



**TOWN OF WINCHESTER
BOARD OF SELECTMEN MEETING**

Regular Meeting Agenda

May 02, 2022, 7:00PM

P. Francis Hicks Room

Streamed live on YouTube and Channel 194

FILED

CLERK'S OFFICE

1. **CALL TO ORDER** (Turn your cell phones off)

2. **PLEDGE OF ALLEGIANCE**

APR 29 2022

3. **AGENDA REVIEW**

4. **APPROVAL OF MINUTES**

**TOWN CLERK OF WINCHESTER
WINSTED, CT**

A) Minutes of Regular Meeting on April 18 , 2022

5. **CITIZENS' COMMENTS**

The Board of Selectmen welcomes public comments, speakers will be limited to three (3) minutes or less and may speak only once. Please give your name and address.

6. **TOWN MANAGER'S REPORT**

7. **CORRESPONDENCE**

8. **BOARDS AND COMMISSIONS**

9. **UNFINISHED BUSINESS**

10. **NEW BUSINESS**

A) 22-20 Approve Resolution for Finance Director Authorization (Town Manager Kelly)

B) 22-21 Proposed Line-Item Transfer (Town Manger Kelly)

C) 22-22 Proposed Line-Item Transfer (Town Manger Kelly)

D) 22-23 Proposed Line-Item Transfer (Town Manger Kelly)

E) 22-24 Refunds as Recommended by Collector of Revenues (Town Manager Kelly)

F) 22-25 Consider and possibly act on adoption of a Smoking & Cannabis Use restriction ordinance.

G) 22-26 Consider and possibly act on adoption of an ordinance establishing a Fair Rent Commission.

H) Consider and possibly act on projects funded with State grants.

Winchester 250th Anniversary 1771-2021



TOWN OF WINCHESTER
BOARD OF SELECTMEN MEETING
Regular Meeting Agenda
May 02, 2022, 7:00PM
P. Francis Hicks Room
Streamed live on YouTube and Channel 194

11. **CITIZENS' COMMENTS**

The Board of Selectmen welcomes public comments, speakers will be limited to three (3) minutes or less and may speak only once. Please give your name and address.

12. **SELECTMEN'S COMMENTS AND REPORTS**

13. **ADJOURNMENT**

Winchester 250th Anniversary 1771-2021

Town of Winchester

Board of Selectmen
Regular Meeting
Monday, April 18, 2022

Item 1 **Call to Order**

Meeting called to order by Selectman Perez at 7:03pm

Attending Members	Candy Perez (Selectman)	Jonathan Morhardt (Selectman)
	Candace Bouchard (Selectman)	Linda Groppo (Selectman)
	Steve Sedlack (Selectman)	Jack Bourque (Selectman)
Staff Members	Josh Kelly (Town Manager)	
Absent (Excused)	Todd Arcelaschi (Mayor)	

Item 2 **Pledge of Allegiance** The Pledge was recited by all

Item 3 **Agenda Review**

Item 13 (Executive Session - Town Manager Review) postponed to next Regular Meeting

Item 4 **Approval of Minutes**

- * Minutes of Regular Meeting on April 4, 2022
 - Motion - Sel. Bouchard / Second - Sel. Morhardt
 - Vote to accept minutes - Unanimous
- * Minutes of Special Meeting on April 11, 2022
 - Motion - Sel. Groppo / Second - Bouchard
 - Vote to accept minutes - Unanimous with Sel. Bourque abstaining

Item 5 **Citizens Comments**

Resident David Lapointe spoke regarding Road Bond Package
Resident Rob Asselin spoke regarding the proposed purchase of a new Fire Truck

Item 6 **Town Manager's Report** - Josh Kelly reported to Board on the following topics. . .

- * The Town was awarded \$1.8 million dollars as part of the State of Connecticut's Communities Challenge Grant. Work covered by the Grant includes improvements along the Main Street, \$800K for sidewalks, as well as \$829K for the redesign and paving of the Bridge Street intersection. Josh thanked all those involved with the application for their time and effort compiling a winning proposal.
- * ARPA's funding schedule is approaching the second half of allocations. The BOS can expect a menu of suggested second round projects during the month of May.
- * Planning and Zoning has completed an 8-24 review of the proposed sale Conservation Easements surrounding 1200 acres of Crystal lake and Rugg Brook Reservoir. It's recommendation to the BOS is to proceed with the sale.
- * The Façade and Business Start Up Programs have begun to award funds to chosen applicants.

Item 7 **Finance Directors Report**

- * Finance Director Ann Marie Rheault reviewed current General Fund, Cash Flow and CIP data
- * Recognition was extended to both the Assessors and Tax Collectors personnel for their efforts this year

Item 8 **Correspondence**

- * Town Manager Kelly read into the record E-mails from the following residents.
Michael Farrell / George Connor / Maureen and William Donovan / Marty Pillar / Kevin Steck

Item 9 **Boards and Commissions** - Sel. Sedlack introduced the following actions

- 1) Claudia DeLaCruz is submitted for Appointment as a member of the Recreation Board with a term to expire 4/2028.
Motion - Sel. Sedlack / Second - Sel. Morhardt
Vote to approve - Unanimous
- 2) Leeane Marvin (D) is submitted for Appointment as a member of the Conservation Commission with a term to expire 5/2027
Motion - Sel. Sedlack / Second - Sel. Groppo
Vote to approve - Unanimous
- 3) Ellen Babcock is submitted for Appointment as a member of the ADHOC Water Level Committee with a term to expire 4/2024.
Motion - Sel. Sedlack / Second - Sel. Perez
Vote to approve - Unanimous
- 4) Sally Mangione (R) is submitted for reappointment to the Housing Authority with a term to expire 4/2027
Motion - Sel. Sedlack / Second - Sel. Morhardt
Vote to approve - Unanimous
- 5) David Sartirana (R) submitted for reappointment to the Economic Development Commission with a term to expire 4/2027
Motion - Sel. Sedlack / Second - Sel. Bourque
Vote to approve - Unanimous

