am requesting appointment as a member of the commission. Thanks. Allen

Town of Colchester
 General Fund
 Budget Transfer/Additional Appropriation

Department: Registrars - Elections

Reason for Request: Not enough money in Mileage, Training and Meetings. New London County Registrars Assoc. are meeting every other month instead of quarterly.

Reason for Available Funds: We had put money into Prof. Services to cover the cost of cleaning the tabulators. In July, SOTS decided to pay for the cleaning for 1 more year for all towns

From:	Account Number	Account Name	Amount
	<u>11601 44208</u>	<u>Professional Services</u>	<u>140.⁰⁰</u>

To:	Account Number	Account Name	Amount
	<u>11601 43213</u>	<u>Mileage, Training & Meetings</u>	<u>140.⁰⁰</u>

6/28/13 Dorothy A Mrowka
 Date Requested Department Director or Supervisor - Signature

Print Name Dorothy A Mrowka

7/15/13 [Signature]
 Date Reviewed Chief Financial Officer

7/25/13 [Signature]
 Date Approved First Selectman

 Date Approved Board of Selectmen Clerk

 Date Approved Board of Finance Clerk

Town of Colchester
 General Fund
 Budget Transfer/Additional Appropriation

Department: Assessor


Reason for Request: Back log of work due to loss of two employees.

Reason for Available Funds: Vision issued us a credit for the additional work we performed inhouse for the 2011 revaluation.

From:	Account Number	Account Name	Amount
	44205	Data Processing	947

To:	Account Number	Account Name	Amount
	40103	Overtime	947

Jun 24, 2013
 Date Requested



 Department Director or Supervisor - Signature

Print Name John J. Chaponis

6/24/13
 Date Reviewed


 Chief Financial Officer

7/25/13
 Date Approved


 First Selectman

Date Approved

Board of Selectmen Clerk

Date Approved

Board of Finance Clerk

Town of Colchester
 General Fund
 Budget Transfer/Additional Appropriation

Department: Assessor


Reason for Request: Performed additional personal property audits because we wanted to do all six gas stations at one time.

Reason for Available Funds: Vision issued us a credit for the additional work we performed inhouse for the 2011 revaluation.

From:	Account Number	Account Name	Amount
	44205	Data Processing	2,030

To:	Account Number	Account Name	Amount
	44208	Professional Services	2,030

Jun 24, 2013
 Date Requested

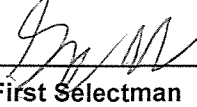

 Department Director or Supervisor - Signature

Print Name John J. Chaponis

6/24/13
 Date Reviewed


 Chief Financial Officer

7/25/13
 Date Approved


 First Selectman

Date Approved

Board of Selectmen Clerk

Date Approved

Board of Finance Clerk

01 August 2013
Town of Colchester, Connecticut.
Board of Selectman regular meeting

Motion:

To award the fire truck bid (Heavy Rescue) to Marion Body Works Inc. of Marion Wisconsin for their base bid amount of \$449,790.00 with alternate #1 for the amount of \$5,000 and alternate #8 for the amount of \$5,600 for a total of \$460,890 per the recommendation of the Colchester Fire Department Truck Committee, and to authorize the First Selectman to sign all necessary documents.

Rescue 1-28 Committee Report



Committee Actions

- Generated specification for refurb of current Rescue 1-28
- Bid opening on July 11, 2013
 - 2 vendors responded
 - SVI and Marion
- Committee thoroughly reviewed both bids for compliance to specifications

Base Bid Amounts:

- Marion
\$449,790

Recommended alternates:
1) safety (rollover/airbags)
\$5,000
2) hydraulic hose reels
\$5,600

Total cost: **\$460,890**

- SVI
\$461,158

Recommended alternates:
1) safety (rollover/airbags)
\$2,432
2) hydraulic hose reels
\$5,410

Total cost: **\$469,000**

Marion Pros/cons

- Pro
 - New (not a refurb)
 - No downtime without a heavy rescue in town
 - Potential for no-cost vendor upgrades
 - 15 year warrantee
 - Custom layout to fit current & future needs
 - Break in period
- Con
 - Delivery early fall '14

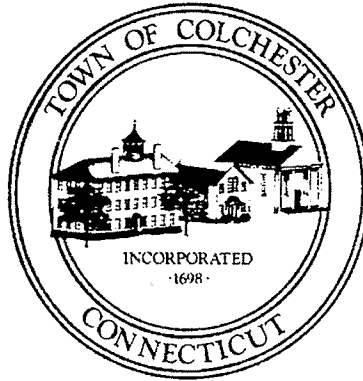
SVI Pros/cons

- Pro
 - Delivery June '14
- Cons
 - Downtime
 - 6 months no heavy rescue
 - Refurb
 - Unknown compatibility of new chassis to existing body
 - Potential for structural issues once body removed & inspected

Committee Recommendation

- Marion
 - New apparatus built to exceed specs at cost of refurb
 - No downtime
 - Warrantee (15yrs)

Code Administration
Building Official
Fire Marshal
Wetlands Enforcement



Planning and Zoning
Planning Director
Zoning Enforcement
Town Engineer

Gregg Schuster, First Selectman
Town of Colchester
127 Norwich Ave.
Colchester, CT 06415

July 18, 2013

RE: CGS#13-047- WJJMS-Community/Senior Center Project

The above referenced referral was reviewed by the Planning & Zoning Commission at their regular meeting held on July 17, 2013. The Commission was unanimous in their support of the following resolution to forward a favorable report on this proposal pursuant to CGS 8-24 and the subsequent submission of a Special Exception/Site Plan Application:

Resolved, that the Planning and Zoning Commission of the Town of Colchester hereby forwards a favorable recommendation and report on the following project pursuant to the provisions of Section 8-24 on the proposed conceptual plans for the William J. Johnston School renovations and additions and the proposed relocation of the Social Services facilities, Senior and Youth Centers as shown on the plans titled "*Conceptual Study for the WJJ Middle School, Community Center and Senior Center*" prepared by Tecton Architects, Inc. dated 8/9/12, revised to 6/26/13 and substantially as described in detailed estimate prepared by Tecton Architects, Inc. dated 4/3/13 as modified on 6/19/13 and pending the submission of a formal Special Exception/Site Plan application for review and approval.

The Notice of Decision will be published in the *Rivereast News Bulletin* on Friday July 26, 2013

Respectfully,

Craig Grimord,
Assistant Planner & ZEO

JUDITH A. BLANK
Attorney at Law

242 Trumbull Street
Hartford, CT 06103

T: (860) 275 0112 F: (860) 881 2481
jablank@daypitney.com

July 26, 2013

Via E-mail to mcosgrove@colchesterct.gov

N. Maggie Cosgrove, CPA, CPFO
Chief Financial Officer
Town & Board of Education of Colchester
127 Norwich Avenue
Colchester, CT 06415

Re: William J. Johnston Middle School, Community Center and Senior Center Project

Dear Maggie:

As bond counsel for the Town, it is our responsibility to prepare a transcript of the proceedings of the Town in authorizing the above-captioned project. Enclosed is a Checklist of Proceedings and Documents which lists the procedures to be followed by the Town in authorizing bonds and the documents we will need for our bond transcript.

Please note that the actions of the various Town boards in connection with the approval of the Bond Resolution should clearly reflect the full text of the resolution prepared by us (either by inclusion of the full text in the minutes or by reference to a recorded attachment containing the full text), and the board's action on that resolution. Please remind the various boards that they must also comply with the various requirements of the Freedom of Information Act, including the inclusion of action on the resolution in the posted notice/agenda of the meeting, and the prompt filing of a record of votes and the meeting minutes. The various Town Clerk's certificates prepared by us for the various board meetings reflect a number of these Freedom of Information Act concerns.

We have also prepared and enclose the following draft documents:

1. Town Clerk's Certificate.
2. Resolution of Zoning and Planning Commission.
3. Town Clerk's Certificate as to Zoning and Planning Commission minutes.
4. Resolution of Board of Finance.

5. Town Clerk's Certificate as to Board of Finance minutes.
 6. Resolution of Board of Selectmen.
 7. Town Clerk's Certificate as to Board of Selectmen minutes.
 8. Notice of Special Town Meeting and Referendum.
 9. Return of Notice of Special Town Meeting and Referendum.
 10. Draft minutes of Special Town Meeting and Bond Resolution to be presented at the Town Meeting. **The full text of the Resolution, not just the summary included in the Town Meeting Notice, should be either read into the minutes or made available to all those attending the Town Meeting so that the reading of text may be waived.** If the full text is not distributed, or if the Town Meeting determines not to waive the reading of the resolution, the full text must be read into the minutes.
- A copy of the full text of the Resolution should either be (1) inserted into the text of the meeting minutes, or (2) incorporated by reference in, attached to and recorded with minutes.
11. Town Clerk's Certificate as to Town Meeting Minutes.
 12. Certificate of Referendum Results and Absence of Recount Petition.

The enclosed draft documents reflect the following authorization schedule:

Action	Date
Board of Selectmen refers project to Zoning and Planning Commission	<i>Done</i>
Board of Finance recommendation	<i>8/7/13 or 8/21/13; Must occur prior to Special Town Meeting, and prior to calling of referendum</i>
Zoning and Planning Commission Conn. Gen. Stat. § 8-24 approval	<i>Completed 7/17/13 (Should occur prior to Special Town Meeting)</i>
Board of Selectmen recommendation, dates of Town Meeting and referendum. <i>At this time, election law advocacy limitations become effective.</i>	<i>8/1 or 8/15 If done prior to Board of Finance recommendation, must be done subject to such recommendation</i>
Notice of Town Meeting and Referendum published and posted	<i>No later than 8/31/13 Publication must occur 30 clear days prior to date of referendum</i>
Special Town Meeting (<i>Referendum held no longer than 14 days nor less than 7 days after the Town Meeting is held</i>)	<i>Any time between 9/17/13 and 9/23/13</i>

Ms. N. Maggie Cosgrove
July 25, 2013
Page 3

Referendum	Tuesday, 10/1/13
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Please note that the documents have been completed with dates, times, places and other details. If you have any comments or suggested changes to these drafts, I would greatly appreciate discussing them with you.

