

TOWN OF KILLINGLY, CT TOWN CLERK, RELEMBLY, CT OPEN SPACE LAND ACQUISITION COMMITTEE 2020 UCT 20 AP 10: 10

THURSDAY, OCTOBER 22,2020 REGULAR MEETING 6:30 PM

Elizabeth M. Wilcon

DUE TO COVID-19

THE PUBLIC MAY VIEW THIS MEETING ON FACEBOOK LIVE GO TO www.killinglyct.gov AND CLICK ON FACEBOOK LIVE AT THE BOTTOM OF THE PAGE.

THIS MEETING WILL BE CONDUCTED VIA WEBEX

AGENDA

- l. Call to Order / Roll Call
- II. Agenda Addendum
- III. Citizen Participation limited to three (3) minutes per speaker for an accumulated time of no more than twenty-one (21) minutes (unless extended by a majority of the Committee Members)

NOTE: Pursuant to the Governor's Executive Order 7B, all public comments can be emailed to publiccomment@killinglyct.gov or mailed to the Town of Killingly, 172 Main Street, Killingly, CT 06239 before the meeting. All public comment received prior to the meeting will be posted on the Town's website www.killinglyct.gov.

- IV. Adoption of Minutes (review/discussion/action)
 - A) SPECIAL MEETING March 5, 2020
- V. Old Business- (review/discussion/action)
 - 1) Setting Goals and Priorities for upcoming year
 - 2) Review of the following
 - a) Open Space Land Acquisition Fund Ordinance
 - b) By-Laws of the Killingly Open Space Land Acquisition Committee
- VI. New Business (review/discussion/action)
- VII. Other Discussion Items (review/discussion/action)
 - 1) Board of Recreation Report
 - 2) Agriculture Commission Report
 - 3) Conservation Commission Report
 - 4) Economic Development Report
 - 5) Inland Wetlands & Watercourses Commission
 - 6) Planning and Zoning Commission
 - 7) Citizens Report

- VIII. Town Council Liaison Report (review/discussion/action)
- IX. Enter into Executive Session (if needed/ review/discussion/action) Per CT General Statutes Section 1-200(6)(D) [discussion of the selection of a site or the lease, sale or purchase of real estate... when publicity regarding such site, lease, sale, purchase, or construction would adversely impact the price of such site, lease, sale, purchase or construction until such time as all of the property has been acquired or all proceedings or transactions concerning same have been terminated, or abandoned..."]
- X. Next Meeting TO BE SCHEDULED.
- XI. Adjournment



TOWN OF KILLINGLY, CT OPEN SPACE LAND ACQUISITION COMMITTEE RECEIVED OPEN SPACE LAND ACQUISITION COMMITTEE

Thursday, MARCH 5, 2020 SPECIAL MEETING 7:00 PM

2020 MAR - 6 AM 11:51 Elizabeth m. Wilson

ROOM 102 Killingly Town Hall, 172 Main St., Killingly

l. Call to Order / Roll Call

Members Present: Keith Thurlow, William Cheng, Byron Martin, Donna Bronwell Others: Kevin Kerttula, Town Council Liaison; Ann-Marie Aubrey, Director Planning and Development Public: Andy Hanson, Ian McDonald

- Citizen Participation limited to three (3) minutes per speaker for an accumulated time of no more than twenty-one (21) minutes (unless extended by a majority vote of the Committee)
- Adoption of Minutes (review/discussion/action)

 A) Regular Meeting September 26, 2019

 Byron Martin made a motion to adopt, William Cheng seconded, no further discussion, vote 4 to 0, Motion passed.
- IV. Old Business- (review/discussion/action)
 - 1) Setting Goals and Priorities for upcoming year
 - 2) Review of the following
 - a) Open Space Land Acquisition Fund Ordinance
 - b) By-Laws of the Killingly Open Space Land Acquisition Committee
 - c) Town of Killingly Open Space Map
 - d) List of Parcels of Land under the 490 classification

Very quick review of the above, no motions made.

V. New Business - (review/discussion/action)

1) Discussion of Five Ponds - Dams

Donna Bronwell made motion to open the floor for the public to participate in the discussion, Byron Martin seconded the motion, no further discussion, vote 4 to 0, motion passed.

