

Minutes: Town Meeting October 3, 2005

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The Annual Town Meeting of October 3, 2005 was called to order by First Selectman Richard Sears at 7:30 p.m.. The first order of business was election of a Moderator. William Fairbairn was duly elected.

MR. FAIRBAIRN: We'll start off. There is a football game someone said. We'll start off with the Call. Janet? She's just back from Russia, I might add, last night so if she falls asleep we'll understand. Is Rex here? If she doesn't have it typed by tomorrow we don't want him upset. (laughter) That's a holdover from the last meeting.

MRS. WILDMAN: May I have a moment of personal privilege?

MR. FAIRBAIRN: Okay. Personal privilege.

MRS. WILDMAN: Town meetings have been a part of the New England scene since its beginning. At first there were two Town Meetings each year – one of the fifteenth of February, and the other on the fifteenth of August “except when they should fall on the Sabbath either time, they shall then be held on the second day following...” A man was Chosen to beat the drum on Town Meetings days. By 1663 it was decided that the Freeman (the voters) would be fined for not attending the Town Meetings and further three pence would be collected from anyone attending who spoke without permission in the Meeting. Also six pence was added to anyone's tax “shall he depart from the Meeting without leave till the Meeting be broken up.”

The seven Townmen (selectmen) were allowed to call other meetings, provided they were announced on a Lecture Day or by “a writing nailed on the Meeting House door.”

Freemen (voters) had to be 21 years of age, of peaceable, orderly and good conversation, and owning estates the value of 40 shillings. If these qualifications could be met, the individual was then eligible to take the Freeman's Oath and to attend and vote at Town Meetings.

In Connecticut, in 1683 a sign post was ordered for every town by the General Assembly. Town meeting notices were nailed upon this post. This sign post was placed on the Green, directly opposite the Meeting House. At that time Town Meetings were planned by the sun, for one can read where “meeting adjourned until Thursday next, the sun at an hour high at night” and “the Town Meeting is adjourned to the next second day – the sun an hour high in the morning...” Apparently attendance was sparse at one of these meetings because it was noted that everyone was busy shearing sheep – and at another poor attendance was blamed on extremely cold weather.

The Town Clerk officership was inaugurated in 1676 to serve at these meetings – and at the August Meeting the next year a Moderator, mandated by the State law, was elected.

Town Meetings are still regularly held throughout New England and it is at these meetings that the people of the Town make the decisions for plans, procedures and outcomes for the town as a whole.””

So don't anyone leave, or we might fine you.

MR. FAIRBAIRN: In those days it probably took five years to get the post up that they nailed the notice to.

MRS. WILDMAN; Now for the Call: Warning, Town of Washington, Connecticut, Annual Town Meeting

The voters and electors of the Town of Washington are hereby warned that the Annual Town Meeting will be held at Bryan Memorial Town Hall, Washington, Connecticut on Monday, October 3, 2005 at 7:30 p.m. to consider and act upon the following agenda:

1. To set the dates for the annual town budget hearing and meeting in May of 2006.
2. To approve an amendment to the Ordinance Establishing Fees for the Lane Use Commissions.
3. To approve an amendment to the Ordinance Establishing Fees for the Transfer Station.
4. To discuss and consider, for a vote on the June 2006 Referendum, a resolution amending the Town Ordinances to provide for four year terms of office for the offices

of First Selectman, members of the Board of Selectmen, Tax Collector and Treasurer, commencing with the next regular election after this ordinance is adopted.

5. To establish an Ordinance authorizing tax exemption for farm machinery and farm buildings.

Dated at Washington, Connecticut this 26th day of September 2005. Richard C. Sears, Nicholas N. Solley, Harry H. Wyant, Board of Selectmen

MR. FAIRBAIRN: Thank you, Janet. Will people who speak please use the microphone which is placed in the center aisle as it is important that we keep a record and it is easier for Janet to hear you. With that the first motion. Dick?

