

**NOTICE OF TOWN MEETING
TOWN OF BROOKLYN
MARCH 4, 2013**

The Electors and Citizens qualified to vote in Town Meetings of the Town of Brooklyn, Connecticut, are hereby notified and warned that a Town Meeting of said Town will be held at the Brooklyn Middle School, Gorman Road, Brooklyn, Connecticut on Monday, the 4th day of March, 2013 at 7:00 P.M. for the following purposes:

1. To choose a moderator for said meeting.
2. To determine the wishes of those present and eligible to vote upon the following proposed Resolutions:
 - A. **RESOLVED:** That the Board of Selectmen is hereby authorized to demolish property located at 9 Prince Hill Road, known as the old recreation building, at a cost not to exceed \$10,000.00.
 - B. **RESOLVED:** That the First Selectman is hereby authorized to sign the Inter-Town Capital Equipment Purchase Grant with the State of Connecticut.
 - C. **RESOLVED:** That the Board of Selectmen is hereby authorized to apply for, accept and expend any private, state or federal grants, either solely or jointly with other municipalities, and authorize the Board and other officials to take any action related thereto.
 - D. **RESOLVED:** That the Board of Selectmen is hereby authorized to accept a certain easement from Plover Housing Associates Limited Partnership to the Town of Brooklyn in order to provide access from Day Street to the town's recreational area.
 - E. **RESOLVED:** That the Town of Brooklyn expend excess funds from the School Wall Building Project in the amount of \$5,470.00 and \$14,600.00.
3. To determine the wishes of those present and eligible to vote upon the following proposed Ordinances:
 - A. Proposed Ordinance changing the Town Treasurer from an elected to an appointed position.
 - B. Proposed Ordinance providing for A Property Tax Exemption For Farm Buildings and Additional Farm Machinery.
 - C. Proposed Ordinance regarding Permits for Special Events.
 - D. Proposed Ordinance amending the Brooklyn Resource Recovery Authority Ordinance to create the Brooklyn Resource Recovery Commission.
 - E. Proposed Anti-Blight Ordinance.

A copy of the proposed Ordinances and proposed Resolutions are on file in the Office of the Town Clerk and available for inspection during the normal business hours and may also be reviewed on line at www.brooklynct.org

Dated at Brooklyn, Connecticut, this 26th day of February, 2013.

TOWN OF BROOKLYN

Austin Tanner
Robert J. Kelleher
Andrew Dionne
Its Board of Selectmen

ATTEST:

Leona A. Mainville
Town Clerk

RETURN OF NOTICE

I HEREBY CERTIFY that on **Tuesday, February 26, 2013**, I left a duplicate of the attached warning and notice of a Town Meeting of the Town of Brooklyn, Connecticut, with Leona A. Mainville, its Town Clerk.

I FURTHER CERTIFY that I caused a copy of said warning and notice to be published in the Norwich Bulletin, a newspaper having a substantial circulation in said Town, on **Wednesday, February 27, 2013**

I FURTHER CERTIFY that on **Tuesday, February 26, 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 **Monday March 4, 2013**.

Austin Tanner
First Selectman
Town of Brooklyn

RESOLUTION RECREATION BUILDING

RESOLVED: That the First Selectman is hereby authorized to demolish property located at 9 Prince Hill Road, known as the old recreation building at a cost not to exceed \$10,000.00.

RESOLUTION INTER-TOWN CAPITAL EQUIPMENT PURCHASE GRANT

RESOLVED: That the Board of Selectmen is hereby authorized to sign the Inter-Town Capital Equipment Purchase Grant with the State of Connecticut.

RESOLVED: That the Board of Selectmen of the Town of Brooklyn is hereby authorized to apply for, accept and expend any private, state or federal grants, either solely or jointly with other municipalities, and to authorize the Board and other officials to take any actions related thereto.