Donna let the committee members know that WISH (the owner of the Five Ponds and their dams) came back before the Town Council to Offer the dams to the Town, and there was some sort of discussion of also giving the Town a sum of money to start a stewardship fund for the dams. Donna stated that WISH had come forward in the past (2010 & 2015) to offer the dams, but at that time WISH stated they would breach the dams if the Town refused to take them.

Kevin Kerrtula said that WISH had indeed made a presentation to the Town Council and offered the dams to the Town and offered a sum of money for a stewardship fund for the dams.

Keith Thurlow stated that he is the paid by WISH to maintain the dams, and that he follows the repair, maintenance plans that the engineer(s) from WISH put together. He is also the first contact person on the Emergency Action Plans (EAP) for the dams. Keith also stated that WISH has repaired the dams and

...2 .

that the repairs meet DEEPS requirements, and he is just awaiting the approval letter from DEEP to put on the land records in Town Hall.

Ann-Marie reminded the group that the Town Council would need to balance the costs of the inspections, maintenance, repairs, and insurance (if we could even get it) to keep the dams versus what benefits, if any, owning the dams would bring to the Town. There is still quite a bit of research to be done and information gathered before the Town can even decide to take or refuse the dams.

William Cheng offered ideas of how the Town could raise money for the stewardship (maintenance) funds for the dams. Some involved a user fee, and a landowner's benefit (view) tax.

Byron thought accepting the ponds and the dams would be a benefit to the Town.

Donna also mentioned a parcel of real estate near the corner of Route 101 (Hartford Pike) and Pond Road that is for sale and would be a great parcel for the Town to purchase. Would be introduction to the Town as a Welcome center or park area.

Ann-Marie stated that the Town is scheduling a representative from WISH come before each of the Committees, Boards and Commission to make their presentation regarding the dams. Ann-Marie will keep everyone informed of when that will be.

2) Comments from Committee Members None.

VI. Other Discussion Items – (review/discussion/action)

- 1) Board of Recreation Report Nothing to report, no member present
- 2) Agriculture Commission Report Byron Martin reported for AG COMM.
- * A survey was sent out the landowners of real estate (basically farmland) classified under 490;
- * Killingly Community Garden has new leadership so they are entering a new phase;
- * AG COMM is continuing to offer classes a class for organic gardening at the end of March
- 3) Conservation Commission Report

Donna Bronwell reported for KCC.

- * This spring they intend to do extensive clean up on their Litchfield Ave location;
- * Bus Tour on May 9th for the NE corner of Town (Five Ponds area);
- * They are working on a sustainable green team having a meeting with Mary Calorio to discuss;
- * Looking for nominees for the KCC Environmental award
- 4) Economic Development Report

William Cheng reported for EDC.

- * Elsie Bisset, Economic Director will be retiring at the end of March;
- * Discussion of 140 Main Street, RFQ's; Ann-Marie said 4 responses were received;
- * Commercial Real Estate Agents (and others) meet during the month to discuss what is happening in the area – there seems to be an up take in the amount of commercial and residential development in the Eastern corridor of the State

5) Inland Wetlands & Watercourses Commission

Ann-Marie Aubrey reported for IWWC.

- * There is an application before IWWC regarding a development off Hartford Pike, approximately 20-30 houses, there appear to be some issues and the review will continue next month;
- 6) Planning and Zoning Commission Keith Thurlow reported for PZC.
- * The Plan of Conservation and Development the hearing was started last month and will continue Monday, March 16, 2020;
- * Working on revising the parking regulations;
- * Once the POCD is approved the next big project will be the total re-write of the Zoning Regulations;
- 7) Citizens Report Nothing to report

VII. Town Council Liaison Report - (review/discussion/action)

Kevin Kerttula Town Council Member reported

- * Stated again that WISH had come before the Town Council;
- * There are two large projects that will be going before the Town Voters on March 17th, 2020 the voting will take place at the Library (there will be only one voting location) projects are;
 - * Killingly Memorial School we need to replace the temporary classrooms which are well beyond their "life expectancy";
 - * Killingly Westfield Ave (Old HS) needed repairs to the building, and the renovations to allow the Community Center to relocate to that building.
- VIII. Enter into Executive Session (if needed/ review/discussion/action) Per CT General Statutes Section 1-200(6)(D) [discussion of the selection of a site or the lease, sale or purchase of real estate... when publicity regarding such site, lease, sale, purchase, or construction would adversely impact the price of such site, lease, sale, purchase or construction until such time as all of the property has been acquired or all proceedings or transactions concerning same have been terminated, or abandoned..."]