MR. SEARS: Resolved: To set the date for the annual Town budget hearing to be May 4, 2006 and the annual Town budget meeting to be May 18, 2006.

MR. FAIRBAIRN: Is there a second? Mr. Boyer. Any discussion or comments on that? Yes, Pete?

PETER TAGLEY: I have a question. I presume May 18th is a Thursday. What about the concept of a Saturday morning? A significant number of the population are here on weekends and it would afford them an opportunity to vote and for those who don't go out at night. I think it is something we should discuss. Maybe nobody has raised the issue. Thirty to 40% of the town are weekenders and they are people who pay a considerable amount of the taxes. I think it is worth looking into. I think it is something that should be discussed.

MARY ANN RIMBOCCHI: Some of us have to work on Saturday. If it is very important, they can come. Many live here year round. Why cater to our weekenders? That's all I have to say.

MR. FAIRBAIRN: Anyone else wish to speak. Pardon?

JACK FIELD: One alternative might be that most weekenders come up on Saturday. Most people work during the day and weekenders.....

MR. FAIRBAIRN; Any other comments on the motion? If not, we will go ahead with the vote. Does anyone wish it re-read? All right. All in favor say aye. Opposed?

MOTION CARRIED

MR. FAIRBAIRN: Now for the second. Dick?

MR. SEARS: Resolved: To approve the amendment to the Ordinance Establishing Fees for the Land Use Commissions as follows: Zoning Permit fees shall be increased from \$25 to \$45 for projects 500 square feet and under and from \$25 to \$90 for projects over 500 square feet. Applications to Change Zoning Maps shall be increased from \$175 to \$200. Zoning fees for signs shall be \$25. (If this amendment is passed, it will take effect fifteen days after publication in accordance with CGS 7-157.)

MR. FAIRBAIRN: Is there a second? Sarah Gager

MR. SEARS: We have an amendment. This amendment would be to delete the sentence about the fees of \$175 to \$200 in the next to last sentence.

The amendment as it was originally worded includes the sentence: "Application to change zoning map fees shall be increased from \$175 to \$200." This sentence should be deleted.

The Zoning Commission did, indeed, vote to increase this fee from \$175 to \$200 at its July meeting. However, this vote was based on outdated information provided by Janet Hill, the Land Use Coordinator. In April 2003 the Zoning Commission approved an increase in the fees for Amending the Zoning Regulations and Amending the Zoning Map to \$250. The \$250 fee stands today and makes the above-referenced sentence in the proposal both outdated and unnecessary. Mrs. Hill apologizes for this error.

MR. FAIRBAIRN: Okay. We have the amendment as read. Is there a second to the amendment? Mr. Bent. Any questions on that?

Apparently the Zoning Commission already changed that so the \$175 - \$200 doesn't make any sense. Anybody want to discuss this? If not, we will vote on the motion as amended. All in favor? Opposed? MOTION CARRIED

MR. SEARS: Resolved: To approve the amendment to the Ordinance 306D-Transfer Station Regulations and fees as follows: Fees for refrigerators and deep freeze units shall be increased from \$40 to \$50, commercial refrigerators from \$50 to \$60, air conditioners from \$40 to \$50 and dehumidifiers from \$20 to \$50.

MR. FAIRBAIRN: Second? Mr. Solley.

MR. TAGLEY: What is the reason for the increase?

MR. SEARS: The company that we have come to recycle these appliances charges \$40 and so we are losing money.

MR. FAIRBAIRN: Any other questions or comments on this? Allie?

ALAN CHAPIN: Not on the fee change. If I understand the issue, the original ordinance 306 called for the disposal of residential waste only at the transfer station and for many reasons we never enforced that. Secondly, as I understand commercial container...this means anything deposited at the transfer station would be only residential. My question is could the Washington Food Market, would they still be entitled to dump or would this be enforced so that the transfer station would take only residential?

MR. SEARS: We will have to get back to you with the answer.