RESOLUTION PLOVER HOUSING ASSOCIATES LIMITED PARTNERSHIP

RESOLVED: That the Board of Selectmen is authorized to accept a certain easement from Plover Housing Associates Limited Partnership to the Town of Brooklyn in order to provide access from Day Street the town's recreational area as described in a certain map entitled

“Compilation Plan Map Showing Easement Area to be Granted To The Town of Brooklyn Across The Property of The Plover Housing Associates Limited Partnership Greenway Drive - Brooklyn, CT Prepared by J & D Civil Engineers, LLC 401 Ravenelle Road, N. Grosvenordale, CT 06255 dated July 16, 2012 - Scale 1” = 20’ ”

RESOLUTION SCHOOL WALL BUILDING PROJECT

RESOLVED: That the Town of Brooklyn expend excess funds from the School Wall Building Project for the purchase of the following items:

A.

| | |
|------------------|--------------------|
| 1. Flags | \$ 200.00 |
| 2. Shelving | \$ 1,900.00 |
| 3. Mirror | \$ 90.00 |
| 4. Floor storage | \$ 1,600.00 |
| 5. Padding | <u>\$ 1,680.00</u> |
| TOTAL | \$ 5,470.00 |

B.

| | |
|--------------|--------------------|
| 1. Bleachers | \$12,000.00 |
| 2. Logo | <u>\$ 1,600.00</u> |
| TOTAL | \$14,600.00 |

TOWN TREASURER

BE IT ORDAINED BY THE Town Meeting of the Town of Brooklyn, pursuant to the provisions of Section 9-185 of the Connecticut General Statutes, that the position of Town Treasurer shall be appointed by the chief executive authority of the Town of Brooklyn commencing with the term beginning January 7, 2014. The Town Treasurer shall be appointed for a two (2) year terms in November of each odd numbered year by the chief executive authority as elected at that year’s biennial election. The term of the Treasurer shall be co-terminus with that of the Board of Selectmen, however, the Treasurer may be removed during the term, with or without cause, by a majority vote of the Board of Selectmen. The Town Treasurer shall be the chief financial officer of the Town and shall have such additional duties as may be prescribed from time to time by the Board of Selectmen.

This Ordinance shall become effective fifteen (15) days following publication of its approval thereof in a newspaper having a circulation in the Town of Brooklyn.

Town of Brooklyn

"An Ordinance Providing a Property Tax Exemption for Farm Buildings and Additional Farm Machinery"

Section 1. Title.

This ordinance shall be known and may be cited as "An Ordinance Providing a Property Tax Exemption for Farm Buildings And Additional Farm Machinery".

Section 2. Legislative Authority.

This ordinance is enacted pursuant to the provisions of Section 12-91(b) and (c) of the Connecticut General Statutes, as it may be amended from time-to-time.

Section 3. Findings and Purpose.

The Town of Brooklyn finds that the preservation of farming and farmland is vitally important to retaining Brooklyn's rural character quality of life, as well as promoting economic and environmental sustainability. Therefore pursuant to Connecticut General Statutes § 12-91(b) and (c), as amended, the Town of Brooklyn seeks to protect, preserve and promote the health, welfare and quality of life of its people by providing a tax exemption for certain farm buildings and additional farm machinery.

Section 4. Applicability and Benefits.

a) For a farmer who qualifies for the farm machinery exemption under Connecticut General Statutes § 12-91(a). Any building used actually and exclusively in farming, as "farming" is defined in Section 1-1 of the Connecticut General Statutes, including any building used to provide housing for seasonal employees of such farmer, upon proper application being made in accordance with this section, shall be exempt from property tax to the extent of an assessed value of one hundred thousand dollars per eligible building. This exemption shall not apply to any residence of any farmer.

b) For a farmer who qualifies for the farm machinery exemption under Connecticut General Statutes § 12-91(a). Additional such machinery, upon proper application being made in accordance with this section, shall be exempt from property tax to the extent of an additional assessed value of one hundred thousand dollars.

c) Annually, within thirty days after the assessment date, each individual farmer, group of farmers, partnership or corporation shall make written application to the Assessor for the exemption provided in subsection (a) and (b) of this section, including therewith a notarized affidavit certifying that such farmer, individually or as part of a group, partnership or corporation derived at least fifteen thousand dollars in gross sales from such farming operation, or incurred at least fifteen thousand dollars in expenses related to such farming operation, with respect to the most recently completed taxable year of such farmer prior to the commencement of the assessment year for which such application is made, on forms to be prescribed by the Commissioner of Agriculture. Failure to file such application in said manner and form within the time limit prescribed shall be considered a waiver of the right to such exemption for the assessment year. Any person aggrieved by any action of the Assessor shall have the same rights and remedies for appeal and relief as are provided in the general statutes for taxpayers claiming to be aggrieved by the doings of the Assessor or board of assessment appeals

PERMITS FOR SPECIAL EVENTS

Section 1. Purpose.