Nothing to discuss in executive session.

IX. Next Meeting – Tentatively, Thursday, March 26, 2020

X. Adjournment

Byron Martin made a motion to adjourn, William Cheng seconded. Meeting adjourned around 8:20 pm.

Killingly Code of Ordinances

Section 2-169 Duties

- a) The Commission shall appoint its own chairperson, vice-chairperson and secretary, and establish its own rules and procedures for the conduct of its meetings. A copy of said rules and procedures shall be filed annually with the Town Clerk.
- b) The Commission shall be responsible to both the Town Council and the Board of Education, in an advisory capacity, on matters relating to the structural maintenance, schedule of capital funding for said maintenance and the review of schedules and contracts related to the structural maintenance of all Town-owned buildings. Neither the Commission nor any of its members shall give directions to the Town Manager, Superintendent of Schools or their administrative staff either publicly or privately. The administration of contracts to perform structural maintenance projects as herein defined shall be the responsibility of the Town Manager for buildings directly under the jurisdiction of the Town Council and shall be the responsibility of the Superintendent of Schools for buildings directly under the jurisdiction of the Board of Education.
- c) The Commission shall provide the Town Council and Board of Education with an annual written report on or before September 1st of each fiscal year concerning Commission activities and shall present short- and long-range recommendations. (Ord. No. C10-02; 10-12-10)

ARTICLE XII. FUNDS

Section 2-170 Open Space Land Acquisition Fund

Pursuant to the authority of Connecticut General Statute § 7-131r, there is hereby established the Killingly Open Space Land Acquisition Fund to be used solely for the purposes of the preservation of open space, the acquisition of land (or any interest in land, including but not limited to easements and development rights, associated surveying and legal fees) to be used for open space, natural resource protection, recreational or agricultural purposes. This fund is continuous and shall not lapse at the close of the municipal fiscal year.

Section 2-171

There shall be deposited into the Open Space Land Acquisition Fund such sums as the town may from time to time appropriate for that purpose. There shall also be deposited into the fund all payments in lieu of the provision of open space made pursuant to any regulations adopted by the Planning and Zoning Commission under the authority of Connecticut General Statutes §§ 8-25a and 8-25b and any other funds acquired by the town, whether by gift, bequest, grant or otherwise, for the purposes to be served by the fund. By separate action annually, Council may also transfer unexpended funds from any Conservation, Inland Wetlands and Watercourses Commission and Agriculture Commissions budgeted funds remaining at the end of the fiscal year. (Ord. No. C14-05; 5-13-14; Effec. 5-28-14)

Section 2-172

The Town Manager shall appoint an Open Space Land Acquisition Committee to consist of two citizens at large and one member of each of the following: Inland Wetlands and Watercourses Commission, Planning and Zoning Commission, Economic Development Commission, Board of Recreation, Conservation Commission, and Agriculture Commission. The persons appointed shall serve at the pleasure of the Town Council. The Open Space Land Acquisition Committee shall elect its chairperson and a secretary and shall meet periodically, but not less frequently than bi-annually. Its charge shall be to identify and/or review potential acquisitions of land or interests in land for open space, natural resource protection, recreational or agricultural purposes, to make recommendations to the Town Council regarding acquisition of such land and other proper uses of the Open Space Land Acquisition fund and to perform such other tasks relating to the use and administration of the fund as the Town Council may direct. (Ord. No. C14-05; 5-13-14; Effec. 5-28-14)

Section 2-173

Appropriations from the fund for the purposes for which it is created shall be made upon the recommendation of the Conservation Commission, the Open Space Land Acquisition Committee and the approval of the Towns Council, and, where the proposed appropriation is for the purpose of acquiring land (or any interest in land, including but not limited to easements and development rights) upon review by the Planning and Zoning Commission pursuant to Connecticut General Statute § 8-24, by any Annual or Special Town Meeting after due warning. (Ord. No. C00-023; 8-8-00)