MR. CHAPIN: If we are voting on this tonight and this is part of the ordinance, the businesses should know whether they can continue to dump or not. I guess the question is, is the ordinance being enforced as it should be?

MR. FAIRBAIRN: Is the ordinance being enforced the way it is written?

MR. CHAPIN: Regardless of whatthis will be residential transfer station and if you adopt these fees you have to adopt it for residential. You can delete....

MR. FAIRBAIRN: I believe it says residential. So the issue tonight is the actual resolution – is the ordinance being enforced in terms of the--- issue for the Board of Selectmen If you want to make an amendment.

MR. CHAPIN: The town has neverI don't believe the town is ready to enforce this. I would make a motion to delete the word 'residential' and make it part of the record that folks understand that commercial trash that enters the transfer station....

MR. FAIRBAIRN: Do you have a copy of the ordinance? Does someone have a copy? We need to go through this. Let's go through this and find out where. The Ordinance reads, "The following rules and regulations regarding trash deposited at the transfer station originate within the Town of Washington and be from residential property." Your amendment would be to eliminate the term 'residential' and be from Washington property.

MR. CHAPIN: Yes. Delete 'residential only' because we are not ready to enforce it and the businesses could be forced upon them.

MR. FAIRBAIRN: Is there a second to that amendment?

ELIZABETH GUGEL: Second.

MR. FAIRBAIRN: All right. Let's debate the amendment now. The amendment is to eliminate the word 'residential' from the town ordinance to make it that all material deposited at the transfer station is to be either business or residential. Does anyone want to address the purpose of this amendment?

MR. TAGLEY: Would you educate us about the fees? Is that what this is about? My understanding is that this has to do with appliances and people taking it away are charging more money and this is getting us in line with what is being charged.

MR. FAIRBAIRN: From what I understand, this has to do with appliances and the people taking it away are charging more money.

MR. TAGLEY: Businesses and citizens are bringing trash to the transfer station and the businesses are not paying their fair share.

MR. FAIRBAIRN: Will you address this, Dick?

MR. SEARS: We are talking about bulky waste and recyclables. We charge people to send this out of town and the costs to us to haul motor vehicle tires, tractor tires, and propane tanks and we pay to get them out of town. Mr. Chapin, you were the one under your administration who set up this transfer station and you were the one to say we would take residential waste. If you're saying that this amendment, this whole ordinance, tonight ...as I read it ...in the main dumpsters free....and pay regular fees. You are amending the whole ordinance to say anyone can dump. You are saying now that any business now can dump free. I think you are off base here.

MR. FAIRBAIRN: The amendment would change the ordinance from residential property to businesses. Anybody else want to address the amendment?

MR. CHAPIN: Let's back up a moment. Yes, I think Mr. Marsh can take credit as well and yes I did set up the first curbside recycling. That's not the issue. The issue is and I will try to clarify this. This is not about increasing fees. To increase or not to increase. The rules that apply to this ordinance are that all materials generated in the Town of Washington must be residential. The town, for whatever reason, never enforced this. I'm not saying whether we should or shouldn't but what I'm saying if we change this along with the fee change....What I'm trying to figure out is whether this transfer station will remain commercial and residential or just residential.

MR. FAIRBAIRN: The ordinance says residential. What you want to do is do we want to expand the materials that can be deposited to include free deposit by businesses.

MR. CHAPIN: I am proposing to accurately reflect what is happening. To move this along I will withdraw this and the residents should know that commercial.....at the transfer station.

MR. FAIRBAIRN: Okay. So you are withdrawing your amendment? Peter?

PETE HERSHEY: In my opinion, if we include businesses we open we open the doors for all kinds of refuse and trash.

MR. FAIRBAIRN: The amendment has been withdrawn now so we don't have to worry about about that. The issue now is about changing the fees so let's concentrate on that.

JOHN MARSH: I think the schools, also. I think you better go like we are and do something about this and in the meantime look at what we are doing and discuss it at the next town meeting.