Unfinished Business -

A) 22-19 Consider and Possibly act upon a proposed appropriation and borrowing authorization for costs related to capital improvement projects consisting of (1) repairs and improvements to various Town roadways, identified in the "Ten Year Pavement Management Plan" prepared by Lenard Engineering, Inc. and on file in the Office of Public Works Department, consisting of milling and removal of waste materials, paving and materials, installation of manholes and drainage risers, traffic protection, including signage and police and flag personnel and related costs; (2) repairs and improvements to various sidewalks, consisting of demolition and removal of waste materials, installation of new materials and related costs; (3) repairs and improvements to the drainage system along Highland Lake, consisting of demolition and removal of waste materials, acquisition and installation of piping, collection basins and other materials, traffic protection, including signage and police and flag personnel, and related costs; and (4) acquisition and equipping of an aerial ladder truck or other apparatus for the Fire Department. As necessary and appropriate, the appropriation may be spent for design, demolition and construction costs, equipment, materials, utilities, site improvements, survey costs, architects' fees, legal fees, net temporary interest and other financing costs, and other expenses related to the respective project; to call a Town Meeting and referendum to act on such appropriation and borrowing authorization; to refer the project to the Planning and Zoning Commission for a report; and to make various determinations connection therewith.

* Motion Statement - "I make a motion for the following resolution."

Be it RESOLVED, that the Board of Selectmen of the Town of Winchester hereby adopts the resolution presented to this meeting approving an appropriation of \$24,700,000, for costs related to capital improvement projects consisting of (1) repairs and improvements to various Town roadways, identified in the "Initial Selection of Roads for 5 Year Capital Plan" dated January 18, 2022, prepared by the Public Works Department and on file in the office of the Public Works Department, consisting of milling and removal of waste materials, paving and materials, installation of manholes and drainage risers, traffic protection, including signage and police and flag personnel, and related costs; (2) repairs and improvements to various sidewalks, consisting of demolition and removal of waste materials, installation of new materials and related costs; (3) repairs and improvements to the drainage system along Highland Lake, consisting of demolition and removal of waste materials, acquisition and installation of piping, collection basins and other materials, traffic protection, including signage and police and flag personnel, and related costs; and (4) acquisition and equipping of an aerial ladder truck or other apparatus for the Fire Department. As necessary and appropriate, the appropriation may be spent for design, demolition and construction costs, equipment, materials, utilities, site improvements, survey costs, architects' fees, legal fees, net temporary interest and other financing costs, and other expenses related to the respective project; to the respective project, and approving the authorization of \$24,700,000 bonds and notes to finance the appropriation. A copy of the resolution shall be attached to the minutes of this meeting a made a part thereof.

FURTHER RESOLVED, that the Board of Selectmen of the Town of Winchester hereby approves the setting of the dates for a Special Town meeting and referendum to act on the appropriation and borrowing authorization approved above, as reflected in the notice of such Special Town Meeting and referendum presented to this meeting, which notice, to the extent of its references to the aforesaid appropriation and borrowing authorization, is hereby approved. A copy of this notice shall be attached to the minutes of this meeting and made a part thereof.

FURTHER RESOLVED, that said projects be referred to the Planning and Zoning Commission, as appropriate, for a report pursuant to Section 8-24 of the Connecticut General Statutes.

FURTHER RESOLVED, that in his discretion, the Town Clerk is authorized to prepare and distribute concise explanatory text regarding the referendum question on the appropriation and borrowing authorization approved above, and that, in his discretion, the Town Manager is authorized to prepare and distribute additional explanatory materials regarding such question, such texts and explanatory material to be subject to the approval of the Town Attorney and to be prepared and distributed in accordance with Section 9-369b of the General Statutes of Connecticut, Revision of 1958, as amended.

Motion - Sel. Bourque / Second - Sel. Sedlack

Vote to approve - Unanimous

B) 21-81C Consider and possibly act on the positive 8-24 review conducted by the Planning and Zoning Commission on the proposal to sell +/- 1,200 acres of Conservation Easements around Crystal Lake and Rugg Brook Reservoir.

* Town Manager Kelly read in its entirety the prepared 9 Question and Answer FAQ sheet

* Tim Abbott from Housatonic Valley Association gave a brief overview of his support and role as funds raiser for \$307,500 towards the \$750,000 sale price.

* Motion Statement - I move that the Board of Selectmen refer the matter of selling Conservation Easements around Crystal Lake and Rugg Brook Reservoir to the State of Connecticut Department of Energy & Environmental Protection to the Regular Board of Selectman meeting to be held at 7:00pm on Monday, May 16th, 2022 where the public will be permitted to vote on whether or not to execute this proposal.

Motion - Sel. Bourque / Second - Sel. Bouchard

Vote to approve - Unanimous

C) Consider and Possibly act on Proposed FY 2023 Budget and establishing a date for the Annual Town Meeting.

Motion Statement - "I move that the Board of Selectmen adopt the following changes to the Town Manager's originally proposed budget, dated March 15, 2022."

* A \$2,151 decrease to Revenue Account 1-000-700-0000, Property Taxes - Current

* A \$200,000 decrease to Revenue Account 1-999-720-0007, Education Cost Sharing (ECS)

* A \$120,000 decrease in Revenue Account 1-999-790-0000, Fund Balance

* A \$35,000 decrease in Expenditure Account 1-910-804-0000, Transfer Out Other Funds (Cap Imp)

* A \$285,000 decrease in Expenditure Account 1-910-804-0001, Town Support for Education

* A 150,000 increase in Expenditure Account 1-913-804-0000, Transfer Out to Debt Service Fund
* An \$18,000 decrease in Expenditure Account 1-911-202-0000, Sick and Vacation Pay Accrual
* A \$262,500 decrease in Expenditure Account 1-913-302-0009, Interest - 2022 Infrastructure Bond
* A \$128,349 increase in Expenditure Account 1-1000-100-1100, BOE Non-Lapsing Fund Expenditures
for a total budget of \$36,053,374 (a 3.33% increase over the FY 2022 budget) and I further move that the
Annual Town Meeting be set for Monday May 9th, 2022 at 7:00 PM at the Gilbert School for the purpose
of considering this FY 2023 budget proposal."