The regulation of certain Special Events and the supervision of such events are hereby declared necessary for the protection of the health, property, safety and welfare of the residents of the Town of Brooklyn.

Section 2. When Permit Required.

When any planned event may have the potential for the creation of a public nuisance or a threat to public safety, as evidenced by the existence of one of the following conditions:

- a. will require parking for more than one hundred (100) motor vehicles; or
- b. can reasonably be expected to be attended by more than two hundred fifty (250) people in total, whether all at once or over the course of the event;

the operator or sponsor of such event shall, at least 30 days before the start of the event, submit to the First Selectman or Land Use Officer, in writing, a detailed description of the event including the location and hours of operation of the event, the admission charge, if any, the anticipated attendance, parking arrangements, whether or not beer or liquor will be served or permitted, the type of entertainment, if any, that will be required and written consent of the property owner. (the "Required Information")

Upon receipt of the Required Information, the First Selectman or the Land Use Officer shall determine whether or not the event poses a potential for the creation of a public nuisance, or constitutes a threat to public safety. The First Selectman or Land Use Officer may request additional information from the operator or sponsor in order to make such determination.

If the First Selectman or Land Use Officer shall reasonably determine that the event does not pose the potential of a public nuisance or a threat to public safety, then an Event Permit shall be issued without the submission of an application as described in Section 2 below or a fee.

If the First Selectman or Land Use Officer, upon review of the Required Information and other conditions such as: (1) anticipated traffic, (2) the potential for noise or unreasonable disturbance of nearby property owners, and (3) the nature of the event, make a determination that the event poses a potential for the creation of a public nuisance or a threat to public safety, then an Event Permit Application, as described in Section 2 below, shall be required.

A decision as to whether or not an Event Permit Application is required shall be made within five Business days following the submission of all the Required Information and any additional information requested by the First Selectman or Land Use Officer. A Business Day shall be any day on which the Town Hall is open.

Section 3. Event Permit Application Requirements

Upon a determination that an Event Permit Application is required, the Application shall be submitted to the First Selectman that shall include:

- a. A site plan of the event location, indicating the location of parking, and, if applicable, food preparation and service areas, sanitary facilities, entertainment areas and seating as well as anticipated traffic circulation;
- b. If food is to be served, required permits or other approvals from the Northeast District Department of Health;
- c. Proof that a notice has been sent to abutting landowners advising of the time and place of the event and the fact an Event Permit Application has been submitted;

- d. If alcohol is to be sold, a copy of the permit from the Connecticut State Liquor Control Commission;
- e. The location and the type of any loudspeakers or sound amplification equipment; and
- f. A written communication from the Resident Trooper that the details of the event have been discussed with the office together including any recommendations to guard public safety that the Resident Trooper determines to be reasonably necessary.

Section 4. Issuance of Event Permit after Application

Once a determination has been made that an Event Permit application is required, no special event shall be held without first obtaining an Event Permit from the First Selectman.

The Event Permit may be issued subject to conditions including but not limited to:

- a. the employment of police officers and security personnel, and the implementation parking controls both on and off site or other requirements to protect the public before, during and after the event;
- b. any recommendations from the Chief of the local fire department, the fire marshal, the Land use Officer, the Connecticut State Police or other professional sources;
- c. a limitation on the hours of operation and the number of attendees;
- d. requirements for the cleanup of any public property that may be impacted by the event;
- e. the posting of a bond to indemnify the Town of Brooklyn for the costs of any clean up of public property or the expense of specific services rendered by the Town or its employees or contractors as a result of the event.
- f. The First Selectman shall have the power to revoke any Event Permit issued hereunder for due cause which shall be deemed to include, but shall not be limited to, false information in the application for a Special Permit or failure of the applicant to comply with the terms of the permit.

Section 5. Exemption

This ordinance shall not apply to any event

- a. which is held upon premises that has been granted a Special Permit as an “Event Facility” by the Brooklyn Planning and Zoning Commission, so long as all the requirements of the Special Permit are met;
- b. organized or sponsored by the Town of Brooklyn, its Board or Commissions or the local Fire Department;
- c. which is subject to the provisions of Section 19a-435 – 19a-443 of the Connecticut General Statutes.

Section 6. Penalty

A violation of this ordinance shall be deemed an infraction and punishable by a fine not greater than \$500.00 for each offense.

EFFECTIVE DATE:

This Ordinance shall become effective fifteen (15) days following publication of its approval thereof in a newspaper having a circulation in the Town of Brooklyn.