We will need original or certified copies of all the documents listed in the Checklist. Our files indicate that the Town has adopted a home-rule charter, which has not been amended since November 7, 2006. Please contact us immediately if this is not the case, or if revisions to the charter are being contemplated currently. We would also appreciate your forwarding to us certified copies of the Town's Code of Ordinances and any regulations adopted by the Zoning and Planning Commission, the Water Pollution Control Authority or the Board of Finance for the conduct of meetings since November 2006.

Please feel free to call me at any time if I can be of further assistance in completing the enclosed drafts, or if you have any questions or suggestions.

Very truly yours,

/s/ *Judith A. Blank*

Judith A. Blank

Enclosures

cc: Gregg Schuster, First Selectman
Derrick Kennedy, Executive Assistant to the First Selectman
Nancy A. Bray, Town Clerk

TOWN OF COLCHESTER
CHECKLIST OF PROCEEDINGS
AND BOND TRANSCRIPT DOCUMENTS
SPECIAL APPROPRIATIONS AND BOND AUTHORIZATIONS

**\$57,260,000 - William J. Johnston Middle School,
Community Center and Senior Center Project**

- A. ORGANIZATION PROCEEDINGS - Due incorporation of Town, adoption of home rule charter, and establishment of Zoning and Planning Commission , and (if applicable) Water Pollution Control Authority.

Documents:

- (1) Town Clerk's Charter Certificate.*

- B. ZONING AND PLANNING COMMISSION - Proposed project must be referred to the local Zoning and Planning Commission for approval or a report (unless project is solely purchase of movable equipment). Zoning and Planning Commission should act on referral before Town Meeting. Action by the Commission must be by majority vote of all of its members, not just a majority of those present and voting. Code of Ordinance Section 219; C.G.S. Sections 8-24; 8-22.

Documents:

- (2) Copy of minutes of Zoning and Planning Commission meeting.*
(3) Town Clerk's Certificate as to minutes.*

- C. BOARD OF FINANCE - Board of Finance must recommend appropriation and bond and note authorization. Quorum consists of at least four members and at least three members must approve recommendation. Board of Finance must act on appropriation before Town Meeting is called. Charter Sections 202, 601, 1102; C.G.S. Sections 7-348; 7-342.

Documents:

- (4) Copy of minutes of Board of Finance meeting.*
(5) Town Clerk's Certificate as to minutes.*
--Notice/agenda
--Regular Meeting Schedule

- D. BOARD OF SELECTMEN - Board of Selectmen refers project to Board of Finance, if not already approved by the Board of Finance, and Zoning and Planning Commission, and calls a Town Meeting. For supplemental appropriations which, together with the sum of other

supplemental appropriations approved for respective department, exceed one percent (1%) of Combined Town Budget (excluding Board of Education Budget), Board sets date for referendum not less than 7 nor more than 14 days after Town Meeting. Charter Sections 202, 402.I., 1001, 1003, 1102; C.G.S. Section 7-7. Board may call referendum on its own initiative for appropriations not otherwise required to go to referendum. C.G.S. Section 7-7.

Documents:

- (6) Copy of minutes of Board of Selectmen meeting.*
- (7) Town Clerk's Certificate as to minutes.*
 - Notice/agenda
 - Regular Meeting Schedule

- E. NOTICE OF TOWN MEETING AND (FOR APPROPRIATIONS EXCEEDING ONE PERCENT (1%) OF THE COMBINED TOWN BUDGET (EXCLUDING BOARD OF EDUCATION BUDGET)) REFERENDUM - When the proceedings above are complete, the Notice of Town Meeting must be posted and published at least five days prior to meeting, and the Return of Notice must be filed with Town Clerk. Publication must be in a newspaper having a general and substantial circulation in the Town. Do not include on day of notice or day of meeting in counting five days for publishing and posting notice. Charter Sections 1001, 1003; C.G.S. Sections 7-3, 7-4. For appropriations which, together with the sum of other supplemental appropriations approved for respective department, exceed one percent (1%) of Combined Town Budget excluding Board of Education Budget, notice of referendum should be included in town meeting notice, and must be posted and published at least 30 days prior to referendum. Do not include day of notice or day of referendum in counting 30 days' notice. Charter Section 1102; C.G.S. Sections 7-7, 7-9c. Absentee ballots must be provided. C.G.S. Section 9-135, 9-1(n), 9-369c.

Documents:

- (8) Copy of Notice of Town Meeting and Referendum.*
- (9) Certified copy of Return of Notice.*
- (10) Publisher's affidavit of newspaper publication of Notice with newspaper clipping attached.

- F. TOWN MEETING - Town Meeting held and full resolution authorizing appropriation, bonds and temporary notes, etc., read, moved, seconded and presented for discussion. For appropriations not otherwise required to go to referendum, vote is taken. If in excess of one percent (1%) of Combined Town Budget excluding Board of Education Budget, ballot heading of referendum question is announced and meeting adjourned to referendum. Charter Section 1102; C.G.S. Section 7-7. Appropriations approved by action taken at Town Meeting and not otherwise required to go to referendum are subject to review by special referendum initiated by petition signed by at least 5% of the electors filed with Board of Selectmen within 30 days of Town Meeting. Special referendum is to be held no less than 5 and no more than 20 days after the certification of the petition. Charter Section 1103; *but cf.*, Conn. Gen. Stat. § 7-9c (requiring 30 day notice of referendum unless otherwise specified).

Documents:

- (11) Copy of Town Meeting minutes.*
- (12) Town Clerk's Certificate as to minutes.*

G. REFERENDUM (FOR AGGREGATE APPROPRIATIONS EXCEEDING ONE PERCENT (1%) OF THE COMBINED TOWN BUDGET (EXCLUDING BOARD OF EDUCATION BUDGET)) - Referendum held no longer than 14 days nor less than 7 days after the Town Meeting is held. Charter Section 1102; C.G.S. Section 7-7. When the margin cast at a Special Referendum is decided by a margin of less than 2% of those electors who cast votes, the vote shall be subject to a recount upon the petition of any of the Town voters. During the pendency of such recount the Town may not take any action whatsoever in reliance upon the outcome of the initial vote count. Charter Section 1104.

Documents:

- (13) Certificate of Referendum Results and Absence of Recount Petition signed by Moderator and Town Clerk.*

H. SCHOOL PROJECTS - Board of Education, and School Building Committee (which may be Building Committee) and State Board of Education must approve site and plans. State Board of Education must approve grant commitment before construction bids are sought. C.G.S. Section 10-291.

Documents:

- (14) Copy of letter from State Board of Education approving site and plans.
- (15) Copy of letter from State Board of Education approving grant commitment.

*Bond counsel will supply draft forms on request.

Special Provisions:

1. Town Meeting required for approval, among other things, of:
 - Issuance of bonds and all other forms of financing, the terms of which obligate the Town for a time period of one year or more;
 - Supplemental appropriations of funds previously approved by the Board of Finance in an amount that exceeds ½ of one percent of the Combined Town budget, excluding the Board of Education budget;
 - Supplemental appropriations or transfers of funds in an amount that, when added to the total of all other supplemental appropriations or transfers of funds approved within the then current fiscal year, exceeds 4 percent of the Town budget, excluding the Board of Education budget;
 - Real estate purchases exceeding \$10,000 or real estate sales where the appraised value exceeds \$10,000;
 - The execution of any lease or lease option not included in the Board of Selectmen's budget (as lessee or lessor), which obligates the Town for a year or more, or which commits the Town to make or receive lease payments of \$10,000 per fiscal year or more;
 - Submission of an application for, or participation in, any grant program not included in the budget and which requires or could require a contribution by the Town of \$50,000 or

more per fiscal year in cash or -in-kind, except for programs for which the Board of Education makes proper application. Charter Section 1001.B.

2. Board of Selectmen shall convene a Town Meeting upon petition of 2% of the total electors of the Town within 60 days prior to application to the Town Clerk. The Selectmen shall convene the Town meeting not less than 20 nor more than 90 days after the date on which the petition is received by the Board of Selectmen. Charter Section 1001.
3. Board of Selectmen, after requesting the recommendation of the Board of Finance, shall call a special budget referendum for approval of any supplemental appropriation for any Town Department which, together with the sum of other supplemental appropriations approved for such department, exceeds one percent (1%) of Combined Town budget (excluding Board of Education Budget). Charter Section 1102.
4. Action taken at Town Meeting subject to review by special referendum initiated by petition signed by at least 5% of the electors filed with Board of Selectmen within 30 days of Town Meeting. Special referendum is to be held no less than 5 and no more than 20 days after the certification of the petition. Approval of Town Meeting action at special referendum is final. Charter Section 1103; *but cf.*, Conn. Gen. Stat. § 7-9c (requiring 30 day notice of referendum unless otherwise specified).
5. When the margin cast at either the Annual Budget Referendum or a Special Referendum is decided by a margin of less than 2% of those electors who cast votes, the vote shall be subject to a recount upon petition of any of the Town voters. During the pendency of such recount the Town may not take any action whatsoever in reliance upon the outcome of the initial vote count. Charter Section 1104.
6. Sewer and Water Commission. Charter Section 902; Code of Ordinances Section 307. The Board of Selectmen serves as the Water Pollution Control Authority for the Town. Charter Section 402.