Motion - Sel. Bouchard / Second - Sel. Bourque

Vote to approve - Unanimous

* Motion Statement - I make a motion to appoint Debbie Angell as Moderator for the May 9 Town Meeting.

Motion - Sel. Sedlack / Second - Sel. Groppo

Vote to approve - Unanimous

Item 11

New Business

A) 22-16 Refunds as Recommended by Collector of Revenues

Motion Statement - I move that the Board of Selectmen authorize the refunds recommended by the
Collector of Revenue in the amount of \$5941.41

Motion - Sel. Bouchard / Second - Sel. Morhardt

Vote to approve - Unanimous

B) 22-17 Driveway permit variance for 680 East Wakefield Blvd

Motion Statement - "I move that the Board of Selectmen grant a driveway variance to Mr. Marino for 680
East Wakefield Blvd."

Motion - Sel. Sedlack / Second - Sel. Bourque

Vote to approve - Unanimous

C) 22-18 Proposed Line Item Transfer

Motion Statement - "I move that the Board of Selectman approve the following line-item transfers."

From Line 813-800-0001 (Healthy Aging Program) \$2500.00

From Line 813-806-0000 (Office Supplies) \$1000.00

From Line 813-820-0000 (Vehicle: Gas, Oil & Grease) \$2500.00

From Line 813-821-0000 (Maintenance of Vehicles) \$4500.00

From Line 813-846-0000 (Tires) \$600.00

To Line 813-827-0000 (Maintenance of Structures) \$11,100.00

Motion - Sel. Morhardt / Second - Sel. Sedlack

Vote to approve - Unanimous

Item 12

Citizens Comments

Resident David Lapointe spoke regarding a number of Local and National issues.

Item 13 **Executive Session** - (Postponed to the next Regular Selectman's meeting)

A) Annual Review of Town Manager

Item 14 **Selectmen's Comments and Reports**

- * Selectman Bouchard reminded residents about the upcoming Earth Day Clean Up initiative
- * Selectman Morhardt gave a detailed review of the most recent Recreation Board meeting
- * Selectman Bourque spoke regarding a Soldiers Monument Committee Park Improvement Initiative
- * Selectman Perez highlighted the Boards accomplishments of keeping the Tax Mill Rate flat for the past 6 years along with reduced spending and increased funding from recent ARPA and Grant awards.

Item 15 **Meeting Adjournment**

* Motion - Sel. Sedlack / Second - Sel. Perez

To adjourn the meeting at 9:40pm

Vote to approve - Unanimous

ATTEST:

Glenn Albanesius, Town Clerk



TOWN OF WINCHESTER – CITY OF WINSTED

Town Hall – 338 Main Street

WINSTED, CONNECTICUT 06098

TO: Board of Selectmen
FROM: Josh Kelly, Town Manager
SUBJECT: Manager's Report
MEETING DATE: May 2, 2022

Below you will find a list of updates that highlight activities occurring around town since the Board last met and some reminders of activities that occurred in the prior month or that are coming soon. If you have any questions about these items or items that do not appear on this list, please email me at townmanager@townofwinchester.org.

- **508 Main Street:** We are again accepting proposals to make use of this space between now and Thursday, May 5th, at noon.
- **ARPA:** We are rapidly approaching July 1st, which is when the Town will receive the other 50% of its ARPA funding. Later in May, I hope to come to the Board with a proposal on how to spend the remaining ARPA funds.
- **Batcheller School:** The Director of Public Works, Jim Rollins, and I met with Nancy O'Dea-Wyrick from Winchester Public Schools in April to talk about the Town taking back possession of Batcheller School. That transition from School control to Town control is expected to take place with the change of the fiscal year. At that time, the school should be ready to sell. Jim and I are working to have a plan to you in May to get that building on the market.
- **Communities Challenge Grant:** We have been contacted by the State on this matter and have been informed that we will receive an acceptance document in the near future to get moving on these projects.
- **Conservation Easements:** At our next regular meeting, there will be a Special Town Meeting held for the purposes of approving the sale of +/- 1,200 acres of conservation easements to the State of Connecticut in the watersheds surrounding our drinking water supply (Crystal Lake and Rugg Brook reservoirs).
- **Economic Development:** Our new Director of Economic Development and the Economic Development Commission, in partnership with Northwest Community Bank, successfully planned and held a "Celebrate Winchester Business" event, held at the American Mural Project, this past Wednesday. It was very well attended, and I don't think that anyone could leave the program without some sense of optimism about the town and excitement for the growth that the town has seen in recent history.

Winchester 250th Anniversary 1771-2021

- **Façade & Business Start-Up Programs:** The Town is no longer accepting Façade Improvement Program applications, but is still actively seeking Business Start-Up Program applications. Round 1 awards have been made under both programs, and Round 2 awards will be made in May and thereafter as Start-Up applications continue to come in.
- **Infrastructure:** There will be a special town meeting held on May 24th to present more information about the proposed bond authorization to the public.

Here are a few upcoming events to mark on your calendars:

- Monday, May 9th: 7:00 PM Annual Town Meeting to move the proposed budget to referendum at the Gilbert School (200 Williams Ave).
- Monday, May 16th: 7:00 PM Regular Board of Selectmen Meeting and Special Town Meeting to authorize the sale of +/- 1,200 acres of conservation easements to the State of Connecticut in the watershed surrounding our drinking water supply (Crystal Lake and Rugg Brook reservoirs) at the Town Hall (338 Main Street).
- Saturday, May 21st: Lots of 250th anniversary related events! Check the Town's website for more information.
- Tuesday, May 24th: 7:00 PM Special Town Meeting to vote on the bond authorization at Pearson School (2 Wetmore Avenue).
- Saturday, May 28th: projected date for the Annual Budget (and Bonding) Referendum at Pearson School (2 Wetmore Ave).