MR. FAIRBAIRN: I assume that the Board of Selectmen can take notice and look into whether this is depositing on our nickel. Any other discussion concerning the change in the fees?

MARY ANN RIMBOCCHI: Does that mean everybody?we put everything on the left hand side. Does everyone get a sticker.....(difficult to hear)

MR. FAIRBAIRN: Or drive into the transfer station in reverse.....privilege of the chair, I will waive that. Any other comments?

SHARON MORRISSEY: Is it a total of all charges? With the increase, is the town making any money on these fees?

MR. SEARS: We pay \$10.00 for bulky items and we pay out \$40.00 and the people who haul it away sell it. We still are stuck. This will cover our costs.

MR. FAIRBAIRN: Anybody have any comments. If not, we will vote. All in favor say aye. Opposed? MOTION CARRIED

MR. SEARS; Resolved: To submit to a referendum vote, to be held on the same ballot as the Regional School District No. 12's budget referendum in June 2006, a resolution amending the Town Ordinances to provide for four year terms of office for the offices of First Selectman, members of the Board of Selectmen, Tax Collector and Treasurer, commencing with the next regular election after this ordinance is adopted. The Town

Clerk shall publish a notice of this referendum not less than thirty (30) days prior to the referendum.

MR. FAIRBAIRN: Is there a second? Mr. Boyer.

MR. SEARS: A lot of you have been in town government longer than I have. I understand this comes up every time there is a new person in the office. An incumbent would like a longer time but I understand this conversation has taken place by both Democratic and Republican leadership. In February of '04, a year and a half ago, Elaine Luckey developed a proposal for four year terms because she realized that two years did not give much time to get familiar with the office. The Board of Selectmen vetted this through David Miles, town attorney, with a proposal similar to this. It was brought to a Spring '04 meeting and the party leadership both decided it was not the time to bring it up because there hadn't been any discussion about it. It was going too fast and the Board of Selectmen were pushing it and there hadn't been time to discuss it. Actually a motion was made and passed to table it indefinitely. My understanding is that the party leadership talked about this and there were several concepts which both parties agreed on that people should have the vote and not by raising hands by a small group of people but by the whole town. It was something that all people should consider. I believe both parties agreed that this shouldn't take place immediately after the vote but following the vote so that no one incumbent would have an advantage. So this is the concept. Put it before a vote of the people next Spring.

MR. FAIRBAIRN : Let's go pro and con. Someone in favor of this?

VARERIE ANDERSEN: Blackville Road. Just a matter of housekeeping. There is no referendum for the school in June, it is in May.

MR. JOHN MILLINGTON: Church Hill Road. I am presently embroiled in a political campaign as I'm sure Valerie and her crew are. I am in favor of this. Incumbents are just getting their feet wet and all of a sudden they have to go through the whole procedure again. Forgetting the political aspect of this, it makes more sense to have it every four years. It isn't entrenchment. It is time to consider this carefully.

MR. FAIRBAIRN: Okay. Someone against? Linda?

LINDA MCGARR: I don't think all three should be put together but have an individual vote for each one. The Town Clerk was two years and then went to four years. I don't think all three should be grouped in one category but should be voted on individually.

MR. FAIRBAIRN: Anyone in favor? Anyone against? Yes. Pete?

PETER HERSHEY: This is extremely important that we continue to have two year terms so that the incumbent and candidates are kept hopping on their toes.

MR. FAIRBAIRN: Anyone want to speak in favor of this? Against? Ann.

