REGULAR MEETING AGENDA
COLUMBIA BOARD OF SELECTMEN

Tuesday, October 21, 2014, 7 pm

Adella G. Urban Administrative Offices Conference Room
323 Route 87, Columbia, CT

CALL TO ORDER

1. **PLEDGE OF ALLEGIANCE**

2. **MINUTES:** 10/7/14 Regular Meeting

3. **AUDIENCE OF CITIZENS**

4. **OLD BUSINESS**
4.1 Draft Anti-Blight Ordinance
4.2 Draft Changes to Ordinance Establishing Citation Procedures and Fines for Zoning Violations
4.3 Facility use forms and policies

5. **NEW BUSINESS**
5.1 Monuments
5.2 Property tax exemption on horses

6. **COLUMBIA LAKE / DAM / BEACH**
6.1 Application for Constructing Structures on or over the Lake by Derway Trust
6.2 Application for Constructing Structures on or over the Lake by Cooke
6.3 Application for Constructing Structures on or over the Lake by Herpst

7. **APPOINTMENTS / RESIGNATIONS**

8. **TOWN ADMINISTRATOR REPORT**

9. **CORRESPONDENCE**
9.1 10/7/14 letter from Lt. Eric Murray to C. Vance

10. **BUDGET**
10.1 Transfers
10.2 Refunds
10.3 Planning Tools

11. **APPROVE PAYMENT OF BILLS**

12. **BOARD MEMBER COMMENTS**

13. **EXECUTIVE SESSION**
13.1 Real estate per State Statutes Section 1-200(6)(D); Pending Litigation per State Statutes Section 1-200(6)(B); Personnel per State Statues Section 1-200(6)(A);

14. **ADJOURNMENT**

Kim

REGULAR MEETING MINUTES
COLUMBIA BOARD OF SELECTMEN

Tuesday, October 7, 2014, 7 pm
Adella G. Urban Administrative Offices Conference Room
323 Route 87, Columbia, CT

Members Present: First Selectman Carmen Vance; Selectman Steven Everett; Selectman William O'Brien; Selectman Robert Bogue.

CALL TO ORDER: C. Vance called the meeting to order at 7 pm.

1. **PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was recited.

2. **MINUTES: Regular Meeting:** W. O'Brien MOVED to approve the regular BOS meeting minutes of 9/16/14. MOTION CARRIED 3:0:1 with R. Bogue abstaining.

3. **AUDIENCE OF CITIZENS:** Ann Dunnack of 108 Lake Road asked about the status of the concrete dock replacement at the Lake. J. Luiz stated that he, along with George Murphy and Bud Meyers met with a company to replace the dock. J. Luiz is waiting to receive an estimate on the cost of the proposed dock replacement. Discussion followed.

4. **OLD BUSINESS:** None.

5. **NEW BUSINESS:**

5.1 **CT DEEP Draft General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems:** Discussion took place. J. Luiz explained that the Public Works Director G. Murphy will be attending a workshop regarding this and will bring information back to J. Luiz which he will then share with the BOS. W. O'Brien expressed concern with how much this could cost the town. S. Everett concurred. Discussion followed.

5.2 **Homeland Security Grant Program:** J. Luiz discussed the Homeland Security Grant Program with the BOS. W. O'Brien MOVED to adopt the RESOLUTION as presented. MOTION CARRIED 4:0.

6. **COLUMBIA LAKE / DAM / BEACH**

6.1 **Application for Constructing Structures on or over the Lake by M. Matthews:** C. Vance MOVED to approve items 6.1, 6.2 and 6.3, contingent upon the recommendations set forth by LMAC. MOTION CARRIED 4:0.

6.2 **Application for Constructing Structures on or over the Lake by M. Matthews**

6.3 **Application for Constructing Structures on or over the Lake by M. Matthews** C.

6.4 **Application for Constructing Structures on or over the Lake by R. Davis application**: This item was TABLED.

6.5 **Application for Construction Structures on or over the Lake by M. Williams:** C. Vance MOVED to approve the portion of the application requesting raising the height of the seawall with the recommendations set forth by LMAC and that the request of adding stone fascia be TABLED. MOTION CARRIED 4:0.

6.4 **Application for Constructing Structures on or over the Lake by G. Keegan –** C. Vance MOVED to approve the application of G. Keegan contingent upon the recommendations set forth by LMAC. MOTION CARRIED 4:0.

7. **APPOINTMENTS / RESIGNATIONS:**

7.1 **Resignation of Linette Dooley (D) from Financial Planning and Allocation Commission (FiPAC)**

7.2 **Appointment of Linette Dooley (D) to the Board of Education (BOE):** W. O'Brien MOVED to appoint L. Dooley to the BOE. MOTION CARRIED 4:0.

7.3 **Appointment of Marcia Morrison (D) to the Financial Planning and Allocation Commission (FiPAC):** W. O'Brien MOVED to appoint M. Morrison to FiPAC. MOTION CARRIED 4:0.

7.4 **Appointment of Edith Prague (D) to the Commission on Aging (CONA):** W. O'Brien MOVED to appoint E. Prague to CONA. MOTION CARRIED 4:0.

7.5 **Appointment of Maggie Ewald (D) to the Commission on Aging (CONA):** W. O'Brien MOVED to appoint M. Ewald to CONA. MOTION CARRIED 4:0.

7.6 **Appointment of Gary Littlefield (R) to the Zoning Board of Appeals (ZBA):** R. Bogue MOVED to recognize G. Littlefield's resignation as an alternate from ZBA and to appoint G. Littlefield to ZBA as a permanent member. MOTION CARRIED 4:0.

7.7 **Resignation of Ann Dunnack (D) from the Szegda Farm Management Committee:** The BOS recognized the resignation of A. Dunnack from the Szegda Farm Management Committee and thanked her for all of the work she has done.