Respectfully submitted,



Joshua Steele Kelly
Town Manager & CEO

CC: Terry Hall, Administrative Assistant

Winchester 250th Anniversary 1771-2021

Town of Winchester

2022 VOTING CALENDAR

May 9, 2022	Annual Town Meeting * 22-23 Municipal Budget (vote to approve resolution and move to 5/28 referendum)	Gilbert High School
May 16, 2022	Special Town Meeting / Part of Regular BOS Meeting * Conservation Easement (vote to approve/reject)	Town Hall - Hicks Room
May 24, 2022	Special Town Meeting * Infrastructure Bond Review and Discuss Details Only (BOS action already moved resloution to referendum)	Pearson School
May 28, 2022	Referendum * 22-23 Municipal Budget (vote to approve/reject) * Infrastructure Bond (vote to approve/reject)	Pearson School

Boards & Commissions

CONSIDERATION

Date	Name	Board/Commission	Party Affiliation	Permanent/Alternate	Term Dates	Appointing Authority
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NOMINATIONS

Date	Name	Board/Commission	Party Affiliation	Permanent/Alternate	Term Dates	Appointing Authority
05/02/2022	Tyler Tucker	Economic Development Commission	U	Alternate Member	4/2027	BOS
05/02/2022	Joseph Santoro	Economic Development Commission	U	Alternate Member	4/2026	BOS

APPOINTMENTS

Date	Name	Board/Commission	Party Affiliation	Permanent/Alternate	Term Dates	Appointing Authority
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RE-APPOINTMENT

Date	Name	Board/Commission	Party Affiliation	Permanent/Alternate	Next Term Exp	Appointing Authority
05/02/2022	Jeffrey Lippincott	IWWC	R	Member	4/2027	BOS
05/02/2022	Stephen Molinelli	IWWC	U	Member	4/2027	BOS
05/02/2022	Mary Ann Marino	IWWC		Member	4/2027	BOS
05/02/2022	Jill Fourie	Economic Development Commission	D	Member	4/2027	BOS

RESIGNATION

Date	Name	Board/Commission	Party Affiliation	Permanent/Alternate	Next Term Exp	Appointing Authority
05/02/2022	James Welton	Economic Development Commission	R	Alternate Member	4/2026	BOS
05/02/2022	David Carter	Zoning Board of Appeals	R	Alternate Member	12/2025	BOS

APPLICATION FOR APPOINTMENT TO A BOARD/COMMISSION

WINCHESTER, CONNECTICUT

338 Main St. Winsted CT 06098 860 379-2713
www.townofwinchester.org

If you are interested in the well-being and betterment of our community and are willing to put in the time to review appropriate material and attend meetings, this is an opportunity for you to apply to become a member of one of our Boards or Commissions. This application will be reviewed by the Board of Selectmen. The Board of Selectmen is responsible for making appointments for Board/Commission vacancies.

LIST THE BOARD/COMMISSION YOU ARE INTERESTED IN SERVING:

Winchester Economic Development Commission

NAME: Tyler Tucker

ADDRESS: 215 South Road, Winsted, CT 06098

HOME PHONE #: _____ CELL PHONE #: 8602013281 E-MAIL: tylertuckerj@gmail.com

ARE YOU A REGISTERED VOTER IN THE TOWN OF WINCHESTER? Yes

PRIOR CIVIC INVOLVEMENT: Volunteered at Youth Soccer Events

SHORT SYNOPSIS OF EXPERTISE AND/OR INTEREST:

I have lived and worked in Winchester my whole life, I own and operate a small digital marketing business in Winsted, and I studied Marketing and Sales at Bryant University and Northwestern Connecticut Community.

Have you contacted any current members or attended any meetings on the Board/Commission that interests you? Yes, I have attended a meeting. Name: Dennis Dressel

Signature: *Tyler Tucker* Date: 4-19-22

Please note that all Board/Commission members are subject to the Town of Winchester's Conflict of Interest Policy

Please Return To:
Town Manager
338 Main St.
Winsted CT 06098
townmanager@townofwinchester.org

APPLICATION FOR APPOINTMENT TO A BOARD/COMMISSION
WINCHESTER, CONNECTICUT

338 Main St. Winsted CT 06098 860 379-2713
www.townofwinchester.org

If you are interested in the well-being and betterment of our community and are willing to put in the time to review appropriate material and attend meetings, this is an opportunity for you to apply to become a member of one of our Boards or Commissions. This application will be reviewed by the Board of Selectmen. The Board of Selectmen is responsible for making appointments for Board/Commission vacancies.

LIST THE BOARD/COMMISSION YOU ARE INTERESTED IN SERVING:

Economic Development Commission

NAME: JOSEPH Santoro

ADDRESS: 218 Torrington Street Winsted Ct 06098

HOME PHONE #: 860 806 2178 CELL PHONE #: 860 806 2178 E-MAIL: Joseph.Santoro@outlook.com

ARE YOU A REGISTERED VOTER IN THE TOWN OF WINCHESTER? yes

PRIOR CIVIC INVOLVEMENT: None

SHORT SYNOPSIS OF EXPERTISE AND/OR INTEREST: I am an Eagle Scout and am attending Northwestern Connecticut Community College for Sales and marketing. I am well versed in marketing, website development and social media management.