Effective Date: 12:00 AM, September 1, 2010

Amended: March 28, 2013 Amended: May 25, 2017 Approved: September 28, 2017

BY-LAWS OF THE KILLINGLY OPEN SPACE LAND ACQUISITION COMMITTEE

Article I

Purpose and Authorization

The objectives and purposes of the Open Space Land Acquisition Committee (Committee) of the Town of Killingly are those as set forth by ordinance in Chapter 2 Article XI, Sections 2-170 - 2-173 of the Killingly Code of Ordinances and those powers and duties delegated to the Killingly Open Space Land Acquisition Committee by the aforementioned ordinance, including recommendations, and other tasks relating to the use and administration of the Open Space Land Acquisition Fund which was established pursuant to the authority of Connecticut General Statute § 7-131r, 1958 Revision, as amended.

Article II

Name

The Committee shall be known as the Killingly Open Space Land Acquisition Committee.

Article III

Office of the Committee

The office of the Committee shall be the Planning and Development office at the Killingly Town Hall, 172 Main Street, Danielson where all Committee records will be kept. Copies of all official documents, records, maps, Committee minutes, agendas and legal notices, etc. will be filed or recorded in the office of the Town Clerk as required by Connecticut General Statutes.

Article IV

Membership

Section 1. The membership and terms of office shall be as specified in the aforementioned ordinance.

Section 2. The number of regular members shall be seven (7). All regular members, including officers, shall be entitled to vote.

Section 3. Vacancies on the Open Space Land Acquisition Committee shall be filled as per the Town Code of Ordinances and Killingly Town Charter.

Section 4. Each member shall notify the designated Town staff of his or her inability to attend a regular or special meeting.

Section 5. Resignations from the Committee shall be in written form and submitted to the designated Town staff, who will forward notice of such resignation to the Town Manager, Town Clerk, and the Committee members.

Effective Date: 12:00 AM, September 1, 2010

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Section 6. Removal from the Committee shall be in accordance with reasons and procedures as set forth in Section 811 of the Killingly Town Charter.

Article V

Officers and Their Duties

Section 1. The officers of the Committee shall consist of a Chair, a Vice-Chair and a Secretary.

Section 2. The duties of the Chair shall be as follows:

- to preside at all meetings of the Committee;
- to call special and emergency meetings of the Committee;
- to sign documents of the Committee;
- to appoint a Vice-Chair Pro Tem in the absence of the Vice-Chair;
- to appoint a Secretary Pro Tem in the absence of the Secretary;
- to act as one of the Committee members having the privilege of discussing all matters before the Committee and of voting thereon.

Section 3. The duties of the Vice-Chair shall be as follows:

- shall act for the Chair due to absence, disability or disqualification of the Chair;
- when acting as Chair, shall appoint a Vice-Chair Pro Tem;
- shall sign official documents of the Committee
- to act as one of the Committee members having the privilege of discussing all matters before the Committee and of voting thereon.

Section 4. The duties of the Secretary shall be as follows:

- shall act for the Chair due to absence, disability or disqualification of both the Chair and Vice-Chair
- when acting as Chair, shall appoint a Vice-Chair Pro Tem and Secretary Pro Tem.
- shall sign official documents of the Committee.
- to act as one of the Committee members having the privilege of discussing all matters before the Committee and of voting thereon

Section 5. In the absence of all officers, the Committee members who are present shall elect a Chair Pro Tem and Vice-Chair Pro Tem.

Article VI

Administrative Staff

Section 1. A Recording Clerk shall be appointed to keep the minutes of the Committee and shall file those minutes in the Committee's Office

Section 2. In the absence of the Recording Clerk, due to illness or personal reasons, the Chair, shall appoint a Recording Clerk pro tem.

Section 3. The Director of Planning and Development (or his/her designee in his/her absence) (amend. 3/28/13) shall serve as staff to the Committee and shall oversee preparation of the agenda of regular and special meetings under the direction of the Chair, prepare meeting information, provide notice of all meetings to Committee members, arrange proper and legal notice of other

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notice requirements, attend to general correspondence of the Committee and other administrative actions necessary to assist the Committee in the exercise of its power, duties, and functions as prescribed by the Connecticut General Statutes and the Town Code of Ordinances.