EFFECTIVE DATE: **TOWN OF BROOKLYN**
ANTI-BLIGHT ORDINANCE XXX DRAFT

BE IT ORDAINED BY THE TOWN OF BROOKLYN AS FOLLOWS:

Ordinance xxx-1. Purpose and Declaration of Policy

It is hereby found and declared that there may exist within the Town of Brooklyn any number of **blighted premises**. It is further found that the existence of these **blighted premises** adversely affects neighborhood property values within the Town and may threaten the health, safety, and general welfare of its residents and citizens. This ordinance is enacted pursuant to the authority granted to the Town of Brooklyn under Connecticut General Statute's section 7-148(c) (7) (H) (xv).

Ordinance xxx-2. Definitions.

As used in this ordinance, the following terms shall have the meanings indicated:

Blighted Premises -

- A. Any building, structure, or parcel of land that has been determined to pose a serious or immediate threat to the health, safety or general welfare of the community by the Zoning Enforcement Officer, Building Official, Director of Health, Fire Marshal, or any official acting within the scope of their authority as designated by the First Selectman.
- B. Any building, structure, or parcel of land not being **maintained** as evidenced by two or more of the following conditions:
 - 1. A building or structure in a state of **dilapidation** or **decay**.
 - 2. Missing, broken, or boarded windows or doors.
 - 3. Collapsing or **deteriorating** exterior walls, roofs, stairs, porches, or chimneys.
 - 4. Exterior walls which contain holes, breaks, loose or rotting materials or are covered by temporary materials.
 - 5. Deteriorating foundation walls that contain open cracks or breaks.
 - 6. Overhang extensions, including but not limited to canopies, marquees, signs, awnings, porches, stairways, fire escapes, any of which show dilapidation or improper building materials or construction, and standpipes and exhaust ducts which contain rust or other dilapidation.
 - 7. Exterior evidence of vermin infestation.
 - 8. Debris.
 - 9. Trees, shrubs, hedges, grass and plants, which physically hinder or interfere with the lawful use of abutting premises or block or interfere with the use of any public sidewalk and/or private street or right-of-way or any road sign.
 - 10. Fencing in a dilapidated condition.
 - 11. Evidence of graffiti or vandalism.
- C. Remains of a structure that has been damaged by fire or other casualty and which is exposed to the elements and no longer serves the purpose for which it was constructed
- D. Any building, structure or parcel of land which creates substantial and unreasonable interference with the use and enjoyment of surrounding residential properties as evidenced by neighborhood complaints, fire, public safety or health department reports.

Agricultural – any premises or portion of a premise or parcel of land that is used for agricultural purposes as defined in the General Statutes, State of Connecticut, Rev. of 1958; Title 1, Chapter 1, Sec. 1-1 (q).

Debris – Material which is incapable of immediately performing the function for which it was designed, including but not limited to, abandoned, discarded, or unused objects; junk comprised of equipment such as parts of automobiles, furniture, appliances, cans, boxes, scrap metal, tires, batteries, containers, and garbage. This definition shall not be applicable to premises that are a junkyard licensed by the State of Connecticut.

Decay – A wasting or wearing away; a gradual decline in strength, soundness or quality; to become decomposed or rotten, except a contained compost pile.

Deteriorating - to become or make something worse in quality, value, or strength

Dilapidation - to become, or make something become, partly ruined or decayed, especially through neglect.

Maintained– to keep in good condition and take care of so that its value is sustained.

Owner – Any person, firm, institution, partnership, corporation, foundation, entity or authority who or which holds title to real property or any mortgage or other secured or equitable interest in such property, as documented in public records.

Ordinance xxx-3. Prohibition against creating or maintaining blighted premises.

No owner of real property within the Town of Brooklyn shall cause or allow blighted premises to be created, nor shall any owner allow the continued existence of blighted premises.

Ordinance xxx-4. Exemptions

The term Blighted Premises shall not include:

A. That portion of any structure, building or parcel of land that can be shown by the owner, at the time of a complaint, to have been used for agricultural purposes during any period within the preceding five (5) years.

B. Any building or structure for which a current Building Permit has been issued.

Ordinance xxx-5. Designation and authority of the Blight Enforcement Officer

The First Selectman shall appoint the **Blight Enforcement Officer**. The First Selectman reserves the right to use any or all of the following officials to assist in determinations for any service as deemed necessary; the Zoning Enforcement Officer, Building Inspector, Fire Marshall, Town Attorney or such other person as designated by the Town, acting within the scope of such official's authority. The **Blight Enforcement Officer** shall have the authority to interpret and enforce the provisions of this ordinance.