Have you contacted any current members or attended any meetings on the Board/Commission that interests you? yes Name: Dennis Dressel

Signature: Joseph Santoro Date: 04/10/2022

Please note that all Board/Commission members are subject to the Town of Winchester's Conflict of Interest Policy

Please Return To:
Town Manager
338 Main St.
Winsted CT 06098
townmanager@townofwinchester.org

Terry Hall

From: Pam Colombie
Sent: Friday, April 22, 2022 11:25 AM
To: Terry Hall; Jeff Lippincott
Subject: Jeff Lippincott - Inland Wetlands and Watercourses Commission

Hi Terry:

I happened to be speaking to Jeff Lippincott yesterday and he mentioned that he had received a letter the Town inquiring whether he planned to continue to serve on the IWWC. He confirmed that he is interested.

I have copied Jeff on this email so in case you didn't have it in your files.

Thanks,

Pam Colombie, Land Use
Office of Community Planning and Development
Town of Winchester
338 Main Street, Winsted, CT 06098
phone: (860) 738-6593 cell phone: (860) 960-7003

Terry Hall

From: Pam Colombie
Sent: Wednesday, April 27, 2022 9:13 PM
To: Terry Hall; Steve Molinelli (Smolinelli@charter.net)
Subject: FW: IWWC Term Expiring in April
Attachments: winmail.dat

Thanks, Steve. I think this will do it. Thanks again!

-----Original Message-----

From: Stephen Molinelli <smolinelli@charter.net>
Sent: Wednesday, April 27, 2022 9:11 PM
To: Pam Colombie <pcolombie@townofwinchester.org>
Subject: Re: IWWC Term Expiring in April

I already responded to the letter I received a few weeks ago and spoke directly with our Town Manager informing him of my desire to be nominated again to serve on INWL's commission. He said that he would forward my name to the Selectmen for approval at their next meeting. Please let me know if anything else needs to be done.

Sent from my iPhone

> On Apr 27, 2022, at 5:02 PM, Pam Colombie <pcolombie@townofwinchester.org> wrote:
>
> Good afternoon:
> Terry Hall, the Town Manager's Admin Assistant, reached out this afternoon and reminded me that your term on the
> Inland Wetlands and Watercourses Commission expires in April, 2022. Would you please confirm that you plan to
> continue to serve so that she can include that reappointment as an action item for the Board of Selectmen at their May
> 2nd regular meeting?
>
>
> Thanks,
>
> Pam Colombie, Land Use
> Office of Community Planning and Development Town of Winchester
> 338 Main Street, Winsted, CT 06098
> phone: (860) 738-6593 cell phone: (860) 960-7003
>

Terry Hall

From: Mary Ann Marino <maryannmarinola@gmail.com>
Sent: Wednesday, April 27, 2022 8:16 PM
To: Pam Colombie
Cc: Terry Hall
Subject: Re: IWWC Term Expiring in April

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Hi Pam,
Yes, I plan to continue to serve!
Best,
Mary Ann

Sent from my iPhone

On Apr 27, 2022, at 4:02 PM, Pam Colombie <pcolombie@townofwinchester.org> wrote:

Good afternoon:

Terry Hall, the Town Manager's Admin Assistant, reached out this afternoon and reminded me that your term on the Inland Wetlands and Watercourses Commission expires in April, 2022. Would you please confirm that you plan to continue to serve so that she can include that reappointment as an action item for the Board of Selectmen at their May 2nd regular meeting?

Thanks,

Pam Colombie, Land Use
Office of Community Planning and Development
Town of Winchester
338 Main Street, Winsted, CT 06098
phone: (860) 738-6593 cell phone: (860) 960-7003

4/28/2022

I spoke with Jill Fourie at the EDC After hours event on 4/27 about her Commission expiring. She shared with me that she wishes to be re-appointed to the Economic Development Commission.

Thank you,

A handwritten signature in blue ink, appearing to read "Terry Hall". The signature is fluid and cursive, with the first name "Terry" and last name "Hall" clearly distinguishable.

Terry Hall

From: Jim Welton <jimwelton21@gmail.com>
Sent: Thursday, April 21, 2022 11:32 AM
To: Joshua Kelly <joshuastelekelly@gmail.com>; Dennis Dressel
<dennis.dressel@assuredpartners.com>; Josh Kelly <jskelly@townofwinchester.org>
Subject: Resignation

Caution! This message was sent from outside your organization.

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Josh

I regretfully am submitting my resignation from the Winchester EDC. I am away half the year, and am coaching in the spring, so it is difficult to make meetings. I understand that there are several people who are interested in participating in the EDC and my resignation will open a spot for them.

I will continue to support and participate in Winchester initiatives, and the EDC in any way possible. I would like to recognize the leadership of Dennis Dressel and incoming Commissioner Dewey Yeager who has guided us to a new and better path since I started 5 years ago.

Always there for you guys!

All the best, Jim Welton

203-589-0542
jimwelton21@gmail.com

Terry Hall

From: Josh Kelly
Sent: Thursday, April 28, 2022 10:00 AM
To: Terry Hall
Subject: FW: Resignation from Zoning Board of Appeals

*Joshua Steele Kelly
Town Manager & CEO
Town of Winchester, CT*

Connect with the Town online:

[Facebook](#) | [Nextdoor](#) | [YouTube](#)

[Instagram](#) | [Twitter](#) | [LinkedIn](#)

From: Pam Colombie <pcolombie@townofwinchester.org>
Sent: Wednesday, April 27, 2022 5:07 PM
To: Josh Kelly <jskelly@townofwinchester.org>
Subject: FW: Resignation from Zoning Board of Appeals

Hi Josh:

Please see below and the following FYI...

With David Carter's resignation, it leaves the Zoning Board of Appeals with only 5 seated members. As you may recall, approvals from that board require 4 affirmative votes, so if a member is absent and there are only four seated, approval for a proposal requires unanimous support. The Board requested I communicate to you the situation so that you may in turn inform/advise the Board of Selectmen of a real need for volunteers to this group.