8. **TOWN ADMINISTRATOR REPORT:** J. Luiz provided updates on the Erdoni Road traffic matter, the upcoming Library Building Committee informational meeting, the Dam project, the School Roof project, and the drafting of facility use policies. J. Luiz said that a STEAP grant was submitted to the State requesting $450,000 for renovations to the Hop River Bridge. He continues to work with Lebanon on the Baker Hill Road Bridge project. He also provided updates on the vacant positions of Recreation Director and Accountant.

9. **CORRESPONDENCE**

9.1 **7/15/14 Chronicle article about the lake district proposal**

9.2 **7/25/14 Chronicle article about activity on Oakwood Lane**

10. **BUDGET**

10.2 **Transfers:** C. Vance MOVED to approve the following transfer:

AMOUNT	FROM A/C #	TO A/C #
$250	#10-4112-460, Exec/Admin, Commercial Ins.	#10-4112-030, Exec/Admin, Work Comp. Ins.

MOTION CARRIED 4:0.

R. Bogue MOVED to approve the following transfer:

AMOUNT	FROM A/C #	TO A/C #
$250	#10-4320-500, Fire and EMS, Prof/Tech	#10-4320-030, Fire and EMS, Work Comp. Ins.

MOTION CARRIED 4:0.

R. Bogue MOVED to approve the following transfer:

AMOUNT	FROM A/C #	TO A/C #
$10	#10-4132-300, Assessor, Supplies	#10-4132-130, Assessor, Legal Notices

MOTION CARRIED 4:0.

10.3 **Refunds:** R. Bogue MOVED to approve the following refunds totaling $1,114.83:

AMOUNT	FROM	TO
$40.04	Town of Columbia	Penny Mac
$432	Town of Columbia	Salvatore Avarista III
$2.04	Town of Columbia	CTM Construction
$8.19	Town of Columbia	Christopher Fiore
$8.60	Town of Columbia	Santo or Janet Franzo
$135.33	Town of Columbia	Gelco Corporation
$407.76	Town of Columbia	Gelco Corporation
$23.88	Town of Columbia	Maggie Herma
$47.67	Town of Columbia	Hyundai Lease Titling Trust
$32.15	Town of Columbia	Marisa Lynch
$7.48	Town of Columbia	Edward Madrak and.or Maggie Herma-Madrak
$210.39	Town of Columbia	Nissan Infiniti
$75.04	Town of Columbia	Kathleen Noyes
$25.55	Town of Columbia	Daniel Ribera
$45.66	Town of Columbia	Susan Ribera
$1.08	Town of Columbia	Susan Ribera

MOTION CARRIED 4:0.

11. **APPROVE PAYMENT OF BILLS:** C. Vance MOVED to approve the FY 13-14 emergency bills in the amount of $555,308.46. MOTION CARRIED 4:0. R. Bogue MOVED to approve the FY 14-15 regular payment of bills in the amount of $34,868.92. MOTION CARRIED 4:0.

12. **BOARD MEMBER COMMENTS:** None.

13. **EXECUTIVE SESSION**

13.1 **Real estate per State Statutes Section 1-200(6)(D); Pending Litigation per State Statutes Section 1-200(6)(B); Personnel per State Statues Section 1-200 (6)(A);** C. Vance MOVED to enter into executive session at 7:52 pm with J. Luiz and Carol Price present. MOTION CARRIED 4:0. C. Price exited executive session at 8:06 pm. Ann Dunnack entered executive session at 8:07 pm. Executive session ended at 8:52 pm.

14. **ADJOURNMENT:** C. Vance MOVED to adjourn at 8:53 pm and the MOTION CARRIED UNANIMOUSLY. The next regular meeting of the BOS is scheduled for Tuesday, October 21, 2014 at 7 pm.

TOWN OF COLUMBIA

323 Jonathan Trumbull Highway, Columbia, CT 06237
(860) 228-0110 FAX: (860) 228-1952

OFFICE OF THE TOWN ADMINISTRATOR

TO: Columbia Board of Selectmen

FROM: Jonathan Luiz, Town Administrator

DATE: October 20, 2014

RE: Draft Anti-Blight Ordinance

Attached is the draft anti-blight ordinance that the BOS reviewed several weeks ago including proposed changes from the Town Attorney. Proposed additions are in **bold** and proposed deletions are in ~~strikethrough~~.

Columbia, CT.
Anti Blight Ordinance

A. PURPOSE:

The purpose of this Ordinance adopted pursuant to Connecticut General Statutes § 7-148(c)(7)(H)(xv), is to define, prohibit and abate blights and nuisances in order to protect, preserve, and promote public health, safety and welfare and to preserve and protect property values.

B. SCOPE:

No owner or occupant of real property located in the Town of Columbia shall allow, create or maintain blighted premises. The ordinance shall apply uniformly to the maintenance of all residential, non-residential, and undeveloped premises now in existence or hereafter constructed, maintained or modified.

C. DEFINITIONS:

The following definitions shall apply to the provisions set forth in this ordinance:

~~1. Abandoned: any property which is deserted.~~

~~2. Antique cars: any motor vehicle that is at least twenty-five (25) years old.~~

~~0.~~1. Blighted Premises: any properties or parcel of land in any zone in which at least one of the following conditions exist:

a) Poses a serious threat to the safety, health, and general welfare of the community as determined by the Sanitarian, Zoning Enforcement Officer, Fire Marshall or Building Inspector,

~~b) Attracts illegal activity as documented by the Resident State Trooper.~~

~~c)~~b) Containing structures ~~N~~not being maintained as evidenced by the existence of any of the following conditions: it is open to the elements, or has collapsing or missing walls, roofs, windows, doors or is unable to provide shelter, or serve the purpose for which it was constructed due to damage, dilapidation, decay, or severe animal infestation; solid waste as defined by Connecticut General Statutes is in the public view.