RESOLUTION OF BOARD OF SELECTMEN

Item __.

RESOLVED, That the Board of Selectmen recommends that the Town of Colchester undertake the William J. Johnston Middle School, Community Center and Senior Center Project at the site of the existing William J. Johnston Middle School at 360 Norwich Avenue, including renovations and additions to the middle school and relocation of the Senior Center, the Youth Center, Social Services facilities, and Parks and Recreation facilities, substantially as described in the detailed estimate prepared by Tecton Architects, Inc. dated April 3, 2013, as modified June 19, 2013.

FURTHER RESOLVED, That the project be referred to the Zoning and Planning Commission for a report pursuant to Section 8-24 of the Connecticut General Statutes.

RESOLUTION OF PLANNING AND ZONING COMMISSION

Item .

RESOLVED, that the Planning and Zoning Commission of the Town of Colchester approves the following project pursuant to the provisions of Section 8-24 of the General Statutes of Connecticut:

WHEREAS, the following project has been referred to this Commission by the Board of Selectmen for a report pursuant to the provisions of Section 8-24 of the General Statutes of Connecticut, Revision of 1958, as amended:

The William J. Johnston Middle School, Community Center and Senior Center Project at the site of the existing William J. Johnston Middle School at 360 Norwich Avenue, including renovations and additions to the middle school and relocation of the Senior Center, the Youth Center, Social Services facilities, and Parks and Recreation facilities, substantially as described in the detailed estimate prepared by Tecton Architects, Inc. dated April 3, 2013, as modified June 19, 2013.

TOWN CLERK'S CHARTER CERTIFICATE

I, Nancy A. Bray, Town Clerk of the Town of Colchester, Connecticut, hereby certify as follows:

1. The Town of Colchester, Connecticut was formed in 1698, and named in 1699.
2. The Town has a home rule charter which was adopted pursuant to Chapter 99 of the Connecticut General Statutes at the election held on November 8, 1994, and which became effective on July 1, 1995. Said Charter was revised effective November 7, 2006. No amendment or change has been approved since that date and said Charter has been in full force and effect since that date.
3. The Town has a Zoning and Planning Commission established pursuant to, and to exercise the powers granted by, Chapter 126 of the Connecticut General Statutes and Code of Ordinances Section 219, a copy of which ordinance as most recently amended is attached hereto.
4. Except for provisions in the Town's Charter, there are no ordinances or other regulations of the Town pertaining to procedures for approving appropriations or bond or note authorizations, or pertaining to procedures for the warning of special town meetings; nor are there any ordinances or regulations of the Town limiting its taxing power, or limiting the amount the Town may approve for any item in its annual budget, or limiting the extent to which it may approve special appropriations.

The above facts were true on January 1, 2013 and at all times to the date of this certificate.

Signed and sealed at Colchester, Connecticut this day of , 2013.

[SEAL]

Town Clerk
Colchester, Connecticut

TOWN CLERK: CERTIFICATE AS TO ZONING AND PLANNING COMMISSION MINUTES

I, Nancy A. Bray, Town Clerk of the Town of Colchester, Connecticut, hereby certify as follows:

1. Attached hereto is a true and complete copy of that portion of the minutes of the meeting of the Zoning and Planning Commission of the Town of Colchester, Connecticut held on _____, 2013, pertaining to the introduction, discussion and action on a resolution approving the William J. Johnston Middle School, Community Center and Senior Center Project pursuant to Section 8-24 of the General Statutes.

2. The minutes are duly recorded in the records of the Town and were filed with the Town Clerk within 7 days of the meeting. The vote of each member present was reduced to writing and made available for public inspection within 48 hours after the meeting, exclusive of any Saturday, Sunday or legal holiday, and also recorded in the minutes. The minutes were available for public inspection, and were posted as applicable on the Town's or the Commission's Internet web site, if available, within 7 days after such meetings.

3. The Zoning and Planning Commission consists of seven (7) members; a quorum of the Commission consists of four (4) members; and the number of members present and voting on each resolution constitutes a quorum.

4. The minimum number of affirmative votes required to adopt each resolution was four (4), and not less than that number voted affirmatively on each resolution.

5. The entire meeting exclusive of executive sessions was open to the public and no one was excluded from the portion of the meeting pertaining to the consideration and adoption of said resolution.

6. Notice of the meeting was mailed at least one week prior to the meeting by first class mail, where practicable, to every person who had filed a written request for such notice.

7. The meeting was (check one):

a. A regular meeting, held at a date, time and place designated in the schedule of regular meetings filed in the office of the Town Clerk and posted as applicable on the Town's or the Commission's Internet web site, if available, 30 days prior to the meeting and on or before January 31, 2013. The agenda of the meeting included the business concerning each resolution. The agenda was available to the public and was filed not less than 24 hours before the meeting at the Commission's regular office or, if there is no such regular office, at the office of the Town Clerk and posted as applicable on the Town's or the Commission's Internet web site, if available.

b. A special meeting, and notice of the date, time, place and the business concerning each resolution was posted in the office of the Town Clerk and posted as applicable on the Town's or the Commission's Internet web site, if available, at least 24 hours before the meeting. Written notice of the special meeting was delivered to the usual place of abode of each member of the Commission so that it was received prior to the meeting, except where such delivery was properly waived under the provisions of Section 1-225 of the General Statutes.

8. In determining the time within which or by when any notice, agenda or other information was given, made available, posted or filed as certified in paragraphs 2, 6 and 7 above, there was excluded Saturdays, Sundays, legal holidays and any day on which the office of the Town Clerk or the office of the Board, as applicable, was closed.

9. All provisions of the Freedom of Information Act (C.G.S. Sections 1-200 to 1-241) as amended and all regulations adopted by the Commission for the conduct of its meetings which were in full force and effect on the date of the meeting referred to in the attached minutes were complied with in connection with the meeting.

10. Attached hereto are true and complete copies of the following:

- a. Schedule of dates, times and places for holding regular meetings of the Commission as filed with the Town Clerk and posted as applicable on the Town's or the Commission's Internet web site, if available, by January 31, 2013.
- b. Notice and agenda for the meeting referred to in the attached minutes.

Signed and sealed at Colchester, Connecticut, this _____ day of _____, 2013.

[SEAL]

Town Clerk, Town of Colchester

TOWN CLERK: CERTIFICATE AS TO BOARD OF FINANCE MINUTES

I, Nancy A. Bray, Town Clerk of the Town of Colchester, Connecticut, hereby certify as follows:

1. Attached hereto is a true and complete copy of that portion of the minutes of the meetings of the Board of Finance of the Town of Colchester, Connecticut held on _____, 2013, pertaining to the introduction, discussion and action on a resolution approving an appropriation for the William J. Johnston Middle School, Community Center and Senior Center Project and the issue of serial bonds or notes and temporary notes to defray said appropriation.

2. The minutes are duly recorded in the records of the Town and were filed with the Town Clerk within 7 days of each meeting. The vote of each member present was reduced to writing and made available for public inspection within 48 hours after each meeting, exclusive of any Saturday, Sunday or legal holiday, and also recorded in the minutes. The minutes were available for public inspection, and were posted as applicable on the Town's or the Board's Internet web site, if available, within 7 days after such meetings.

3. The Board consists of six (6) members; a quorum of the Board consists of four (4) members; and the number of members present and voting on each resolution constitutes a quorum.

4. The minimum number of affirmative votes required to adopt each resolution was three (3), and _____ at least that number voted affirmatively on each resolution.

5. Each meeting exclusive of executive sessions was open to the public and no one was excluded from the portion of the meeting pertaining to the consideration and adoption of said resolution.

6. Notice of the meetings was mailed at least one week prior to the meeting by first class mail, where practicable, to every person who had filed a written request for such notice.

7. Each meeting was either:

____ a. A regular meeting, held at a date, time and place designated in the schedule of regular meetings filed in the office of the Town Clerk and posted as applicable on the Town's or the Board's Internet web site, if available, 30 days prior to the meeting and on or before January 31, 2013. The agenda of the meeting included the business concerning each resolution. The agenda was available to the public and was filed not less than 24 hours before the meeting at the Board's regular office or, if there is no such regular office, at the office of the Town Clerk and posted as applicable on the Town's or the Board's Internet web site, if available.

____ b. A special meeting, and notice of the date, time, place and the business concerning each resolution was posted in the office of the Town Clerk and posted as applicable on the Town's or the Board's Internet web site, if available, at least 24 hours before the meeting. Written notice of the special meeting was delivered to the usual place of abode of each member of the Board so that it was received prior to the meeting, except where such delivery was properly waived under the provisions of Section 1-225 of the General Statutes.

8. In determining the time within which or by when any notice, agenda or other information was given, made available, posted or filed as certified in paragraphs 2, 6 and 7 above, there was excluded Saturdays, Sundays, legal holidays and any day on which the office of the Town Clerk or the office of the Board, as applicable, was closed.

9. All provisions of the Freedom of Information Act (C.G.S. Sections 1-200 to 1-241) as amended and all regulations adopted by the Board for the conduct of its meetings which were in full force

and effect on the date of the meeting referred to in the attached minutes were complied with in connection with the meeting.

10. Attached hereto are true and complete copies of the following:
 - a. Schedule of dates, times and places for holding regular meetings of the Board as filed with the Town Clerk and posted as applicable on the Town's or the Board's Internet web site, if available, by January 31, 2013.
 - b. Notice and agenda each the meeting referred to in the attached minutes.

Signed and sealed at Colchester, Connecticut, this _____ day of _____, 2013.

[SEAL]

Town Clerk, Town of Colchester

RESOLUTION OF THE BOARD OF FINANCE

Item __.