Article VII

Annual Meeting

Section 1. An Annual Organizational Meeting of the Open Space Land Acquisition Committee shall be held on the evening of the regular meeting in May (amend.05/25/17) of each year or the next subsequent meeting date if a regular meeting is not held in May (amend.05/25/17). At each Annual Organizational Meeting, the Committee shall elect officers for a one (1) year term, review bylaws and attend to other organizational business as the Chair deems appropriate.

Section 2. A quorum must be present before the election of officers can take place. Elections of officers shall occur as follows: Nominations shall be made from the floor, beginning with nominations for Chair, and elections shall follow immediately upon the close of nominations for each office. A candidate for each office receiving a majority vote of those present shall be declared elected for one year.

Section 3. Should any vacancy occur among the officers of the Open Space Land Acquisition Committee, the vacant office shall be filled by a special election to be held at a regular meeting, following the same procedure as outlined above. Such officer shall serve the unexpired term of office in which the vacancy has occurred.

Article VIII

Regular Meetings

Section 1. The Regular meeting day, time and location of the Open Space Land Acquisition Committee shall be the fourth Thursday of the month on an as-needed basis at 6:30 PM (amend. 3/28/13) in Room 102, Killingly Town Hall, 172 Main Street, Danielson, unless otherwise designated in the yearly filing of meetings with the Town Clerk under Connecticut General Statutes Section 1-225(b) or as posted for another location. Meetings shall be no more than two (2) hours in length, unless extended by majority vote of the Committee.

Section 2. At such meetings, the Committee shall consider all matters properly brought before the Committee. Items may be added to the agenda by a two-thirds (2/3) majority vote of the Committee members present and voting.

Section 3. A regular meeting may be canceled by the Committee at a prior meeting or by the Staff to the Committee, after consultation with the Chair.

Section 4. Committee meetings shall be open to the public when in session. Citizens' Comments shall be heard by the Committee at any regular meeting. A citizen's statement may be presented orally or in writing. All presentations by citizens under this Section shall be limited to an aggregate of twenty-one (21) minutes for each meeting, and each citizen's presentation shall not exceed three (3) minutes unless otherwise indicated by a majority vote of the Committee. These time limits shall be shown on the agenda and shall be announced by the Chair at each meeting. Each citizen recognized shall state his/her name and address (amend. 3/28/13). The Committee may,

Effective Date: 12:00 AM, September 1, 2010

Amended: March 28, 2013 Amended: May 25, 2017 Approved: September 28, 2017

by a majority of those present and voting, enter into executive session in accordance with Connecticut General Statutes.

Article IX

Special Meetings

Section 1. Special meetings of the Open Space Land Acquisition Committee shall be held at a time and place designated by the Chair and in accordance with the Connecticut General Statutes. The notice shall specify the time and place of the special meeting and the business to be transacted. No business other than that listed on the agenda shall be discussed.

Section 2. In addition, such written notice shall be delivered to the usual place of abode of each member of the Committee so that the same is received prior to such special meeting. Emailed notices with "delivery receipt" and "request for read receipt" shall be considered acceptable "written notice" for this section. The requirement of delivery of such written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the clerk or secretary of the Committee a written waiver of delivery of such notice. Such waiver may be given by telegram. The requirement of delivery of such written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes.

Article X

Emergency Meetings

Emergency meetings of the Open Space Land Acquisition Committee shall be held at a time and place designated by the Chair and in accordance with the Connecticut General Statutes.

Article XI

Quorum

At any meeting of the Committee, a quorum shall consist of four (4) members of the Committee. No action shall be taken in the absence of a quorum, except to adjourn the meeting to a subsequent date until a quorum is obtained.

Article XII

Disqualification

Section 1. No member of the Open Space Land Acquisition Committee shall appear for or represent any person, firm or corporation or other entity in any matter pending before the Committee. A member of the Committee shall disqualify himself or herself from participating in the decision of the Committee upon any matter in which he or she is directly or indirectly interested in a personal or financial sense. In the event of such disqualification, such fact shall be entered on the records of the Committee and the member shall leave the room.

Section 2. No member shall be deprived of the opportunity to comment on a matter which directly impacts the member's property provided the member shall disqualify themselves from any participation as a Committee member.