ANN FISHER BRUZZI: I agree with Linda McGarr. This should be separated as far as the selectmen and the tax collector and town treasurer. (very difficult to hear) The tax collector comes under state statute and the treasurer works with the Board of Finance.I would like to make an amendment that the question be put for four-year term for tax collector and town treasurer, deleting the offices of First Selectman and Board of Selectmen. (Very difficult to follow what she was saying – I hope the amendment is correct)

MR. FAIRBAIRN: Second? Mrs. Andersen

We have an amendment on the floor whereby the offices of First Selectman and Board of Selectmen will be deleted . Does anyone want to speak in favor of that? Anyone against? The amendment is to delete First and Board. All right, we will go ahead and vote on the amendment. The amendment to the proposed resolution is to delete First Selectman and Board of Selectmen, all in favor please say aye. Opposed? I will have you raise your hands. All in favor please raise your hands. Right now we are voting by hand. The vote is to delete the term First Selectman and Board of Selectmen. All in favor.

This is an amendment to the resolution. If you vote in favor of this then those two – the First Selectman and board of Selectmen will be eliminated from this. Again, this is to go to a referendum. This is a proposal to go to referendum. To vote ‘yes’ is to delete First Selectman and Board of Selectmen from this proposed resolution. Keep your hands up.

YES 27 NO 22

THE AMENDMENT PASSES. Now, the term of First Selectman and Board of Selectmen are eliminated from this resolution. Does anyone want to speak in favor of the proposed motion? Does anyone want to speak against it?

SUSAN SCHULTZ: How long has it been that the First Selectman has had a two year term?

MR. FAIRBAIRN: Since 1779. Does anyone want to speak in favor or against?

Yes, sir.

MR. GRUDBERG????? I would like to speak in opposition to the proposed motion. I think if it ain't broke, why fix it. Maybe the first term the first selectman may not get things done but he is responsible to the town again and again. Four years would make him less responsive to the townspeople. I am against it.

MR. FAIRBAIRN: Anybody want to speak in favor of the motion? Bill?

BILL RISLEY: I would like to know if any consideration has been given to term limits to go along with the extended term?

MR. FAIRBAIRN: That is not part of the motion. Maybe someone can bring it up at the next town meeting. Yes.

MICHAEL STOUGHTON: One question. I would like to know when is the actual date of this referendum. Many times we have a mid-year election which is not well attended and I would make a recommendation that we have this vote on a November election date rather than May or June as you are talking about. I would like to make that recommendation.

MR. FAIRBAIRN: Okay. Is that a motion?

MR. S TOUGHTON: I make a motion that we change the date for the vote to November.

MR. FAIRBAIRN: Is there a second to that? Seconded.

MR. SEARS: I spoke with the Secretary of State Elections Division and it is not possible to do at a regular election of the electorate because people who vote at a town meeting are different from those who vote at an election.. Here we allow property owners, duly eligible voters, we cannot allow them to vote as registered voters at a municipal election. This is a vote on an ordinance - it is not an election. You cannot do that at an a election.

MR. FAIRBAIRN: All right. I will rule the motion out of order.

MR. WAYNE HIELMAN : River Road. I am a little confused by that. I understand that property owners can vote on the school budget. I don't understand property owners but not registered voters who don't live here full time can vote on the terms of our elected leaders.

MR. FAIRBAIRN: Over One thousand dollars worth of property.

TOWN CLERK SHEILA ANSON: Over One thousand dollars on the grand list.

MR. HEILMAN: Terms of selectmen don't follow under that?

MR. FAIRBAIRN: I don't know the answer. There is no way we get an answer. Dick has spoken to the Elections office. I don't know the answer. Anyone here know the answer? If you have a problem vote the motion down and bring it up again. Any other questions or comments?

MRS. ANDERSEN: I am confused on what we are voting on.

MR. FAIRBAIRN: The motion is to consider on the 2006 referendum a resolution which has been amended to provide for four year terms of office for the town treasurer and tax collector. That is the motion on the floor.

PETER HERSHEY : I am quite confused about the whole thing. It seems to me the reason for this was for the first selectman and the other selectmen and now we have eliminated those. What.....?

MR. FAIRBAIRN: Well, I guess I would put you in the undecided category.

ALAN GRUDBERG????? I move to table the motion.