RESOLVED, That the Board of Finance recommends that the Town of Colchester appropriate \$57,260,000 and authorize borrowing in the same amount for costs related to the William J. Johnston Middle School, Community Center and Senior Center Project at the site of the existing William J. Johnston Middle School at 360 Norwich Avenue, including renovations and additions to the middle school and relocation of the Senior Center, the Youth Center, Social Services facilities, and Parks and Recreation facilities, substantially as shown on the plans titled "Conceptual Study for the WJJ Middle School, Community Center and Senior Center" prepared by Tecton Architects, Inc. dated 8/9/12, revised to 6/26/13, and substantially as described in the detailed estimate prepared by Tecton Architects, Inc. dated 4/3/13, as modified 6/19/13. The building committee established for the project shall be authorized to determine the scope and particulars of the project and to reduce or modify the scope of the project, and the entire appropriation may be expended on the project as so modified or reduced. The appropriation may be spent for design and construction costs, testing and permitting costs, relocation costs, demolition and installation costs, equipment, furnishings and fixtures, materials, land and easement acquisition, site improvements, utilities, engineering fees, management costs and fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing.

RESOLUTION OF BOARD OF SELECTMEN

Item __.

RESOLVED, That the Board of Selectmen recommends that the Town of Colchester appropriate \$57,260,000 and authorize borrowing in the same amount for costs related to the William J. Johnston Middle School, Community Center and Senior Center Project at the site of the existing William J. Johnston Middle School at 360 Norwich Avenue, including renovations and additions to the middle school and relocation of the Senior Center, the Youth Center, Social Services facilities, and Parks and Recreation facilities, substantially as shown on the plans titled "Conceptual Study for the WJJ Middle School, Community Center and Senior Center" prepared by Tecton Architects, Inc. dated 8/9/12, revised to 6/26/13, and substantially as described in the detailed estimate prepared by Tecton Architects, Inc. dated 4/3/13, as modified 6/19/13. The building committee established for the project shall be authorized to determine the scope and particulars of the project and to reduce or modify the scope of the project, and the entire appropriation may be expended on the project as so modified or reduced. The appropriation may be spent for design and construction costs, testing and permitting costs, relocation costs, demolition and installation costs, equipment, furnishings and fixtures, materials, land and easement acquisition, site improvements, utilities, engineering fees, management costs and fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing.

FURTHER RESOLVED, That such recommendation, if approved by the Board of Finance, be presented to a Special Town Meeting to be held at Town Hall, 127 Norwich Avenue in the Town of Colchester, Connecticut, on ____ day, _____, 2013, at 7:00 p.m., and acted upon at referendum to be held on Tuesday, October 1, 2013 between the hours of 6:00 a.m. and 8:00 p.m.

FURTHER RESOLVED, That the aforesaid resolution shall be placed upon the paper ballots or voting machines under the following heading:

"SHALL THE TOWN OF COLCHESTER APPROPRIATE AND AUTHORIZE THE BOARD OF SELECTMEN TO EXPEND A SUM NOT TO EXCEED \$57,260,000 FOR COSTS RELATED TO THE WILLIAM J. JOHNSTON MIDDLE SCHOOL, COMMUNITY CENTER AND SENIOR CENTER PROJECT AND AUTHORIZE THE ISSUANCE OF BONDS AND NOTES TO FINANCE THE PORTION OF THE APPROPRIATION NOT DEFRAID FROM GRANTS?"

Voters approving said resolution will vote "Yes" and those opposing said resolution shall vote "No". Electors and persons qualified to vote in town meetings who are not electors will vote at the following polling place: Colchester Town Hall, 127 Norwich Avenue in Colchester. Absentee ballots will be available from the Town Clerk's office.

TOWN CLERK: CERTIFICATE AS TO BOARD OF SELECTMEN MINUTES

I, Nancy A. Bray, Town Clerk of the Town of Colchester, Connecticut, hereby certify as follows:

1. Attached hereto is a true and complete copy of that portion of the minutes of the meetings of the Board of Selectmen of the Town of Colchester, Connecticut held on _____, 2013, pertaining to the introduction, discussion and action on a resolution approving the William J. Johnston Middle School, Community Center and Senior Center Project and the issue of serial bonds or notes and temporary notes to defray said appropriation.

2. The minutes are duly recorded in the records of the Town and were filed with the Town Clerk within 7 days of each meeting. The vote of each member present was reduced to writing and made available for public inspection within 48 hours after each meeting, exclusive of any Saturday, Sunday or legal holiday, and also recorded in the minutes. The minutes were available for public inspection, and were posted as applicable on the Town's or the Board's Internet web site, if available, within 7 days after such meetings.

3. The Board consists of five (5) members, a quorum of the Board consists of three (3) members, and the number of members present and voting on each resolution constitutes a quorum.

4. The minimum number of affirmative votes required to adopt each resolution was two (2), and at least that number of members voted affirmatively on each resolution.

5. Each meeting exclusive of executive sessions was open to the public and no one was excluded from the portion of the meeting pertaining to the consideration and adoption of said resolution.

6. Notice of the meetings was mailed at least one week prior to the meeting by first class mail, where practicable, to every person who had filed a written request for such notice.

7. Each meeting was either:

— a. A regular meeting, held at a date, time and place designated in the schedule of regular meetings filed in the office of the Town Clerk and posted as applicable on the Town's or the Board's Internet web site, if available, 30 days prior to the meeting and on or before January 31, 2013. The agenda of the meeting included the business concerning each resolution. The agenda was available to the public and was filed not less than 24 hours before the meeting at the Board's regular office or, if there is no such regular office, at the office of the Town Clerk and posted as applicable on the Town's or the Board's Internet web site, if available.

— b. A special meeting, and notice of the date, time, place and the business concerning each resolution was posted in the office of the Town Clerk and posted as applicable on the Town's or the Board's Internet web site, if available, at least 24 hours before the meeting. Written notice of the special meeting was delivered to the usual place of abode of each member of the Board so that it was received prior to the meeting, except where such delivery was properly waived under the provisions of Section 1-225 of the General Statutes.

8. In determining the time within which or by when any notice, agenda or other information was given, made available, posted or filed as certified in paragraphs 2, 6 and 7 above, there was excluded Saturdays, Sundays, legal holidays and any day on which the office of the Town Clerk or the office of the Commission, as applicable, was closed.

9. All provisions of the Freedom of Information Act (C.G.S. Sections 1-200 to 1-241) as amended and all regulations adopted by the Board for the conduct of its meetings which were in full force

and effect on the date of the meeting referred to in the attached minutes were complied with in connection with the meeting.

10. Attached hereto are true and complete copies of the following:
 - a. Schedule of dates, times and places for holding regular meetings of the Board as filed with the Town Clerk and posted as applicable on the Town's or the Board's Internet web site, if available, by January 31, 2013.
 - b. Notice and agenda each the meeting referred to in the attached minutes.

Signed and sealed at Colchester, Connecticut, this day of ,
2013.

[SEAL]

Town Clerk, Town of Colchester

TOWN OF COLCHESTER
NOTICE OF SPECIAL TOWN MEETING — _____, 2013
NOTICE OF REFERENDUM — OCTOBER 1, 2013

A special town meeting of the electors and citizens qualified to vote in town meetings of the Town of Colchester, Connecticut, will be held at Colchester Town Hall, 127 Norwich Avenue, in the Town of Colchester, Connecticut, on ____ day, _____, 2013 at 7:00 p.m., for the following purpose:

1. To consider a resolution,

(a) to appropriate \$57,260,000 for costs related to the William J. Johnston Middle School, Community Center and Senior Center Project at the site of the existing William J. Johnston Middle School at 360 Norwich Avenue, including renovations and additions to the middle school and relocation of the Senior Center, the Youth Center, Social Services facilities, and Parks and Recreation facilities, substantially as shown on the plans titled "Conceptual Study for the WJJ Middle School, Community Center and Senior Center" prepared by Tecton Architects, Inc. dated 8/9/12, revised to 6/26/13, and substantially as described in the detailed estimate prepared by Tecton Architects, Inc. dated 4/3/13, as modified 6/19/13. The building committee established for the project shall be authorized to determine the scope and particulars of the project and to reduce or modify the scope of the project, and the entire appropriation may be expended on the project as so modified or reduced. The appropriation may be spent for design and construction costs, testing and permitting costs, relocation costs, demolition and installation costs, equipment, furnishings and fixtures, materials, land and easement acquisition, site improvements, utilities, engineering fees, management costs and fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing;

(b) to authorize the issue of bonds and notes and temporary notes of the Town in an amount not to exceed \$57,260,000; to provide that the amount of bonds or notes authorized shall be reduced by the amount of grants received by the Town for the project; and to authorize a majority of the Selectmen and the Treasurer of the Town to determine, the amount, date, interest rates, maturities, form and other particulars of the bonds or notes;

(c) to declare under Federal Income Tax Regulation Section 1.150-2 the Town's official intent that project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized for the project; and to authorize a majority of the Selectmen and the Treasurer to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by the resolution if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years;

(d) to authorize a majority of the Selectmen and the Treasurer to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes;

(e) to authorize the First Selectman to execute all contracts and change orders with respect to the project; and to authorize any building committee as may be established from time-to-time for the

project to act as a school building committee for the project, and to exercise such powers and duties consistent with its charge as are necessary or appropriate to complete the project;

(f) to authorize the Board of Education, the Superintendent of Schools or the Superintendent's designee, the Chairman of any building committee as may be established from time-to-time for the project, and other proper officers and officials of the Board of Education to apply for and accept state grants for the school portion of the project; and to authorize the Board of Selectmen, the First Selectman, the Treasurer, any building committee as may be established from time-to-time for the project and other proper officers of the Town to apply for and accept state grants and other grants for the project; and

(g) to authorize the Board of Selectmen, the Treasurer, the Board of Education, any building committee as may be established from time-to-time for the project and other proper officers of the Town to take any other action which is necessary or desirable to enable the Town to complete the project and to issue bonds or notes to finance the aforesaid appropriation.