From: Pam Colombie
Sent: Wednesday, April 27, 2022 5:56 AM
To: David Carter <dc18thcorp73@gmail.com>; Glenn Albanesius <galbanesius@townofwinchester.org>
Subject: Resignation from Zoning Board of Appeals

Hi David: I have copied Town Clerk Glenn Albanesius on this email as you advised at last evening's meeting of the Zoning Board of Appeals of your intended resignation. You indicated that this would be your final meeting with this board as you had a very quick sale on your home. On behalf of the Planning Department, please accept our sincere best wishes with your move to Oklahoma and appreciation for your volunteer service to the town. You will certainly be missed, David. Good luck with your new home and new community!

Hi Glenn: Please communicate to David if you need any further confirmation of his resignation.

Thanks,

Pam Colombie, Land Use
Office of Community Planning and Development
Town of Winchester

BOARD OF SELECTMEN AGENDA ITEM SUMMARY

No.: 22-20

Date: May 2, 2022

Topic: New Business (A)- Resolution to Approve Finance Director Authorization

From: Josh Kelly, Town Manager

Background & Information: Ann Marie Rheault was appointed as the Town's Director of Finance effective on January 1, 2022. Over the past few months, the former Director of Finance, Bruce Stratford, has been offering his time to help support the transition. Now that we are reaching the end of this, it is important to adopt a resolution that formally authorizes Ann Marie's status as a signer on the Town's bank accounts and removes Bruce from that position.

Requested Action: I ask that the Board of Selectmen please adopt the attached resolution.

Fiscal Implications: None.

Manager's Recommendation: I ask that the Board of Selectmen please adopt the attached resolution.

Recommended Motion: "I move that the Town adopt the attached draft resolution, entitled "Resolution to Approval Finance Director Authorization," as presented."

Attachments: "Resolution to Approve Finance Director Authorization."



TOWN OF WINCHESTER – CITY OF WINSTED

Town Hall – 338 Main Street

WINSTED, CONNECTICUT 06098

APPROVING RESOLUTION 22-05

TOWN OF WINCHESTER, CT RESOLUTION TO APPROVE FINANCE DIRECTOR AUTHORIZATION

CERTIFICATION:

I, Glenn Albanesius, the Town Clerk of the Town of Winchester, do hereby certify that the following is a true and correct copy of a resolution adopted by Board of Selectmen at its duly called and held meeting on May 2, 2022, at which a quorum was present and acting throughout, and that the resolution has not been modified, rescinded, or revoked and is at present in full force and effect:

WHEREAS, Ann Marie Rheault was appointed as Director of Finance for the Town of Winchester by the Town Manager on January 1, 2022; therefore be it

RESOLVED, that Ann Marie Rheault is authorized and directed to execute and sign any and all documents on behalf of the Town of Winchester's Finance Department and to do and perform all acts and things which he/she deems to be necessary or appropriate to carry out the terms of her position as Finance Director; and be it further

RESOLVED, that Ann Marie Rheault be added to the Town's bank accounts as a signer until such a time as she no longer serves as the Director of Finance for the Town of Winchester; and be it further

RESOLVED, that the former Director of Finance be removed from access to all related Town accounts.

The undersigned further certifies that Ann Marie Rheault now holds the office of Finance Director and that he/she has held that office since January 1, 2022.

IN WITNESS WHEREOF, the undersigned has affixed his signature and the municipal seal of the Town of Winchester, Connecticut, on the day of 2022.

Glenn Albanesius, Town Clerk
Town of Winchester

BOARD OF SELECTMEN ACTION REQUEST

No.: 22-21

Date: May 02, 2022

Topic: New Business (B)- Proposed Line-Item Transfers (with attachments)

From: Joshua Kelly, Town Manager

Background: The Town of Winchester Charter (as amended) provides for the intra-departmental transfer of funds:

Section 915.

INTRA-DEPARTMENTAL TRANSFER OF APPROPRIATIONS Upon the request of the Manager, but only within the last three (3) months of the fiscal year, the Board of Selectmen may, by resolution, transfer any unencumbered appropriation, balance, or portion thereof, from one department, commission, board, or office to another. No transfer shall be made from any appropriation for debt service and other statutory charges. Notwithstanding the above, no transfer shall be made from any appropriation for an uncompleted capital improvement or from a department sinking fund without approval of the Town acting by referendum.

Requested Action: The Board of Selectmen should consider the proposed line- item transfers.

In accordance with Section 915, Finance Director Ann Marie Rheault has requested a transfer of funds to cover FY22 year-end deficits.

Fiscal Implications:

FROM: Recreation (812)		
<u>Line</u>	<u>Description</u>	<u>Amount</u>
812-824-0001	Property Tax-Willow St	\$900.00
812-194-0000	General Labor	\$10,000.00
TO: Recreation (812)		
<u>Line</u>	<u>Description</u>	<u>Amount</u>
812-827-0000	Maintenance of Grounds	\$10,900.00

Recommended Motion: I move that the Board of Selectmen approve the line-item transfer of \$900 from Property Tax-Willow St (812-824-0001), \$10,000 from General Labor (812-194-0000) to Maintenance of Grounds (812-827-0000) in the amount of \$10,900.



In accordance with Section 915, Finance Director Ann Marie Rheault has requested a transfer of funds to cover charges for Maintenance of Equipment.

Fiscal Implications: none

FUND TRANSFERS - TOWN OF WINCHESTER

1. DEPARTMENT REQUESTING TRANSFER

812- Recreation

2. TOTAL AMOUNT & FISCAL YEAR OF TRANSFER

\$10,900

FY22

ACCOUNT(S) TRANSFERRED FROM: Fund: DEPT# OBJECT# OBJECT# AMOUNTS

Property Tax - Willow St		1	812	824	0001	\$900
General Labor		1	812 813	194	0000	\$10,000

ACCOUNT(S) TRANSFERRED TO Fund: DEPT# OBJECT# SUB-OBJECT# AMOUNTS

Maintenance of Grounds		1	812	827	0000	\$10,900

3. REASON FOR REQUEST AND HOW SOURCE ACCOUNT CAN WITHSTAND TRANSFER: (ANTICIPATED ITEMIZED EXPENDITURE WHICH REQUIRES INCREASE FUNDING)

No property tax incurred on Willow St., and no additional personnel hired yet (still waiting on Civil Service Commission to authorize part time staff). Balance available in 1-812-194 General Labor account if we hire in May or June of 2022.