MR. FAIRBAIRN; There is a motion to table the motion. Is there a second? Second

All in favor of tabling the motion say aye. Opposed? MOTION TO TABLE
CARRIED

MR. SEARS: Resolved: To approve an ordinance authorizing tax exemptions for farm machinery and farm buildings to read as follows:

Be It Ordained and Enacted by the town of Washington:

Section 1. Pursuant to the authority of General Statutes Section 12-91-(b), the Town of Washington hereby provides an additional exemption from property tax for all farm machinery qualified for exemption under General Statutes Section 12-91(a) to the extent of an additional assessed value of One Hundred Thousand Dollars (\$100,000). Any such exemption shall be subject to the same limitations as the exemptions provided under General Statutes Section 12-91(a) and the application and qualification process provided in General Statutes Section 12-91(d).

Section 2. Pursuant to the authority of General Statutes Section 12-91(c) the Town of Washington hereby provides an exemption from property tax for any building, to the

extent of an assessed value of \$100,000 used, actually and exclusively in farming, as defined in General Statutes Section 1-1. Such exemption shall not apply to any residence of such farmer and shall be subject to the application and qualification process provided in General Statutes Section 12-91(d).

Dated at Washington, Connecticut this 3rd day of October, 2005.

MR. F AIRBAIRN; Is there a second to that motion? Second

MR. HERSHEY: I don't know anything about all these statutes. Dick, do you want to address this?

MR. SEARS: The current state law allows exemption for duly qualified farmers on machinery and on buildings. In order to allow these additional exemptions we have to pass an ordinance at the local level. The State has had enabling legislation for a number of years. Active farmers are defined by State law up to \$100,000 on farm machinery. There are 15 to 20 active farmers of all sizes and economy who qualify. Our laws allow such an exemption. This allows an additional exemption – an additional \$100,000 on farm machinery by a duly qualified farmer and raises the limits of what takes out from taxes and also allows new exemption for farm buildings. That is what this is about. This gives a tax break on machinery. These two new ones are allowed by State law. These came into effect some time ago.

MR. HERSHEY: How much revenue loss are we talking about?

MR. FAIRBAIRN: Jack, you are on Board of Finance, can you answer that?

MR. SEARS: The farm ...and Steep Rock considered that this would support farming. The town plan of conservation felt that to maintain the rural character that this might help the farmers and it was vetted through Attorney David Miles. It appealed to us to bring to you. We also separately did a study on the tax impact. Nick Solley spearheaded that study and the estimated revenue reduction would be \$6,000 to \$8,000 a year. There is no way of knowing what that exact amount is. Currently, approximately 18 farmers file an exemption for farm machinery and that is where Nick got his information. How much money currently would be off the tax rolls would be about \$5,000 per year right now. This additional ordinance would possibly be \$6,000 to \$8,000 per year and that is about \$2.00 a person for those of us who pay taxes.

MR. FAIRBAIRN: Any other questions? Valerie?

VALERIE ANDERSEN: I attended the Board of Selectmen meeting, the Board of Finance meeting when this was presented. By State statute the farmers must make more than \$50,000 from farming activity or \$50,000 (maybe this is \$15,000 – not sure) loss, which is not difficult to get. My concern is I have no problem with the machinery exemption although I have problems withGitterman, Seymour farm.....more specifically no realfarm buildings....and losses – showing a loss if you have horses. Although this is a well intentioned gesture I think it needs to go back to the Board of Finance to find out the true implications of this act.

MR. FAIRBAIRN: Any further comments on this resolution. Do you want it re-read? All in favor of the motion say aye. Opposed? We will vote by hands – it is too close.

All in favor raise your hands. YES 20 NO 29 MOTION DEFEATED

Motion made, seconded and passed to adjourn at 8:26 p.m.

I, JANET M. WILDMAN, do hereby certify that the foregoing 14 pages are a true and accurate transcript of the Annual Town Meeting of the Town of Washington held on October 3, 2005, to the best of my ability.