Ordinance xxx-6. Complaints, Notice of Violation

A. Signed, written complaints on forms provided by the Town may be submitted to the **Blight Enforcement Officer**. The **Blight Enforcement Officer** may also enforce the provisions of this ordinance without having received a signed, written complaint.

B. If the **Blight Enforcement Officer** determines that there exists a violation of this ordinance, the officer shall cause written notice of the violation to be given to the **Owner** or **Owners** of the Blighted Premises. Such notice shall be sent by Certified Mail - Return Receipt Requested to the Owner's last known address as listed in the Tax Collector's Office and to any other such address the Blight Enforcement Officer reasonably believes may be current. If applicable, such notice shall also be sent to any Registrant as provided in **Section 7-148ii** of the Connecticut General Statutes. If such notice shall be returned or unclaimed, the Blight Enforcement Officer may have such notice served by a Judicial Marshall or may choose to serve notice by publication in a newspaper having a general circulation in the Town of Brooklyn.

C. The 'Notice of Violation' shall contain the following information:

1. The location of the Blighted Premises
2. The exact nature of the violation referencing the provision(s) of this ordinance alleged to have been violated
3. The time allowed for corrective action (not to exceed 60 days)
4. The civil penalty.

5. The name and business address and telephone of the Blight Enforcement Officer.

D. Prior to the expiration of the time allowed for corrective action as set forth in the Notice of Violation, the **Owner** may make written request to the **Blight Enforcement Officer** for an extension of the time allowed for corrective action. A written extension of up to 60 days may be granted by the Officer upon a determination that the **Owner** has taken reasonable steps to remedy the condition and, under the particular circumstances, granting additional time is warranted. Additional extensions may be granted for good cause but only after consultation and then with the approval of the First Selectman.

Ordinance xxx-7. Citation; Fine; Hearing Procedure

A. If the **Owner** fails to take corrective action within the time allowed, (including any extension that may be granted) so that the building, structure or parcel of land is still considered a **Blighted Premises**, the **Blight Enforcement Officer** shall, forthwith, issue a written citation alleging that a violation of this ordinance exists and that the **Owners** have failed to take corrective action.

B. The citation shall include the location of the **Blighted Premises**, the provisions of this ordinance that have been violated and the civil penalty for such violation. Such citation shall be given to the **Owners** in the same manner as set forth in **Section 6-B** above.

C. For each violation of this ordinance, which continues beyond the date set for corrective action by the **Blight Enforcement Officer** (including any extensions granted) a civil penalty of \$50.00, payable to the Town of Brooklyn, shall be imposed. Each day beyond the expiration of the time allowed for corrective action shall be considered a separate violation.

D. Pursuant to **Section 7-148aa** of the Connecticut General Statutes, any unpaid civil penalty imposed by the Town, pursuant to the provisions of this ordinance shall constitute a lien upon the **Blighted Premises** from the date of such fine. Each such lien may be continued, recorded and released in the manner provided by the general statutes for continuing, recording, and releasing property tax liens. Each such lien shall take precedence over all other liens filed after **July 1, 1997**, and encumbrances except taxes, and may be enforced in the same manner as property tax liens.

E. Any **Owner** aggrieved by the issuance of a citation and/or the imposition of a civil penalty by the **Blight Enforcement Officer**, may within **ten (10) days** of the receipt of the citation, request a hearing before a **Town Hearing officer** in the manner set forth in **Section 7-152c** of the Connecticut General Statutes.

Ordinance xxx-8. Minimum Standards.

A. The provisions in this ordinance shall not be construed to prevent the enforcement of other statutes, codes, ordinances or regulations that prescribe standards other than are provided in this ordinance.

B. In any case where a provision of this ordinance is found to be in conflict with a provision of any zoning, building, fire safety, or health ordinance, regulation or other code of the Town or state, the provision which established the higher standard for the promotion and protection of the health and safety and property values of the people shall prevail.

This Ordinance shall become effective fifteen (15) days following publication of its approval thereof in a newspaper having a circulation in the Town of Brooklyn.

This Ordinance shall become effective fifteen (15) days following publication of its approval thereof in a newspaper having a circulation in the Town of Brooklyn.