4. REQUESTING DEPARTMENT HEAD SIGNATURE: (PER SECTION 914 OF TOWN CHARTER) FURTHER COMMENTS:

5. DIRECTOR OF FINANCE VERIFICATION OF FUNDING SOURCE'S ABILITY TO FUND THIS REQUEST:

see attached list of requested expenditures / Am Rheault 4/28/2022

6. TOWN MANAGER'S APPROVAL AND RECOMMENDATION: (PER SECTIONS 914 AND 915 OF TOWN CHARTER) FURTHER COMMENTS:

PJB 4/28/2022

7. DATE SUBMITTED TO BOARD OF SELECTMEN

8. DATE APPROVED BY BOARD OF SELECTMEN

CC: Town Manager, Director of Finance, Purchasing Director, Department Requesting Fund Transfer

Ann Marie Rheault

From: Tanya Risucci
Sent: Monday, April 18, 2022 1:02 PM
To: Ann Marie Rheault
Subject: fund transfer

Ann Marie,

The fund tranfer I would like to do the following:

Electrical work at band stand est \$400

On deck circles for baseball and softball field beacon athletics 4 thick rubber pads \$1110

Portion of the boiler for the playground building. Still waiting on quotes est cost around 10-13K would like to put 6K down in this budget and have it complete before summer camp starts.

Tanya Risucci

Winsted Recreation Director

<https://winstedct.myrec.com/info/default.aspx>

860-738-6964

BOARD OF SELECTMEN ACTION REQUEST

No.: 22-22

Date: May 02, 2022

Topic: New Business (C)- Proposed Line-Item Transfers (with attachments)

From: Joshua Kelly, Town Manager

Background: The Town of Winchester Charter (as amended) provides for the intra-departmental transfer of funds:

Section 915.

INTRA-DEPARTMENTAL TRANSFER OF APPROPRIATIONS Upon the request of the Manager, but only within the last three (3) months of the fiscal year, the Board of Selectmen may, by resolution, transfer any unencumbered appropriation, balance, or portion thereof, from one department, commission, board, or office to another. No transfer shall be made from any appropriation for debt service and other statutory charges. Notwithstanding the above, no transfer shall be made from any appropriation for an uncompleted capital improvement or from a department sinking fund without approval of the Town acting by referendum.

Requested Action: The Board of Selectmen should consider the proposed line- item transfers.

In accordance with Section 915, Finance Director Ann Marie Rheault has requested a transfer of funds to cover FY22 year-end deficits.

Fiscal Implications:

FROM: Fire Department (211)

<u>Line</u>	<u>Description</u>	<u>Amount</u>
211-832-0000	Contracted Labor	\$1,400.00
211-809-0000	Maintenance of Office Equipment	\$1,000.00
211-900-0006	Pay Per Call	\$3,000.00

TO: Fire Department (211)

<u>Line</u>	<u>Description</u>	<u>Amount</u>
211-826-0000	Maintenance of Equipment	\$5,400.00

Recommended Motion: I move that the Board of Selectmen approve the line-item transfer of \$1,400 from Contracted Labor (211-832-0000), \$1,000 from Maintenance of Office Equipment (211-809-0000), \$3,000 from Pay Per Call (211-900-0006), to Maintenance of Equipment (211-826-0000) in the amount of \$5,400.



In accordance with Section 915, Finance Director Ann Marie Rheault has requested a transfer of funds to cover charges for Maintenance of Equipment.

Fiscal Implications: none

FUND TRANSFERS - TOWN OF WINCHESTER

1. DEPARTMENT REQUESTING TRANSFER

Fire Department

2. TOTAL AMOUNT & FISCAL YEAR OF TRANSFER

\$5400 2022

ACCOUNT(S) TRANSFERRED FROM:

	DEPT#	OBJECT#	OBJECT#	AMOUNTS
Contracted Labor	211	832	0000	\$1,400.00
Maintenance of Office Equipment	211	809	0000	\$1,000.00
Pay Per Call	211	900	0006	\$3,000.00

ACCOUNT(S) TRANSFERRED TO

	DEPT#	OBJECT#	SUB- OBJECT#	AMOUNTS
Maintenance of Equipment	211	826	0000	\$5,400.00

3. REASON FOR REQUEST AND HOW SOURCE ACCOUNT CAN WITHSTAND TRANSFER:

(ANTICIPATED ITEMIZED EXPENDITURE WHICH REQUIRES INCREASE FUNDING)

Maintenance of equipment exceeds current budget due to additional repairs on a apparatus.

Pay per Call will be less than anticipated, Office Equipment will be less due to lease of copier just ordered but not in.

Contracted Labor is for filling in of Daytime driver when on vacation, he has not taken vacation for this current year.

4. REQUESTING DEPARTMENT HEAD SIGNATURE:

(PER SECTION 914 OF TOWN CHARTER) FURTHER COMMENTS:

5. DIRECTOR OF FINANCE VERIFICATION OF FUNDING SOURCE'S ABILITY

TO FUND THIS REQUEST:

See attached request + support. AmRhant 4/28/2022

6. TOWN MANAGER'S APPROVAL AND RECOMMENDATION:

(PER SECTIONS 914 AND 915 OF TOWN CHARTER) FURTHER COMMENTS:

 4/28/2022

7. DATE SUBMITTED TO BOARD OF SELECTMEN

8. DATE APPROVED BY BOARD OF SELECTMEN

CC: Town Manager, Director of Finance, Purchasing Director, Department Requesting Fund Transfer

Ann Marie Rheault

From: James Lagassie
Sent: Monday, April 25, 2022 11:09 AM
To: Alison Pierce; Josh Kelly; Ann Marie Rheault
Subject: Budget transfer
Attachments: New England Fire 4-25-2022.xls; Fund transfer 4-25-2022.xls

Good morning! Attached is a budget transfer. I had to send Squad 5, our Rescue Pumper out for annual service, it was overdue.