2. Pursuant to the Town Charter and to Section 7-7 of the General Statutes of Connecticut, Revision of 1958, as amended, to adjourn said town meeting at its conclusion and to submit the aforesaid resolution to vote upon voting machines on Tuesday, October 1, 2013 between the hours of 6:00 a.m. and 8:00 p.m.

Electors and persons qualified to vote in town meetings who are not electors will vote at the following polling place: Colchester Town Hall, 127 Norwich Avenue in Colchester, Connecticut. The aforesaid resolution will be placed on the voting machines under the following heading:

“SHALL THE TOWN OF COLCHESTER APPROPRIATE AND AUTHORIZE THE BOARD OF SELECTMEN TO EXPEND A SUM NOT TO EXCEED \$57,260,000 FOR COSTS RELATED TO THE WILLIAM J. JOHNSTON MIDDLE SCHOOL, COMMUNITY CENTER AND SENIOR CENTER PROJECT AND AUTHORIZE THE ISSUANCE OF BONDS AND NOTES TO FINANCE THE PORTION OF THE APPROPRIATION NOT DEFRAIDED FROM GRANTS?”

Voters approving said resolution will vote “Yes” and those opposing said resolution will vote “No.” Absentee ballots will be available from the Town Clerk’s office.

Dated at Colchester, Connecticut, this _____ day of _____, 2013.

Selectmen

Town Clerk

RETURN OF NOTICE

I HEREBY CERTIFY that on _____, 2013, I left a duplicate of the attached warning and notice of a Town Meeting and Referendum of the Town of Colchester, Connecticut, with Nancy A. Bray, its Town Clerk.

I FURTHER CERTIFY that I caused a copy of said warning and notice to be published in _____, a newspaper having a general and substantial circulation in said Town, on _____, 2013.

I FURTHER CERTIFY that on _____, 2013, I caused to be set upon the signpost or other exterior place nearest the office of the Town Clerk and at all other places and signposts designated by the Town a written copy of said warning and notice signed by the Selectmen.

I FURTHER CERTIFY that all of the above acts were done at least five days before the holding of said meeting on _____, 2013, at least thirty days before the holding of said referendum on October 1, 2013.

Title:

TOWN CLERK'S CERTIFICATE
AS TO NOTICE AND RETURN OF NOTICE

I HEREBY CERTIFY that the attached warning and notice and the foregoing Return of Notice are duly recorded in the records of the Town of Colchester, Connecticut, and that the following persons were the duly elected Selectmen of the Town on the date the attached warning and notice was signed: Gregg Schuster, Gregory E. Cordova, Rosemary Coyle, James Ford and Stan Soby.

Signed and sealed at Colchester, Connecticut, this day of , 2013.

[SEAL]

Town Clerk
Town of Colchester

MINUTES OF SPECIAL TOWN MEETING
OF THE TOWN OF COLCHESTER
HELD _____, 2013

A special town meeting of the electors and citizens qualified to vote in town meetings of the Town of Colchester, Connecticut, was held at Colchester Town Hall, 127 Norwich Avenue, in Colchester, Connecticut, on ____ day, _____, 2013 at 7:00 p.m.

M _____ was chosen as moderator of the meeting and M _____ acted as clerk.

The Clerk read the notice for the meeting which was published in _____, 2013, and which is recorded in these records immediately preceding these minutes.

Item 1

The Moderator stated that since the Selectmen of the Town, pursuant to the Town Charter and to Section 7-7 of the General Statutes of Connecticut, Revision of 1958, as amended, had designated item 1 in the notice of meeting for submission to the voters in the manner provided by said Section, it will be necessary to order a referendum on the resolution and adjourn this meeting after a reasonable discussion.

M _____ presented the following resolution which was seconded by M _____:

RESOLVED, that the reading of the resolution to be presented to this Special Town Meeting under item 1 of the notice be waived and that the full text of the resolution, a copy of which has been made available to all those in attendance at this meeting, be incorporated into the text of this meeting.

Upon motion duly made and seconded, the resolution was adopted by the following vote:

Number of "Yes" votes _____

Number of "No" votes _____

M _____ presented the resolution to be considered under item 1 of the notice, the full text of which resolution is attached to and made a part of these minutes, which resolution was seconded by M _____.

The reports of the Board of Finance and the Board of Selectmen were presented recommending an appropriation and borrowing authorization of \$57,260,000 for the William J. Johnston Middle School, Community Center and Senior Center Project. The report of the Zoning and Planning Commission was presented approving the proposed project. The Moderator stated that the meeting was open for discussion of the foregoing resolution.

Following the close of discussion, upon motion duly and made seconded, the aforesaid resolution was adopted by the following vote:

Number of "Yes" votes _____

Number of "No" votes _____

The Moderator declared that the town meeting was adjourned to a referendum vote on Tuesday, October 1, 2013, between the hours of 6:00 a.m. and 8:00 p.m., and that the resolution would be placed upon the ballots under the following headings:

"SHALL THE TOWN OF COLCHESTER APPROPRIATE AND AUTHORIZE THE BOARD OF SELECTMEN TO EXPEND A SUM NOT TO EXCEED \$57,260,000 FOR COSTS RELATED TO THE WILLIAM J. JOHNSTON MIDDLE SCHOOL, COMMUNITY CENTER AND SENIOR CENTER PROJECT AND AUTHORIZE THE ISSUANCE OF BONDS AND NOTES TO FINANCE THE PORTION OF THE APPROPRIATION NOT DEFRAIDED FROM GRANTS?"

Voters approving said resolution will vote "Yes" and those opposing said resolution will vote "No". Electors and persons qualified to vote in town meetings who are not electors will vote at the following polling place: Colchester Town Hall, 127 Norwich Avenue in Colchester, Connecticut. Absentee ballots will be available from the Town Clerk's office.

The town meeting adjourned at _____ p.m. for a referendum vote on the resolution under item 1 of the Notice. Said resolution were placed upon the voting machines under the heading set out above. The referendum was held on Tuesday, October 1, 2013, between the hours of 6:00 a.m. and 8:00 p.m. and the Moderator announced that the questions had been approved by the following vote:

Number of "Yes" votes _____

Number of "No" votes _____

Clerk

Attachment: Bond Resolution

RESOLUTION APPROPRIATING \$57,260,000 FOR COSTS RELATED TO THE WILLIAM J. JOHNSTON MIDDLE SCHOOL, COMMUNITY CENTER AND SENIOR CENTER PROJECT AND AUTHORIZING BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

RESOLVED,

(a) That the Town of Colchester appropriate FIFTY-SEVEN MILLION TWO HUNDRED SIXTY THOUSAND DOLLARS (\$57,260,000) for costs related to the William J. Johnston Middle School, Community Center and Senior Center Project at the site of the existing William J. Johnston Middle School at 360 Norwich Avenue, including renovations and additions to the middle school and relocation of the Senior Center, the Youth Center, Social Services facilities, and Parks and Recreation facilities, substantially as shown on the plans titled "Conceptual Study for the WJJ Middle School, Community Center and Senior Center" prepared by Tecton Architects, Inc. dated 8/9/12, revised to 6/26/13, and substantially as described in the detailed estimate prepared by Tecton Architects, Inc. dated 4/3/13, as modified 6/19/13. The building committee established for the project shall be authorized to determine the scope and particulars of the project and to reduce or modify the scope of the project, and the entire appropriation may be expended on the project as so modified or reduced. The appropriation may be spent for design and construction costs, testing and permitting costs, relocation costs, demolition and installation costs, equipment, furnishings and fixtures, materials, land and easement acquisition, site improvements, utilities, engineering fees, management costs and fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing.

(b) That the Town issue its bonds or notes, in an amount not to exceed FIFTY-SEVEN MILLION TWO HUNDRED SIXTY THOUSAND DOLLARS (\$57,260,000) to finance the appropriation for the project. The amount of bonds or notes authorized shall be reduced by the amount of grants received by the Town for the project. The bonds or notes shall be issued pursuant to Sections 10-289 and 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be secured by the irrevocable pledge of the full faith and credit of the Town of Colchester. The bonds or notes may be issued in one or more series, and any series may be sold as a single issue or consolidated with any other bonds or notes of the Town. The Treasurer shall keep a record of the bonds or notes. The Selectmen, or a majority of them, and the Treasurer of the Town shall sign the bonds or notes by their manual or facsimile signatures. The bonds or notes shall bear the seal of the Town or a facsimile of the seal. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The Selectmen, or a majority of them, and the Treasurer are authorized to determine the amount, date, interest rates, maturities, form and other details of the bonds or notes; to designate a bank or trust company to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

(c) That the Town issue and renew its temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed FIFTY-SEVEN MILLION TWO HUNDRED SIXTY THOUSAND DOLLARS (\$57,260,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended, and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-

378a of the General Statutes if the notes do not mature within the time permitted by said Section 7-378. The Selectmen, or a majority of them, and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, form, and other details of the notes; to sell the notes at public or private sale; to execute and deliver the notes; and to perform all other acts which are necessary or appropriate to issue the notes.

(d) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.103-18 that project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Selectmen, or a majority of them, and the Treasurer are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by this resolution if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(e) That the Selectmen, or a majority of them, and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.

(f) That the First Selectman is authorized to execute all contracts and change orders with respect to the project. Any building committee as may be established from time-to-time for the project is authorized to act as a school building committee for the project, and to exercise such powers and duties consistent with its charge as are necessary or appropriate to complete the project. Committee members shall not receive any compensation for their services. Necessary expenses of the committee shall be included in the cost of the project. The records of the committee shall be filed with the Town Clerk and open to public inspection during normal business hours. Upon completion of the project, the committee shall make a complete report and accounting to the Selectmen and the Town.