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Article XIII

Voting

Section 1. At all meetings of the Committee, each member attending shall be entitled to cast one vote. Committee officers shall be entitled to debate and vote on all matters before the Committee. Voting shall be by voice and show of hands. At the discretion of the Chair or upon request by a Committee member the vote shall be by roll call. When the vote is by roll call, the voting members of the Committee shall be called to vote in rotation with the exception of the Chair, who shall vote last.

Section 2. An affirmative vote of the majority of the members present shall be necessary for the adoption of any resolution or other voting matter except as required otherwise by Connecticut State Statutes.

Section 3 The Committee must ensure it takes action on all voting matters before it. In the event of a tie vote, no action has been taken.

Article XIV

Order of Business

Section 1. Unless otherwise determined by the Chair, the order of business shall be as follows:

- I. Call to Order/Roll Call
- II. Agenda Addendum
- III. Citizen Participation limited to three (3) minutes per speaker for an accumulated time of no more than twenty-one (21) minutes (unless extended by a majority vote of the Committee)
- IV. Adoption of Minutes
- V. Old Business
- VI New Business
- VII. Other Discussion Items
- VIII. Council Liaison Report (amend. 3/28/13)
- IX. Next Meeting
- X. Adjournment

Section 2. Each formal action of the Open Space Land Acquisition Committee required by law, charter, rule or regulation shall be embodied in a formal motion duly entered in full upon the Minutes Book after an affirmative vote.

Article XV

Rules of Procedure

All meetings of the Open Space Land Acquisition Committee shall be held and conducted in accordance with the procedures contained herein, and in accordance with the Connecticut Freedom of Information Act as amended and other relevant Connecticut General Statutes. Roberts Rules of Order or a widely recognized and accepted text based on Roberts Rules of Order shall govern the proceedings at the meetings of this Committee.

Article XVI

Effective Date: 12:00 AM, September 1, 2010

Amended: March 28, 2013 Amended: May 25, 2017 Approved: September 28, 2017

Suspending the Rules

Any of these rules may be suspended by a majority vote of the Committee members present, provided that such action is not inconsistent with any provision(s) of State Statutes or the Killingly Town Charter.

Article XVII

Amending the By-Laws

These By-Laws and all future amendments shall be adopted only with the approval of at least four (4) members of the Committee provided that written notice of said proposed amendment(s) is given to all members of the Committee at least seven (7) days prior to the said meeting of vote thereon.



TOWN OF KILLINGLY, CT OPEN SPACE LAND ACQUISITION COMMITTEE SLERK, KILLINGLY, CT

Elizabeth M. Wilson

Thursday, MARCH 5, 2020 SPECIAL MEETING 7:00 PM

ROOM 102 Killingly Town Hall, 172 Main St., Killingly

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Nothing to discuss in executive session.

IX. Next Meeting – Tentatively, Thursday, March 26, 2020

X. Adjournment

Byron Martin made a motion to adjourn, William Cheng seconded. Meeting adjourned around 8:20 pm.

KILLINGLY OPEN SPACE LAND ACQUISITION COMMITTEE MEETING DATES

MEMORANDUM

(Pursuant to Connecticut General Statutes Section 1-21)

TO:

KILLINGLY TOWN CLERK

FROM:

KILLINGLY OPEN SPACE LAND ACQUISITION COMMITTEE

DATE:

OCTOBER, 2020

The Killingly Open Space Land Acquisition Committee convenes its regular monthly meetings as needed on the fourth Thursday of the month at 6:30 PM in Room 102, Killingly Town Hall, 172 Main Street, Killingly. By ordinance, the committee must meet not less frequently than biannually. Meeting dates are as follows for the year 2021 and January, 2022:

MEETING DATE	,sé	DAYS UNTIL NEXT MEETING
January	28	28
February	25	28
March	25	28
April	22	35
May	27	28
June	24	28
July	22	35
August	25 .	28
September	23	35
October	28	(UNKNOWN)
November	A special meeting will be scheduled, if needed (Thanksgiving)	
December	A special meeting will be scheduled, if needed (Christmas)	
January, 2022	27	

Meeting dates in the Spring, 2021 may need to be re-adjusted due to budget workshops.