Comment [KRS1]: If property is deserted but maintained in perfect condition, is that blight? Defintions below would cover deserted properties that become blighted. If you are talking about abandoned personal property, the plain language used below shouldn't need further definitions.

Comment [KRS2]: Term never used in ordinance

~~d)~~c) Contains material in the public view which is incapable of performing the function for which it is designed including, but not limited to: abandoned, discarded, or unused objects; equipment such as automobiles, boats, and recreation vehicles which are unregistered and missing parts, not complete in appearance and in an obvious state of disrepair; parts of automobiles, furniture, appliances, cans, boxes, scrap metal, tires, batteries, containers and garbage that are in the public view.

~~e)~~d) Features lawn grass fifteen (15) inches or greater for a period of at least 15 days.

e) Features landscaping including but not limited to 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 sidewalk and/or private right of way or any road sign.

f) Graffiti

2. ~~4.~~ Dilapidation: partial ruin, decay or disrepair of property such that it would not qualify for a certificate of use and occupancy, or which is deemed unsafe or which is designated as unfit for habitation as defined in the State Basic Building Code.

~~0.~~3. ~~5.~~ Neighborhood: an area of the town comprising premises or parcels of land any part of which is contiguous with any other parcel within the town.

~~0.~~4. ~~6.~~ Public view: visible from any public right-of-way or neighborhood.

~~A.~~D. ENFORCEMENT OFFICER:

1. The ~~anti-blight enforcement officer~~Blight Enforcement Officer shall be ~~the Zoning Enforcement Officer of the town of Columbia or his/her designee~~appointed by the Columbia Board of Selectmen ~~with assistance from but not limited to the town's building official, zoning official, the health district representative, the public works~~

Comment [JL3]: This gives the BOS flexibility depending on personnel availability.

~~director, the inland wetlands officer, the State Trooper, and the fire marshal~~.

Comment [KRS4]: All that matters form a regulatory standpoint is who has the authority to issue citations. Her or she can get assistance from whomever they want and can get.

~~A.~~E. ENFORCEMENT BY CITATION:

1. The Blight Enforcement Officer is empowered to issue citations for any violation of this ordinance by leaving a copy of such citation form with the owner of the property or by affixing same to the premises. He/she shall also send a copy of the form by regular mail and by certified mail, return receipt requested, to the owner of the property to the owner's last known address as listed in the Tax Collector's office or, as applicable, to the registration address provided under Connecticut General Statutes § 7-148ii.

Comment [KRS5]: There is a presumption that regular mail sent to the address is received. If the owner refuses to accept the certified letter there is backup notice.

2. The citation form shall contain the following information.
   a) The address of the property at issue.
   b) The ~~exact nature of the violation~~provision of this ordinance that have been violated and the facts establishing such violation(s).
   c) The time allowed for corrective action (not to exceed 30 days).
   ~~d)~~ The penalty for continued violation of this ordinance and final period for the uncontestment payment of fines~~.~~
   ~~e) The availability of an appeal to the Town Administrator within 10 days of receipt of the citation.~~
   d) The penalty for violation of this ordinance shall be not less than ten dollars ($10) up to no more than one hundred dollars ($100) for each day that a violation continues beyond the time allocated by the anti blight officer to correct the violation.
   ~~f)~~e) The Blight Enforcement Officer is required to issue only one citation, even though there may be multiple violations that exist for multiple days.

Comment [KRS6]: The statute requires that the appeal process be in accordance with Section 7-152c, which is the appeal process in your existing zoning citation ordinance. That ordinance should be amended so that it applies to violations of zoning or blight citations.

F. CITATION; FINE; HEARING PROCEDURE.

1. The hearing procedures set forth in Connecticut General Statutes § 7-152c as set forth in Columbia Ordinance 22-3 shall apply to blight enforcement.

2. If the blight condition is not corrected to the Blight Enforcement Officer's satisfaction by the conclusion of the final correction date set forth in the citation issue pursuant to Section E, including any extension(s) thereof or all penalties are not paid within the uncontested period set forth in the citation, the Blight Enforcement Officer shall issue a second

citation notice, which shall include the penalties, description of the violation, notice of the right of hearing and such other requirements of Connecticut General Statutes § 7-152c and Columbia Ordinance 22-3.

3. Each violation of this Ordinance shall be considered a separate municipal offense, and each separate offense shall be subject to a fine of up to $100 per day, payable to the Town of Columbia.

~~A.~~G. INITIATION OF LEGAL PROCEEDINGS:

In addition to the citation process described herein, the Board of Selectmen is authorized to initiate legal proceedings in the Superior Court for the immediate correction of the violation(s), collection of any penalties, and the recovery of all costs including cost of remedial action(s) authorized by the court and reasonable attorney's fees incurred by the Town of Columbia to enforce this ordinance.

H. ANTI BLIGHT LIEN:

Any unpaid penalty imposed pursuant to the provisions of this Ordinance shall constitute a lien upon the real estate against which the fine was imposed from the date of such penalty as set forth in Conn. Gen. Stat.§ 7-148aa. ~~In the event that the real property owner does not appeal the action of the anti-blight officer within the time established by this ordinance, and in the event that the real property owner has failed to cure the violation within (30) days of the date that the real property owner was to abate the violation as set forth in the citation issued by the anti-blight officer, then the civil penalties and/or fines and costs associated with the same shall constitute a lien of the Town of Columbia on said real property where such blight exists. The effective date commences on the date that such civil penalties and/or fines were first levied.~~ The lien may be continued, recorded and released in the manner provided by the general statutes of Connecticut for the continuing, recording and releasing property tax liens. Each such lien may be enforced in the same manner as property tax liens, including foreclosure of the real property. Said lien shall remain an encumbrance upon the subject property until

Comment [KRS7]: This revision is to track the statutory provisions regarding blight liens.

such time as the blight condition shall be abated and all civil penalties and/or fines and costs assessed have been paid.