(g) That the Board of Education, the Superintendent of Schools or the Superintendent's designee, the Chairman of any building committee as may be established from time-to-time for the project, and other proper officers and officials of the Board of Education are authorized to apply for and accept state grants for the project, to file applications with the State Department of Education, to execute grant agreements for the project, and to file such documents as may be required by the State Department of Education to obtain grants for the costs of financing the project.

(h) That the Board of Selectmen, the First Selectman, the Treasurer, any building committee as may be established from time-to-time for the project, and other proper officers of the Town are authorized to apply for and accept state grants and other grants for the project, to execute grant agreements for the project, and to file such documents as may be required to obtain grants for the costs of the project.

(i) That the Board of Selectmen, the Treasurer, the Board of Education, any building committee as may be established from time-to-time for the project and other proper officers and officials of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds or notes and obtain grants to finance the aforesaid appropriation.

TOWN CLERK'S CERTIFICATE

I HEREBY CERTIFY that the foregoing is a true, correct and complete extract from minutes of a Special Town Meeting of the electors and citizens qualified to vote in town meetings of the Town of Colchester held on _____, 2013, and of the adjourned town meeting vote held on October 1, 2013, so far as the same pertain to discussion of proposals appropriating funds for various capital projects and authorizing the issue of serial bonds or notes and temporary notes of the Town to defray said appropriations, and that the foregoing minutes are duly recorded in the records of the Town.

Dated at Colchester, Connecticut, this _____ day of _____, 2013.

Town Clerk
Town of Colchester

CERTIFICATE OF REFERENDUM VOTE AND ABSENCE OF RECOUNT PETITION

We, Nancy A. Bray, Town Clerk of Colchester, Connecticut, and _____, Moderator of the referendum described below, hereby certify that a referendum vote of the electors and citizens qualified to vote in Town Meetings of said Town was held at the Colchester Town Hall, 127 Norwich Avenue in said Town on October 1, 2013, between the hours of 6:00 a.m. and 8:00 p.m.; that the questions submitted to referendum vote were placed on the voting machines under the following heading and that the result of said referendum vote was as follows:

“SHALL THE TOWN OF COLCHESTER APPROPRIATE AND AUTHORIZE THE BOARD OF SELECTMEN TO EXPEND A SUM NOT TO EXCEED \$57,260,000 FOR COSTS RELATED TO THE WILLIAM J. JOHNSTON MIDDLE SCHOOL, COMMUNITY CENTER AND SENIOR CENTER PROJECT AND AUTHORIZE THE ISSUANCE OF BONDS AND NOTES TO FINANCE THE PORTION OF THE APPROPRIATION NOT DEFRAID FROM GRANTS?”

Number of “Yes” votes _____

Number of “No” votes _____

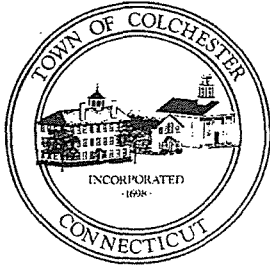
The total number of electors casting votes in said referendum was _____, and two percent (2%) of such number is _____. The margin between the “Yes” and “No” votes exceeds such latter number, and therefore the referendum results are not subject to a recount request under Section 1104 of the Colchester Town Charter.

Attached hereto is a true copy of the Tally Sheet and Moderator’s Returns for such Referendum.

Dated at Colchester, Connecticut this _____ day of _____, 2013.

Town Clerk

Moderator



Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

July 24, 2013

To: Colchester Board of Selectmen

From: Salvatore A. Tassone P.E. – Town Engineer

Copy: Colchester P&Z, Colchester CC, and Ron Gaudet

Re: White Oak Farm Conservation Subdivision, Lebanon Avenue (Route 16) and Goldberg Road, Colchester, CT. prepared for Ponsett Ridge LLC.

By: Angus McDonald Gary Sharpe Associates, Inc.

In accordance with the attached July 22, 2013 letters & supporting documents from Ron Gaudet, former owner/developer of the referenced Subdivision, he is requesting:

- 1) Cancellation of his active road permit for Phase B – Sherman's Brook Road and
- 2) Release of Surety bond for Phase A-2 and release of surety bond for Phases B-G & Lebanon Avenue.

In regards to request #1, the road permit was issued 6/1/12 with work completed to date consisting of a construction entrance onto Lebanon Avenue and tree & brush clearing of the proposed road right-of-way and detention basin area. No earth excavation has occurred and based on my July 24, 2013 site inspection, it appears that the site is stable and there are no erosion and sediment control issues.

In regards to request #2, in order to take advantage of the new bonding requirements detailed in Public Act No. 12-182 (copy attached), Ron Gaudet recently resubmitted his subdivision to Colchester P&Z for a Site Plan Modification which received approval from P&Z on 4/3/13 (see attached P&Z Decision). The newly adopted Public Act permits the developer of a project to post a bond for only the phase for which he is seeking a construction permit. The only bond that is required prior to commencement of public improvements construction is an E&S (Erosion and Sedimentation) control bond.

The town is currently holding two separate bonds posted by former owner/developer Ron Gaudet. These are Bond No. 5023479 for phase A-2 with a remaining balance of \$534,699.15 and Bond No. 5023480 for phases B-G with a remaining balance of \$2,543,997.20. The required bond for work on Lebanon Avenue was posted with the State of Connecticut DOT – not with the town.

RECOMMENDED MOTION:

Motion that the Town of Colchester cancel the road permit issued for Phase B, White Oak Farm Conservation Subdivision, Sherman's Brook Road and Release Subdivision Surety Bond No. 5023479 from "Bond Safeguard Insurance Company" in the amount of \$534,699.15 for phase A-2 White Oak Farm Conservation Subdivision and Subdivision Surety Bond No. 5023480 from "Bond Safeguard Insurance Company" in the amount of \$2,543,997.20 for Phases B-G White Oak Farm Conservation Subdivision.





White Oak Development, LLC

Building Energy Sustainable Communities

July 22, 2013

Mr. Sal Tassone
Town Engineer
Town of Colchester
127 Norwich Ave.
Colchester, CT 06415

Dear Sal,

We are not going to be putting in the road for Phase B. Please cancel the road permit. No erosion control bond will be needed.

If you have any questions please don't hesitate to contact me.

Sincerely,

Ron Gaudet
Manager



White Oak Development, LLC

Building Energy Sustainable Communities

July 22, 2013

Mr. Sal Tassone
Town Engineer
Town of Colchester
127 Norwich Ave.
Colchester, CT 06415

Dear Sal,

White Oak Development, LLC requests that the Surety Bond for Phase A-2 & the Surety Bond for Phases B-G & Lebanon Ave. be released. This request is made pursuant to Public Act. No. 12-182 (see attached) and the Planning & Zoning Commission Site Plan Modification Approval (see attached).

If you have any questions please don't hesitate to contact me.

Sincerely,

Ron Gaudet
Manager



TOWN OF COLCHESTER
PLANNING & ZONING COMMISSION
NOTICE OF DECISION

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Charles Dutch
C/O Dutch & Associates
P.O. Box 163
Colchester, CT 06415

April 4, 2013

**RE: SD#13-023- Site Plan Modification for White Oak Development, LLC owner, Site Plan
Renewal of SE#05-385-White Oak Farm Conservation Subdivision**

Dear Applicant:

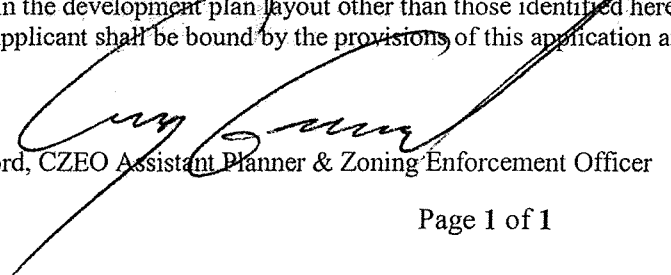
The Planning & Zoning Commission, at their 4/3/13 meeting, **APPROVED with two conditions** the above referenced application number SD#13-023 renewing the approval of plans titled "*White Oak Farm Conservation Subdivision*", Lebanon Ave-CT Route 16, Colchester, CT, 65 sheets, prepared by Angus McDonald Gary Sharpe & Associates, Inc., revised thru 3/17/07. The new expiration date for these plans is now 4/29/13 with possible extensions thru 4/29/23, at which time the plans automatically expire. These plans are re-approved with the following condition:

1. All conditions associated with the original approval of SE#05-385 shall remain in effect under this approval.
2. The developer is to submit written notification to the Zoning Enforcement Officer of the sale of any lot within any uncompleted phase of the development, and stop all work until bonding for that phase is secured.

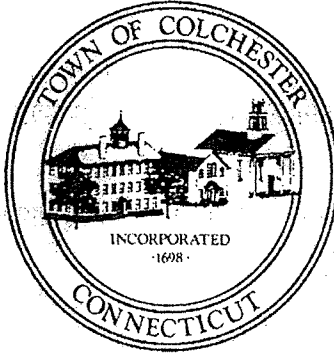
The new P&Z completion date for this project is now 4/12/18 with possible extensions thru 4/12/23. Be advised, wetlands approvals may have different expiration dates. The applicant is responsible to keep all approvals current.

Please note that this Approval is not valid until filed on the land records in the Office of the Town Clerk. This document is to be used for filing purposes, and filing may be done after publication. Please provide this office with a copy of the filing receipt so we may close out the file. Notice of this decision is scheduled to be published in the *Rivereast News Bulletin* on April 12, 2013. Anyone appealing this decision must appeal within fifteen days of the date of publication through the Superior Court of the State of Connecticut. This approval is specific to the development plans approved under application SE#05-385 & SD#13-023. The modification of this approval and any change in the development plan layout other than those identified herein shall constitute a new application. The owner/applicant shall be bound by the provisions of this application and approval.