I. PERMITS:

No inland wetlands, zoning or building permits may be issued on the blighted property until the blight citation has been abated and all/any associated penalties, fines and costs have been paid, and any liens have been released. Exception to this prohibition may be granted by the Town Administrator in cases where the permit concerns work where interests of public health, safety or welfare are better serviced by allowing the proposed improvements."~~that is a life safety issue~~.

~~A.~~J. EFFECT ON OTHER STANDARDS:

1. The provisions in this ordinance shall not be construed to prevent the enforcement of other statutes, codes, ordinances, or regulations which prescribe standards other than those provided in this ordinance.
2. 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 establishes the higher standard for the promotion and protection of the public health and safety, and property values, shall prevail.
3. This ordinance shall not affect violations of any other ordinances, codes, or regulations existing prior to the effective date of this code, and any such violations may be governed and continue to be punishable under the provisions of those ordinances, codes, or regulations in effect at the time the violations was committed.

Effective Date:
This Ordinance shall be effective thirty days after its publication in accordance with the Columbia Town Charter.

TOWN OF COLUMBIA

323 Jonathan Trumbull Highway, Columbia, CT 06237
(860) 228-0110 FAX: (860) 228-1952

OFFICE OF THE TOWN ADMINISTRATOR

TO: Columbia Board of Selectmen

FROM: Jonathan Luiz, Town Administrator

DATE: October 20, 2014

RE: Draft changes to ordinance establishing citation procedures and fines for zoning violations

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The draft anti-blight ordinance is closely connected with existing town Ordinance 22-23, entitled "Ordinance Establishing Citation Procedures and Fines for Zoning Violations." The Town Attorney suggests expanding Ordinance 22-23 so that it deals with multiple types of violations (zoning, blight, etc…). Attached are draft amendments to Ordinance 22-23. Proposed additions are in **bold** and proposed deletions are in ~~strikethrough~~.

ORDINANCE ESTABLISHING CITATION PROCEDURES AND FINES FOR MUNICIPAL CODE VIOLATIONS

Be it enacted by the Board of Selectmen of the Town of Columbia:

1. Any official authorized by law to issue citations for ~~municipal~~ violations of ordinances or regulations of the Town of Columbia ("Citation Official"), ~~That, pursuant to Connecticut General Statutes Section 8-12a,~~, including but not limited to the Zoning Enforcement Officer ("ZEO") or Deputy Zoning Enforcement Officer ("DZEO") for violations of the zoning regulations and the Blight Enforcement Officer for violations of the Blight Ordinance ~~(collectively "Citation Offi,~~ are ~~is~~ authorized to issue citations for violations of the ~~Town of Columbia Zoning Regulations~~respective regulations or ordinances to the extent and in the manner provided by this Ordinance. ~~The Planning and Zoning Commission (the "Commission") shall adopt a written policy governing the timing and circumstances under which the ZEO or DZEO may issue a citation and shall provide a schedule of fines that may vary the daily fine depending on the type, extent, and length of time that zoning regulations have been violated such that the maximum daily fine in Section 8-12a of the Connecticut General Statutes is not exceeded.~~ Any such citation shall be served on a form designed for this use and may be served either by hand delivery or sent by certified mail, return receipt requested, to the person named in such citation. If the person named in a citation sent by mail refuses to accept such mail, the citation may be sent then by regular mail. ~~The ZEO or DZEO, as applicable,~~The Citation Official shall file and retain an original or certified copy of the citation.

2. That the citation may be issued for any violations of the Town of Columbia ~~Zoning Regulations~~regulations or ordinances in force as of the date of the citation.

3. That, unless the ~~Commission~~agency which adopted the regulation or ordinance that is the subject of the citation- establishes a lesser amount for the fine for each such citation in their written procedures, such fine shall be One Hundred and Fifty Dollars ($150) for each day of the continuation of ~~the zoning~~ non-compliance and shall be payable to the Treasurer of the Town of Columbia.

4. That any person receiving such a citation shall be allowed a period of thirty (30) calendar days from his or her receipt of the citation to make an uncontested payment of the fine specified in the citation to the Treasurer. If the citation has been sent by regular mail pursuant to the provisions of paragraph 1 of this Ordinance, the day of receipt of the citation shall be deemed to be four calendar days after the day of mailing of the citation.

5. If a person who has been issued a citation does not make uncontested payment of the fine specified in the citation to the Treasurer within the time allowed under paragraph 4 of this Ordinance, the ~~ZEO~~ Citation Officer shall send a notice to the person cited, within twelve (12) months of the end of such uncontested payment period, informing such person:
    a. of the allegations against him or her and the amount of the fines;
    b. that the person cited may contest liability before a hearing officer appointed by the Board of Selectmen pursuant to paragraph 6 of this Ordinance, by delivering,

in person or by mail, within ten days of the date of the notice, a written demand for a hearing;

c. that if the person cited does not demand such a hearing, an assessment and judgment shall be entered against him or her; and
d. that such judgment may issue without further notice.

6. The Board of Selectmen shall appoint one or more citation Hearing Officers to conduct the hearings as necessary and described in Connecticut General Statutes Section 7-152c or as amended from time to time by the General Assembly. Neither anythe ~~ZEO, the DZEO~~Citation Officer, the Chief Building Official, nor any employee or member of ~~the Commission or~~ any other board or commission ~~exercising zoning authority~~that promulgated the regulations or ordinance at issue in the citation within the Town may be appointed as a Hearing Officer.

7. If the person who is sent notice pursuant to paragraph 5 of the Ordinance wishes to admit liability for any alleged ~~zoning~~ violation, he or she may, without requesting a hearing, pay the full amount of the fine, either in person or by mail, to the ~~ZEO~~Citation Officer. All fines shall be made payable to the Treasurer of the Town of Columbia. Such payment shall be inadmissible in any proceedings, civil or criminal, to establish the conduct of such person or other person making the payment. Any person who does not deliver or mail written demand for a hearing within ten days of the date of the first notice described in paragraph 5 of this Ordinance shall be deemed to have admitted liability, and the ~~ZEO~~ Citation Officer shall certify to the Hearing Officer that such person has failed to respond. The Hearing Officer shall thereupon enter and assess the fines provided for by this Ordinance and shall follow the procedures set forth in paragraph 9 of this Ordinance.

8. Any person who requests a hearing shall be given a written notice of the date, time and place for the hearing. Such hearing shall be held not less than fifteen days nor more than thirty days from the date of the mailing of notice, provided that the Hearing Officer shall grant upon good cause shown any reasonable request by an interested party for postponement or continuance. An original certified copy of the initial notice of violation issued by the issuing official shall be filed and retained by the Town and shall be deemed to be a business record within the scope of Section 52-180 of the Connecticut General Statutes and shall be evidence of the facts contained therein. The presence of ~~the ZEO or DZEO~~the Citation Officer who issued the citation~~, as applicable,~~ shall be required at the hearing if requested by the person who was issued the citation. A person wishing to contest his or her liability shall appear at the hearing and may present evidence on his or her behalf. The ~~ZEO~~Citation Officer, or his designee (who may be any municipal official other than the Hearing Officer), may present evidence on behalf of the Town. If the person who received the citation fails to appear, the Hearing Officer may enter an assessment by default against him or her upon a finding of proper notice and liability under the applicable provisions of the ~~Town of Columbia Zoning Regulations~~regulations or ordinance. The Hearing Officer may accept written information by mail from the person who received the citation and may determine thereby that the appearance of such person is unnecessary. The Hearing Officer shall conduct the hearing in the order and form and with such methods of proof as he or she deems fair and appropriate. The rules

regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The Hearing Officer shall announce his or her decision at the end of the hearing. If the Hearing Officer determines that the person who received the citation is not liable, the Hearing Officer shall dismiss the matter and enter his or her determination in writing accordingly. If the Hearing Officer determines that the person who received the citation is liable for the violation, the Hearing Officer shall forthwith enter and assess the fines against such person as provided by this Ordinance.

9. If such assessment is not paid on the date of its entry, the Hearing Officer shall send, by first class mail, an Assessment Notice to the person who has been found liable and shall file, not less than thirty days nor more than twelve months after such mailing, a certified copy of the Assessment Notice with the Clerk of the Superior Court for the geographical area in which the Town is located together with the applicable entry fee. The certified copy of said Assessment shall constitute a record of assessment. Within any twelve-month period, one or more assessments against the same individual may be accrued and filed as one record of assessment.

10. The Clerk of the Superior Court shall enter a judgment in the amount of the record of assessment and court costs of eight dollars against the cited individual in favor of the Town of Columbia. The Hearing Officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution of such judgment may issue without further notice to such individual.

11. Pursuant to Section 7-152c(g) of the Connecticut General Statutes, as the same may be amended from time to time, the individual against whom an assessment is entered is entitled to judicial review by way of appeal. The appeal must be instituted in the manner and within the time periods provided by the Section 7-152c(g) of the Connecticut General Statutes, as the same may be amended from time to time, or pursuant to the rules of the judges of the Superior Court.

TOWN OF COLUMBIA

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OFFICE OF THE TOWN ADMINISTRATOR

TO: Columbia Board of Selectmen

FROM: Jonathan Luiz, Town Administrator

DATE: October 20, 2014

RE: Monuments

Selectmen Bogue has requested that this item be added to the agenda.

TOWN OF COLUMBIA

323 Jonathan Trumbull Highway, Columbia, CT 06237
(860) 228-0110 FAX: (860) 228-1952

OFFICE OF THE TOWN ADMINISTRATOR

TO: Columbia Board of Selectmen

FROM: Jonathan Luiz, Town Administrator

DATE: October 20, 2014

RE: Property tax exemption on horses

Under the State Legislatures Public Act No. 14-33 (attached), the Board of Selectmen may exempt from property taxation horses or ponies of any value. The Columbia Tax Assessor reports that a few taxpayers have requested that the Town stop taxing horses or ponies, especially since Lebanon has halted taxation (Lebanon horse boarders are competition for Columbia horse boarders). The Assessor reports that taxes on these animals generate slightly under $3,000 per fiscal year. Currently, horses can get an exemption of up to $1,000 per horse, but it must be applied for. The Assessor's office spends about $500 a year on mailers and personnel time dedicated to this tax. The Assessor also reports that it is very difficult to value the price of a particular horse.

The BOS may want to eliminate this tax as a way to encourage businesses that keep and board horses in town.

STATE OF CONNECTICUT

QUI TRANSTULIT SUSTINET

Substitute House Bill No. 5057

Public Act No. 14-33

AN ACT CONCERNING THE ASSESSMENT OF HORSES AND PONIES AND FARM MACHINERY AND THE TRANSFER OF LAND CLASSIFIED AS FARM LAND, OPEN SPACE LAND, FOREST LAND AND MARINE HERITAGE LAND.

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

Section 1. (NEW) (*Effective October 1, 2014, and applicable to assessment years commencing on or after said date*) Notwithstanding the provisions of subdivision (68) of section 12-81 of the general statutes and section 12-91 of the general statutes, as amended by this act, any municipality may, by vote of its legislative body or, in a municipality where the legislative body is a town meeting, by vote of the board of selectmen, exempt from property taxation horses or ponies of any value.