Sincerely,


Craig Grimord, CZEO Assistant Planner & Zoning Enforcement Officer

Code Administration
Building Official
Fire Marshal
Wetlands Enforcement



Planning and Zoning
Planning Director
Zoning Enforcement
Town Engineer

April 4, 2013

Dutch & Associates
P.O. Box 163
Colchester, CT 06415

RE: SD#13-023-Dutch & Associates applicant/White Oak Development, LLC owner, Site Plan Re-Approval of SE#05-385-White Oak Farm Conservation Subdivision.

Dear Applicant:

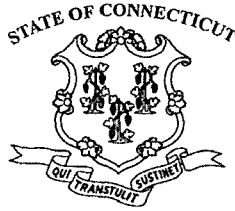
The Planning & Zoning Commission, at their 4/3/13 regular meeting, approved the above referenced Site Plan with modifications. The Notice of Decision is scheduled to be published on 4/12/13 in the *Rivereast News Bulletin* publication. The appeal period extends 15-days after publication.

Enclosed with this letter please find the original "Notice of Decision". This document must be filed in the Town's Land Records, and a copy of the filing receipt submitted to the P&Z Dept. to complete our file on this application.

If you have any questions or I can be of any further assistance, feel free to contact me at 537-7294 Monday-Friday 8:00 AM-4:30 PM.

Sincerely,


Craig Grimord, CZEO
Assistant Planner & Zoning Enforcement Officer



Substitute House Bill No. 5320

Public Act No. 12-182

AN ACT CONCERNING BONDS AND OTHER SURETY FOR APPROVED SITE PLANS AND SUBDIVISIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (g) of section 8-3 of the 2012 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to all approvals or extensions granted on or after said date*):

(g) (1) The zoning regulations may require that a site plan be filed with the commission or other municipal agency or official to aid in determining the conformity of a proposed building, use or structure with specific provisions of such regulations. If a site plan application involves an activity regulated pursuant to sections 22a-36 to 22a-45, inclusive, the applicant shall submit an application for a permit to the agency responsible for administration of the inland wetlands regulations not later than the day such application is filed with the zoning commission. The commission shall, within the period of time established in section 8-7d, accept the filing of and shall process, pursuant to section 8-7d, any site plan application involving land regulated as an inland wetland or watercourse under chapter 440. The decision of the zoning commission shall not be rendered on the site plan application until the inland wetlands agency has submitted a

Substitute House Bill No. 5320

report with its final decision. In making its decision, the commission shall give due consideration to the report of the inland wetlands agency and if the commission establishes terms and conditions for approval that are not consistent with the final decision of the inland wetlands agency, the commission shall state on the record the reason for such terms and conditions. A site plan may be modified or denied only if it fails to comply with requirements already set forth in the zoning or inland wetlands regulations. Approval of a site plan shall be presumed unless a decision to deny or modify it is rendered within the period specified in section 8-7d. A certificate of approval of any plan for which the period for approval has expired and on which no action has been taken shall be sent to the applicant within fifteen days of the date on which the period for approval has expired. A decision to deny or modify a site plan shall set forth the reasons for such denial or modification. A copy of any decision shall be sent by certified mail to the person who submitted such plan within fifteen days after such decision is rendered. The zoning commission may, as a condition of approval of [any] a site plan or modified site plan, require a [bond in an amount not to exceed the cost to perform any modifications required by such modified site plan plus an additional amount of up to ten per cent of the amount of the bond and with surety and conditions satisfactory to it, securing that any modifications of such site plan are made or may grant an extension of the time to complete work in connection with such modified site plan] financial guarantee in the form of a bond, a bond with surety or similar instrument to ensure (A) the timely and adequate completion of any site improvements that will be conveyed to or controlled by the municipality, and (B) the implementation of any erosion and sediment controls required during construction activities. The amount of such financial guarantee shall be calculated so as not to exceed the anticipated actual costs for the completion of such site improvements or the implementation of such erosion and sediment controls plus a contingency amount not to exceed ten per cent of such costs. At any time, the commission may

Substitute House Bill No. 5320

grant an extension of time to complete any site improvements. The commission shall publish notice of the approval or denial of site plans in a newspaper having a general circulation in the municipality. In any case in which such notice is not published within the fifteen-day period after a decision has been rendered, the person who submitted such plan may provide for the publication of such notice within ten days thereafter. The provisions of this subsection shall apply to all zoning commissions or other final zoning authority of each municipality whether or not such municipality has adopted the provisions of this chapter or the charter of such municipality or special act establishing zoning in the municipality contains similar provisions.

(2) To satisfy any [bond or surety] financial guarantee requirement, the commission [shall] may accept surety bonds [,] and shall accept cash bonds, passbook or statement savings accounts and other [surety] financial guarantees other than surety bonds including, but not limited to, letters of credit, provided such [bond or surety] other financial guarantee is in a form acceptable to the commission and the financial institution or other entity issuing any letter of credit is acceptable to the commission. Such [bond or surety] financial guarantee may, at the discretion of the person posting such [bond or surety] financial guarantee, be posted at any time before all [modifications of the site plan] approved site improvements are [complete] completed, except that the commission may require a [bond or surety] financial guarantee for erosion [control] and sediment controls prior to the commencement of any such [modifications] site improvements. No certificate of occupancy shall be issued before a required [bond or surety] financial guarantee is posted or the approved site improvements are completed to the reasonable satisfaction of the commission or its agent. For any site plan that is approved for development in phases, the [surety] financial guarantee provisions of this section shall apply as if each phase was approved as a separate site plan. Notwithstanding the provisions of any special act, municipal charter or ordinance, no

Substitute House Bill No. 5320

commission shall (A) require a [bond or other surety to securitize] financial guarantee or payment to finance the maintenance of roads, streets, retention or detention basins or other improvements [associated] approved with such site plan for [maintenance occurring after] more than one year after the date on which such improvements have been completed to the reasonable satisfaction of the commission or its agent or accepted by the municipality, or (B) require the establishment of a homeowners association or the placement of a deed restriction, easement or similar burden on property for the maintenance of approved public site improvements to be owned, operated or maintained by the municipality, except that the prohibition of this subparagraph shall not apply to the placement of a deed restriction, easement or similar burden necessary to grant a municipality access to such approved site improvements.

(3) If the person posting a [bond or surety] financial guarantee under this section requests a release of all or a portion of such [bond or surety] financial guarantee, the commission or its agent shall, not later than sixty-five days after receiving such request, (A) release or authorize the release of any such [bond or surety] financial guarantee or portion thereof, provided the commission or its agent is reasonably satisfied that the [modifications] site improvements for which such [bond or surety] financial guarantee or portion thereof was posted have been completed, or (B) provide the person posting such [bond or surety] financial guarantee with a written explanation as to the additional [modifications] site improvements that must be completed before such [bond or surety] financial guarantee or portion thereof may be released.

Sec. 2. Section 8-25 of the 2012 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to all approvals or extensions granted after said date*):

(a) No subdivision of land shall be made until a plan for such

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subdivision has been approved by the commission. Any person, firm or corporation making any subdivision of land without the approval of the commission shall be fined not more than five hundred dollars for each lot sold or offered for sale or so subdivided. Any plan for subdivision shall, upon approval, or when taken as approved by reason of the failure of the commission to act, be filed or recorded by the applicant in the office of the town clerk not later than ninety days after the expiration of the appeal period under section 8-8, or in the case of an appeal, not later than ninety days after the termination of such appeal by dismissal, withdrawal or judgment in favor of the applicant but, if it is a plan for subdivision wholly or partially within a district, it shall be filed in the offices of both the district clerk and the town clerk, and any plan not so filed or recorded within the prescribed time shall become null and void, except that the commission may extend the time for such filing for two additional periods of ninety days and the plan shall remain valid until the expiration of such extended time. All such plans shall be delivered to the applicant for filing or recording not more than thirty days after the time for taking an appeal from the action of the commission has elapsed or not more than thirty days after the date that plans modified in accordance with the commission's approval and that comply with section 7-31 are delivered to the commission, whichever is later, and in the event of an appeal, not more than thirty days after the termination of such appeal by dismissal, withdrawal or judgment in favor of the applicant or not more than thirty days after the date that plans modified in accordance with the commission's approval and that comply with section 7-31 are delivered to the commission, whichever is later. No such plan shall be recorded or filed by the town clerk or district clerk or other officer authorized to record or file plans until its approval has been endorsed thereon by the chairman or secretary of the commission, and the filing or recording of a subdivision plan without such approval shall be void. Before exercising the powers granted in this section, the commission shall adopt regulations covering the subdivision of land. No such

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regulations shall become effective until after a public hearing held in accordance with the provisions of section 8-7d. Such regulations shall provide that the land to be subdivided shall be of such character that it can be used for building purposes without danger to health or the public safety, that proper provision shall be made for water, sewerage and drainage, including the upgrading of any downstream ditch, culvert or other drainage structure which, through the introduction of additional drainage due to such subdivision, becomes undersized and creates the potential for flooding on a state highway, and, in areas contiguous to brooks, rivers or other bodies of water subject to flooding, including tidal flooding, that proper provision shall be made for protective flood control measures and that the proposed streets are in harmony with existing or proposed principal thoroughfares shown in the plan of conservation and development as described in section 8-23, especially in regard to safe intersections with such thoroughfares, and so arranged and of such width, as to provide an adequate and convenient system for present and prospective traffic needs. Such regulations shall also provide that the commission may require the provision of open spaces, parks and playgrounds when, and in places, deemed proper by the planning commission, which open spaces, parks and playgrounds shall be shown on the subdivision plan. Such regulations may, with the approval of the commission, authorize the applicant to pay a fee to the municipality or pay a fee to the municipality and transfer land to the municipality in lieu of any requirement to provide open spaces. Such payment or combination of payment and the fair market value of land transferred shall be equal to not more than ten per cent of the fair market value of the land to be subdivided prior to the approval of the subdivision. The fair market value shall be determined by an appraiser jointly selected by the commission and the applicant. A fraction of such payment the numerator of which is one and the denominator of which is the number of approved parcels in the subdivision shall be made at the time of the sale of each approved parcel of land in the subdivision and