Sec. 2. Section 12-91 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2014, and applicable to assessment years commencing on or after said date*):

(a) All farm machinery, except motor vehicles, as defined in section 14-1, to the assessed value of one hundred thousand dollars, any horse or pony which is actually and exclusively used in farming, as defined in section 1-1, when owned and kept in this state by, or when held in trust for, any farmer or group of farmers operating as a unit, a partnership or a corporation, a majority of the stock of which

corporation is held by members of a family actively engaged in farm operations, shall be exempt from local property taxation; provided each such farmer, whether operating individually or as one of a group, partnership or corporation, shall qualify for such exemption in accordance with the standards set forth in subsection (d) of this section for the assessment year for which such exemption is sought. Only one such exemption shall be allowed to each such farmer, group of farmers, partnership or corporation. Subdivision (38) of section 12-81 shall not apply to any person, group, partnership or corporation receiving the exemption provided for in this subsection.

(b) Any municipality, upon approval by its legislative body, may provide an additional exemption from property tax for such machinery to the extent of an additional assessed value of one hundred thousand dollars. Any such exemption shall be subject to the same limitations as the exemption provided under subsection (a) of this section and the application and qualification process provided in subsection (d) of this section.

(c) Any municipality, upon approval by its legislative body, may provide an exemption from property tax for any building used actually and exclusively in farming, as defined in section 1-1, or for any building used to provide housing for seasonal employees of such farmer. The municipality shall establish the amount of such exemption from the assessed value, provided such amount may not exceed one hundred thousand dollars with respect to each eligible building. Such exemption shall not apply to the residence of such farmer and shall be subject to the application and qualification process provided in subsection (d) of this section.

(d) Annually, on or before the first day of November <u>or the extended filing date granted by the assessor pursuant to section 12-42</u>, each such individual farmer, group of farmers, partnership or corporation shall make written application for the exemption provided

Town of Columbia
Budget Transfer Request
FY: 2014-2015

DATE: 10/17/2014 Budget Transfer # **2015-**

To: Board of Selectmen

From: Assessment 132
(Department Name) *(Dept #)*

I hereby request the following transfer of funds:

__X__ In-Budget (up to $500) _____ From Contingency (requires FIPAC)

_____ In-Budget ($501-10,000 requires FIPAC) _____ Town Meeting

Amount	From A/C#	Description	To A/C#	Description
796	10-4132-500	Assessor, Prof/Tech	10-4132-770	Assessor,Transportation

Reason:
New employee requires more training, which requires more transportation reimbursement funds.

Signature of Department Head: _____
Date: _____

Date of BOS Meeting: 10/21/14 Refer to FIPAC: __X__ Yes ____ No

_____ Approved by the Board of Selectmen _____ Not Approved

First Selectman Signature: _____ Date: _____

Date of FIPAC Meeting: 11/19/14

_____ Approved by FIPAC _____ Not Approved

FIPAC Chairman Signature _____ Date: _____

Town of Columbia
Budget Transfer Request
FY: 2014-2015

DATE: 10/17/2014 Budget Transfer # 2015-

To: Board of Selectmen

From: Assessment 132
(Department Name) (Dept #)

I hereby request the following transfer of funds:

X In-Budget (up to $500) _____ From Contingency (requires FIPAC)

_____ In-Budget ($501-10,000 requires FIPAC) _____ Town Meeting

Amount	From A/C#	Description	To A/C#	Description
599	10-4132-500	Assessor, Prof/Tech	10-4132-010	Assessor,Salaries

Reason:
New employee requires more training, which requires more time away from the office, which means a floater must fill vacancies.

Signature of Department Head: _____
Date: _____

Date of BOS Meeting: 10/21/14 Refer to FIPAC: X Yes ____ No

_____ Approved by the Board of Selectmen _____ Not Approved

First Selectman Signature: _____ Date: _____

Date of FIPAC Meeting: 11/19/14

_____ Approved by FIPAC _____ Not Approved

FIPAC Chairman Signature _____ Date: _____

Posted Refund Transaction (s) TOWN OF COLUMBIA Int Date: 10/20/2014 Date: 10/20/2014 Page: 1

Condition(s) :

Bill Dist/Susp/Bank	Name Address	Prop Loc/Vehicle Info. UniqueID/Reason	Paid Date	Tax	Int	L/F	Total Adjusted	Overpaid Tax
2013-03-0050243	BAILEY DEBORAH L OR	2004/WVWVD63B64E231682		82.34	0.00	0.00	82.34	
	2 DEER RUN	50242	7/29/2014	123.44	0.00	0.00	123.44	-41.10
	COLUMBIA CT 06237-1535							
2013-03-0051877	FIORE CHRISTOPHER N	1997/3FTHF36H7VMA18208		90.56	0.00	0.00	90.56	
	1585 MAIN ST	51891	8/1/2014	98.75	0.00	0.00	98.75	-8.19
	COVENTRY CT 06238-1749							
2013-03-0054248	OZARK MICHELE G	1996/1HGCD5636TA207427		37.33	0.00	0.00	37.33	
	85 HUNT RD	54269	7/30/2014	64.03	0.00	0.00	64.03	-26.70
	COLUMBIA CT 06237-1506							
2013-03-0055418	STEPHENS JON T	2008/SMTC05LR88J341271		176.13	0.00	0.00	176.13	
	38 RTE 87	55445	8/1/2014	192.08	0.00	0.00	192.08	-15.95
	COLUMBIA CT 06237-1022							
TOTAL	4			386.36	0.00	0.00	386.36	
				478.30	0.00	0.00	478.30	-91.94

REQUEST FOR ABATEMENT OR REFUND OF PROPERTY TAXES

Sec. 12-81(20), Sec. 12-124, 12-125, 12-126, 12-127, 12-127a, 12-128, 12-129 Rev. as Amended

This is to certify that **BAILEY DEBORAH L OR**

has presented satisfactory proof that -he is entitled to an exemption on the assessment list of 10/01/2013

- ☐ Sec. 12-81 (20) Servicemen Having Disability Rating.
- ☐ Sec. 12-124 Abatement to poor.
- ☐ Sec. 12-125 Abatement of Taxes of Corporations.
- ☐ Sec. 12-126 Tangible Personal Property Assessed in more than one Municipality.
- ☐ Sec. 12-127 Abatement or Refund to Blind Persons.
- ☐ Sec. 12-127A Abatement of Taxes on Structures of Historical or Architectural Merit.
- ☐ Sec. 12-128 Refund of Taxes Erroneously Collected from Veterans and Relatives.
- ☒ Sec. 12-129 Refund of Excess Payments.

BAILEY DEBORAH L OR
BAILEY JOHN S
2 DEER RUN
COLUMBIA CT 06237-1535

2013-03-0050243
50242
/WVWVD63B64E231682
2013030050243

To CAROL W. PRICE CCMC Collector of TOWN OF COLUMBIA State of Connecticut.

hereby apply for ~~abatement~~ or refund* of such part of my tax as shall represent: Tax paid in full, vehicle sold during the tax year 2014 PASSAT

The service exemption or
(State reason -- Cross out service exemption if it does not apply)

****

		Tax	Interest	Lien	Fee	Total	Overpaid Tax
Total Due	07/01/2014	82.34	0.00	0.00	0.00	82.34	
Total Paid	07/29/2014	123.44	0.00	0.00	0.00	123.44	-41.10 ***
Adjusted Refund		-41.10	0.00	0.00	0.00	41.10	

PLEASE READ, SIGN, AND DATE BELOW:

I am entitled to this refund because I made the payments from funds under my control, and no other party will be requesting this refund. I understand that false or deliberately misleading statements subject me to penalties for perjury and/or for obtaining money under false pretenses.

X Deborah L. Bailey — Print Name

X Deborah L. Bailey X 10/1/14 — Signature of Taxpayer — Date

COLLECTOR'S RECOMMENDATION TO THE GOVERNING BODY

To the First Selectman, or _____

It is recommended that refund* of property taxes and interest in the amount of 41.10 be made to the above-named taxpayer in accordance with the provisions of Section (s): 12-129

DATED AT TOWN OF COLUMBIA, CONNECTICUT THIS 29 DAY OF September 2014

Carol W. Price

CAROL W. PRICE CCMC
(860) 228-0230

ACTION TAKEN BY GOVERNING BODY

The First Selectman, as authorized by the Board of Selectman, or _____ approved on the _____ day of _____ 20___. It was voted to refund Property Taxes and Interest amounting to $ _____ to _____.

First Selectman

Other Governing Body

Clerk

**Cross out abatement or refund as required.

REQUEST FOR ABATEMENT OR REFUND OF PROPERTY TAXES

Sec. 12-81(20), Sec. 12-124, 12-125, 12-126, 12-127, 12-127a, 12-128, 12-129 Rev. as Amended
This is to certify that **FIORE CHRISTOPHER N**

has presented satisfactory proof that -he is entitled to an exemption on the assessment list of 10/01/2013

- ☐ Sec. 12-81 (20) Servicemen Having Disability Rating.
- ☐ Sec. 12-124 Abatement to poor.
- ☐ Sec. 12-125 Abatement of Taxes of Corporations.
- ☐ Sec. 12-126 Tangible Personal Property Assessed in more than one Municipality.
- ☐ Sec. 12-127 Abatement or Refund to Blind Persons.
- ☐ Sec. 12-127A Abatement of Taxes on Structures of Historical or Architectural Merit.
- ☐ Sec. 12-128 Refund of Taxes Erroneously Collected from Veterans and Relatives.
- ■ Sec. 12-129 Refund of Excess Payments.

FIORE CHRISTOPHER N
CA
1585 MAIN ST
COVENTRY CT 06238-1749

2013-03-0051876
51890
/1G6DN57P690161651
2013030051876

To CAROL W. PRICE CCMC Collector of TOWN OF COLUMBIA State of Connecticut.

hereby apply for a~~batement or~~ refund* of such part of my tax as shall represent:

~~The service exemption or~~
(State reason -- Cross out service exemption if it does not apply) 2009 Cadi CTS 4D SED
motor vehicle tax paid in full Sold August 2014

		Tax	Interest	Lien	Fee	Total	Overpaid Tax
Total Due	07/01/2014	663.00	0.00	0.00	0.00	663.00	
Total Paid	08/01/2014	723.01	0.00	0.00	0.00	723.01	-60.01 ***
Adjusted Refund		-60.01	0.00	0.00	0.00	60.01	

PLEASE READ, SIGN, AND DATE BELOW:

I am entitled to this refund because I made the payments from funds under my control, and no other party will be requesting this refund. I understand that false or deliberately misleading statements subject me to penalties for perjury and/or for obtaining money under false pretenses.

X Christopher Fiore — Print Name
X [signature] — Signature of Taxpayer
X 10 9 14 — Date

COLLECTOR'S RECOMMENDATION TO THE GOVERNING BODY

To the First Selectman, or _____
It is recommended that refund* of property taxes and interest in the amount of 60.01
be made to the above-named taxpayer in accordance with the provisions of Section (s): 12-129

DATED AT TOWN OF COLUMBIA, CONNECTICUT THIS 06 DAY OF October 2014

Carol W. Price
CAROL W. PRICE CCMC
(860) 228-0230

ACTION TAKEN BY GOVERNING BODY

The First Selectman, as authorized by the Board of Selectman, or _____
approved on the _____ day of _____ 20___. It was voted to refund
Property Taxes and Interest amounting to $ _____ to _____.