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placed in a fund in accordance with the provisions of section 8-25b. The open space requirements of this section shall not apply if the transfer of all land in a subdivision of less than five parcels is to a parent, child, brother, sister, grandparent, grandchild, aunt, uncle or first cousin for no consideration, or if the subdivision is to contain affordable housing, as defined in section 8-39a, equal to twenty per cent or more of the total housing to be constructed in such subdivision. Such regulations, on and after July 1, 1985, shall provide that proper provision be made for soil erosion and sediment control pursuant to section 22a-329. Such regulations shall not impose conditions and requirements on manufactured homes having as their narrowest dimension twenty-two feet or more and built in accordance with federal manufactured home construction and safety standards or on lots containing such manufactured homes which are substantially different from conditions and requirements imposed on single-family dwellings and lots containing single-family dwellings. Such regulations shall not impose conditions and requirements on developments to be occupied by manufactured homes having as their narrowest dimension twenty-two feet or more and built in accordance with federal manufactured home construction and safety standards which are substantially different from conditions and requirements imposed on multifamily dwellings, lots containing multifamily dwellings, cluster developments or planned unit developments. The commission may also prescribe the extent to which and the manner in which streets shall be graded and improved and public utilities and services provided and, in lieu of the completion of such work and installations previous to the final approval of a plan, the commission may accept a [bond] financial guarantee of such work and installations in an amount and with surety and conditions satisfactory to it securing to the municipality the actual construction, maintenance and installation of such public improvements and utilities within a period specified in the [bond] financial guarantee. Such regulations may provide, in lieu of the completion of the work and installations above

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referred to, previous to the final approval of a plan, for an assessment or other method whereby the municipality is put in an assured position to do such work and make such installations at the expense of the owners of the property within the subdivision. Such regulations may provide that in lieu of either the completion of the work or the furnishing of a [bond or other surety] financial guarantee as provided in this section, the commission may authorize the filing of a plan with a conditional approval endorsed thereon. Such approval shall be conditioned on (1) the actual construction, maintenance and installation of any improvements or utilities prescribed by the commission, or (2) the provision of a [bond or other surety] financial guarantee as provided in this section. Upon the occurrence of either of such events, the commission shall cause a final approval to be endorsed thereon in the manner provided by this section. Any such conditional approval shall lapse five years from the date it is granted, provided the applicant may apply for and the commission may, in its discretion, grant a renewal of such conditional approval for an additional period of five years at the end of any five-year period, except that the commission may, by regulation, provide for a shorter period of conditional approval or renewal of such approval. Any person who enters into a contract for the purchase of any lot subdivided pursuant to a conditional approval may rescind such contract by delivering a written notice of rescission to the seller not later than three days after receipt of written notice of final approval if such final approval has additional amendments or any conditions that were not included in the conditional approval and are unacceptable to the buyer. Any person, firm or corporation who, prior to such final approval, transfers title to any lot subdivided pursuant to a conditional approval shall be fined not more than one thousand dollars for each lot transferred. Nothing in this subsection shall be construed to authorize the marketing of any lot prior to the granting of conditional approval or renewal of such conditional approval.

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(b) The regulations adopted under subsection (a) of this section shall also encourage energy-efficient patterns of development and land use, the use of solar and other renewable forms of energy, and energy conservation. The regulations shall require any person submitting a plan for a subdivision to the commission under subsection (a) of this section to demonstrate to the commission that such person has considered, in developing the plan, using passive solar energy techniques which would not significantly increase the cost of the housing to the buyer, after tax credits, subsidies and exemptions. As used in this subsection and section 8-2, "passive solar energy techniques" means site design techniques which maximize solar heat gain, minimize heat loss and provide thermal storage within a building during the heating season and minimize heat gain and provide for natural ventilation during the cooling season. The site design techniques shall include, but not be limited to: (1) House orientation; (2) street and lot layout; (3) vegetation; (4) natural and man-made topographical features; and (5) protection of solar access within the development.

(c) The regulations adopted under subsection (a) of this section, may, to the extent consistent with soil types, terrain, infrastructure capacity and the plan of development for the community, provide for cluster development, and may provide for incentives for cluster development such as density bonuses, or may require cluster development.

(d) (1) To satisfy any [bond or surety] financial guarantee requirement in this section, the commission [shall] may accept surety bonds [,] and shall accept cash bonds, passbook or statement savings accounts and other [surety] financial guarantees other than surety bonds including, but not limited to, letters of credit, provided such [bond or surety] financial guarantee is in a form acceptable to the commission and the financial institution or other entity issuing any

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letter of credit is acceptable to the commission. Such [bond or surety] financial guarantee may, at the discretion of the person posting such [bond or surety] financial guarantee, be posted at any time before all approved public improvements and utilities are [constructed and installed] completed, except that the commission may require a [bond or surety] financial guarantee for erosion [control] and sediment controls prior to the commencement of any [such construction or installation] improvements. No lot shall be transferred to a buyer before any required [bond or surety] financial guarantee is posted or before the approved public improvements and utilities are completed to the reasonable satisfaction of the commission or its agent. For any subdivision that is approved for development in phases, the [surety] financial guarantee provisions of this section shall apply as if each phase was approved as a separate subdivision. Notwithstanding the provisions of any special act, municipal charter or ordinance, no commission shall (A) require a [bond or surety to securitize] financial guarantee or payment to finance the maintenance of roads, streets, retention or detention basins or other improvements [associated] approved with such subdivision for [maintenance occurring after] more than one year after the date on which such improvements have been completed to the reasonable satisfaction of the commission or its agent or accepted by the municipality, or (B) require the establishment of a homeowners association or the placement of a deed restriction, easement or similar burden on property for the maintenance of approved public site improvements to be owned, operated or maintained by the municipality, except that the prohibition of this subparagraph shall not apply to the placement of a deed restriction, easement or similar burden necessary to grant a municipality access to such approved site improvements.

(2) If the person posting a [bond or surety] financial guarantee under this section requests a release of all or a portion of such [bond or surety] financial guarantee, the commission or its agent shall, not later

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than sixty-five days after receiving such request, (A) release or authorize the release of any such [bond or surety] financial guarantee or portion thereof, provided the commission or its agent is reasonably satisfied that the [modifications] improvements for which such [bond or surety] financial guarantee or portion thereof was posted have been completed, or (B) provide the person posting such [bond or surety] financial guarantee with a written explanation as to the additional [modifications] improvements that must be completed before such [bond or surety] financial guarantee or portion thereof may be released.

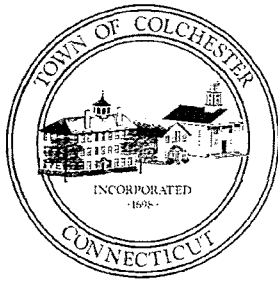
Sec. 3. Section 8-27 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Any municipality having a planning commission may, by ordinance, prohibit or regulate the issuance of building permits for the erection of buildings or structures on lots abutting unaccepted highways or streets. No such ordinance shall prevent the issuance of a building permit for the construction of (1) farm or accessory buildings which are not in violation of any lawful zoning or building regulations of the municipality, or (2) any building or structure on a site plan approved on or after the effective date of this section pursuant to subsection (g) of section 8-3, as amended by this act, or in a subdivision approved on or after the effective date of this section pursuant to section 8-25, as amended by this act, provided the approval for such site plan or subdivision has not expired. Any building erected in violation of any such ordinance shall be deemed an unlawful structure, and the municipality through the appropriate officer may bring action to enjoin the erection of such structure or cause it to be vacated or removed. Any person, firm or corporation erecting a building or structure in violation of any such ordinance may be fined not more than two hundred dollars for each building or structure so erected in addition to the relief herein otherwise granted

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to the municipality.

Approved June 15, 2012



Town of Colchester, Connecticut


127 Norwich Avenue, Colchester, Connecticut 06415

Gregg Schuster, First Selectman

MEMORANDUM

To: Board of Selectmen

Cc:

From : Gregg Schuster, First Selectman 

Date: 7/30/13

Re: Town Meeting For Blight Ordinance

As discussed, town counsel has advised us that the board must call a Town Meeting in response to the petition submitted.

Recommended Motion – “Move that in response to the petition filed with the Town Clerk and pursuant to section C-1001 (C) of the Town Charter, a Town Meeting is hereby called at 7:00 PM on August 15, 2013 to discuss a blight ordinance.”

The board also expressed a desire to convey their concerns to the Town Meeting over the process for creating a blight ordinance.

Recommended Resolution –

“Be it resolved that the Board of Selectmen recognizes that blighted properties have become an issue in Colchester that requires careful review. We agree with the petitioner that the time has come to have a community discussion on this subject and, if necessary, enact ordinances to address the impact blighted properties have on neighboring properties.

Be it further resolved that the Board of Selectmen expresses concern over adopting any ordinance at the Town Meeting without the necessary review, thoughtful contemplation, and legal oversight normally given to proposed ordinances. In order to properly address the issue of blight, the Board of Selectmen intends to form a task force to develop an ordinance that fits the needs of the community.”