First Selectman

Other Governing Body

Clerk

**Cross out abatement or refund as required.

REQUEST FOR ABATEMENT OR REFUND OF PROPERTY TAXES

Sec. 12-81(20), Sec. 12-124, 12-125, 12-126, 12-127, 12-127a, 12-128, 12-129 Rev. as Amended

This is to certify that **OZARK MICHELE G**

has presented satisfactory proof that -he is entitled to an exemption on the assessment list of 10/01/2013

- ☐ Sec. 12-81 (20) Servicemen Having Disability Rating.
- ☐ Sec. 12-124 Abatement to poor.
- ☐ Sec. 12-125 Abatement of Taxes of Corporations.
- ☐ Sec. 12-126 Tangible Personal Property Assessed in more than one Municipality.
- ☐ Sec. 12-127 Abatement or Refund to Blind Persons.
- ☐ Sec. 12-127A Abatement of Taxes on Structures of Historical or Architectural Merit.
- ☐ Sec. 12-128 Refund of Taxes Erroneously Collected from Veterans and Relatives.
- ■ Sec. 12-129 Refund of Excess Payments.

OZARK MICHELE G
85 HUNT RD
COLUMBIA CT 06237-1506

2013-03-0054248
54269
/1HGCD5636TA207427
2013030054248

To CAROL W. PRICE CCMC Collector of TOWN OF COLUMBIA State of Connecticut.

hereby apply for ~~abatement or~~ refund* of such part of my tax as shall represent:

~~The service exemption or~~
(State reason -- Cross out service exemption if it does not apply) 1996 Honda Accord 4D SED
motor vehicle tax paid in full Sold April 2014

		Tax	Interest	Lien	Fee	Total	Overpaid Tax
Total Due	07/01/2014	37.33	0.00	0.00	0.00	37.33	
Total Paid	07/30/2014	64.03	0.00	0.00	0.00	64.03	-26.70 ***
Adjusted Refund		-26.70	0.00	0.00	0.00	26.70	

PLEASE READ, SIGN, AND DATE BELOW:

I am entitled to this refund because I made the payments from funds under my control, and no other party will be requesting this refund. I understand that false or deliberately misleading statements subject me to penalties for perjury and/or for obtaining money under false pretenses.

X Michele Ozark — Print Name
X [signature] — Signature of Taxpayer
X 10-10-14 — Date

COLLECTOR'S RECOMMENDATION TO THE GOVERNING BODY

To the First Selectman, or _____
It is recommended that refund* of property taxes and interest in the amount of 26.70
be made to the above-named taxpayer in accordance with the provisions of Section (s): 12-129

DATED AT TOWN OF COLUMBIA, CONNECTICUT THIS 06 DAY OF October 2014

Carol W. Price
CAROL W. PRICE CCMC
(860) 228-0230

ACTION TAKEN BY GOVERNING BODY

The First Selectman, as authorized by the Board of Selectman, or _____
approved on the _____ day of _____ 20___. It was voted to refund
Property Taxes and Interest amounting to $ _____ to _____.

First Selectman

Other Governing Body

Clerk

**Cross out abatement or refund as required.

REQUEST FOR ABATEMENT OR REFUND OF PROPERTY TAXES

Sec. 12-81(20), Sec. 12-124, 12-125, 12-126, 12-127, 12-127a, 12-128, 12-129 Rev. as Amended

This is to certify that **STEPHENS JON T**

has presented satisfactory proof that -he is entitled to an exemption on the assessment list of 10/01/2013

- ☐ Sec. 12-81 (20) Servicemen Having Disability Rating.
- ☐ Sec. 12-124 Abatement to poor.
- ☐ Sec. 12-125 Abatement of Taxes of Corporations.
- ☐ Sec. 12-126 Tangible Personal Property Assessed in more than one Municipality.
- ☐ Sec. 12-127 Abatement or Refund to Blind Persons.
- ☐ Sec. 12-127A Abatement of Taxes on Structures of Historical or Architectural Merit.
- ☐ Sec. 12-128 Refund of Taxes Erroneously Collected from Veterans and Relatives.
- ☒ Sec. 12-129 Refund of Excess Payments.

STEPHENS JON T
38 RTE 87
COLUMBIA CT 06237-1022

2013-03-0055418
55445
/SMTC05LR88J341271
201303005418

To CAROL W. PRICE CCMC Collector of TOWN OF COLUMBIA State of Connecticut.

hereby apply for ~~abatement or~~ refund* of such part of my tax as shall represent:

~~The service exemption or~~
(State reason -- Cross out service exemption if it does not apply)
motor vehicle tax paid in full 2008 Trium Rocket Sold Aug 2014

		Tax	Interest	Lien	Fee	Total	Overpaid Tax
Total Due	07/01/2014	176.13	0.00	0.00	0.00	176.13	
Total Paid	08/01/2014	192.08	0.00	0.00	0.00	192.08	-15.95 ***
Adjusted Refund		-15.95	0.00	0.00	0.00	15.95	

PLEASE READ, SIGN, AND DATE BELOW:

I am entitled to this refund because I made the payments from funds under my control, and no other party will be requesting this refund. I understand that false or deliberately misleading statements subject me to penalties for perjury and/or for obtaining money under false pretenses.

X Jon T. Stephens
Print Name

X Jon T. Stephens
Signature of Taxpayer

X 9-25-14
Date

COLLECTOR'S RECOMMENDATION TO THE GOVERNING BODY

To the First Selectman, or _____
It is recommended that refund* of property taxes and interest in the amount of 15.95
be made to the above-named taxpayer in accordance with the provisions of Section (s): 12-129

DATED AT TOWN OF COLUMBIA, CONNECTICUT THIS 15 DAY OF September 2014

Carol W. Price
CAROL W. PRICE CCMC
(860) 228-0230

ACTION TAKEN BY GOVERNING BODY

The First Selectman, as authorized by the Board of Selectman, or _____
approved on the _____ day of _____ 20___. It was voted to refund
Property Taxes and Interest amounting to $ _____ to _____.

First Selectman

Other Governing Body

Clerk

**Cross out abatement or refund as required.