We only have \$600 in maintenance of Equipment, attached is the request for a purchase order. Hopefully, we just need the preventative maintenance and no other repairs. The request of the transfer is for \$5400, the hope is that will carry us to the next fiscal year with our maintenance of equipment.

Please let me know if you have any questions.

Jamie

Sent from [Mail](#) for Windows

Town of Winchester
Winsted Fire Department

Deliver To Winsted Fire Department				Date of Requisition 4/25/2022	
			Requested By JL	Approved By	
Charge To 211-826-0000				Date Ordered	
The Following Wanted For Annual PM Squad 5				Purchase Order No.	
Quantity	Item #	Description		Unit Cost	Total
1		Annual PM		\$850.00	\$850.00
1		Transmission service		\$525.00	\$525.00
1		Annual pump test		\$250.00	\$250.00
1		Undercoating		\$150.00	\$150.00
1		Light tower service		\$145.00	\$145.00
1		Annual DOT inspaction		\$250.00	\$250.00
				Total	\$2,170.00
Filled By JL	Priced By JL	Entered By	Received By	Date Received	

Below for Use by Purchasing Department Only

Ordered From New England Fire Equipment	Via	F.O.B.	Terms
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BOARD OF SELECTMEN ACTION REQUEST

No.: 22-23

Date: May 02, 2022

Topic: New Business (D)- Proposed Line-Item Transfers (with attachments)

From: Joshua Kelly, Town Manager

Background: The Town of Winchester Charter (as amended) provides for the intra-departmental transfer of funds:

Section 915.

INTRA-DEPARTMENTAL TRANSFER OF APPROPRIATIONS Upon the request of the Manager, but only within the last three (3) months of the fiscal year, the Board of Selectmen may, by resolution, transfer any unencumbered appropriation, balance, or portion thereof, from one department, commission, board, or office to another. No transfer shall be made from any appropriation for debt service and other statutory charges. Notwithstanding the above, no transfer shall be made from any appropriation for an uncompleted capital improvement or from a department sinking fund without approval of the Town acting by referendum.

Requested Action: The Board of Selectmen should consider the proposed line- item transfers.

In accordance with Section 915, Finance Director Ann Marie Rheault has requested a transfer of funds to cover FY22 year-end deficits.

Fiscal Implications:

FROM: Public Works (313) Cemeteries

<u>Line</u>	<u>Description</u>	<u>Amount</u>
313-194-0000	General Labor	\$10,000.00

TO: Public Works (313)

<u>Line</u>	<u>Description</u>	<u>Amount</u>
313-831-0000	Contracted Services	\$10,000.00

Recommended Motion: I move that the Board of Selectmen approve the line-item transfer of \$10,000 from General Labor (313-194-0000) to Contracted Services (313-831-0000) in the amount of \$10,000.



In accordance with Section 915, Finance Director Ann Marie Rheault has requested a transfer of funds to cover charges for Maintenance of Equipment.

Fiscal Implications: none

FUND TRANSFERS - TOWN OF WINCHESTER

22-Apr-2022

1. DEPARTMENT REQUESTING TRANSFER

Public Works - 313 Cemeteries

2. TOTAL AMOUNT OF TRANSFER

\$10,000.00

ACCOUNT(S) TRANSFERRED FROM:

DEPT#

OBJECT#

OBJECT#

AMOUNTS

General Labor			313	194	0000	\$10,000.00

ACCOUNT(S) TRANSFERRED TO

DEPT#

OBJECT#

OBJECT#

AMOUNTS

Contracted	Services		313	831	0000	\$10,000.00

3. REASON FOR REQUEST AND HOW SOURCE ACCOUNT CAN WITHSTAND TRANSFER:
(ANTICIPATED ITEMIZED EXPENDITURE WHICH REQUIRES INCREASE FUNDING)

Remainder of 2022 Mowing contract for all cemeteries \$13,001.43 (per contract)

Source Account: 313-194-0000	Proposed Transferred account 313-831-0000
\$ 16,768.85 Current Balance	\$ 3,248.57 Current Balance
- \$ 10,000 Proposed Transfer	+\$10,000 Proposed Increase
\$ 6,768.85 Remaining Balance	\$ 13,248.57 Proposed Balance

4. REQUESTING DEPARTMENT HEAD SIGNATURE:

(PER SECTION 914 OF TOWN CHARTER) FURTHER COMMENTS:

J. Reardon 4/22/2022

5. DIRECTOR OF FINANCE VERIFICATION OF FUNDING SOURCE'S ABILITY
TO FUND THIS REQUEST:

Andrew Heurt 4/28/2022

6. TOWN MANAGER'S APPROVAL AND RECOMMENDATION:

(PER SECTIONS 914 AND 915 OF TOWN CHARTER) FURTHER COMMENTS:

J. S. B. 4/28/2022

7. DATE SUBMITTED TO BOARD OF SELECTMEN

8. DATE APPROVED BY BOARD OF SELECTMEN

BOARD OF SELECTMEN ACTION REQUEST

No.: 22-24

Date: May 02, 2022

Topic: New Business (E)- Refunds as Recommended by the Collector of Revenue (with attachments)

From: Josh Kelly, Town Manager

Background: The Town Collector of Revenue has recommended that the refunds described in the attached correspondence be authorized in accordance with Connecticut General Statutes Section 12-129.

Requested Action: The Board of Selectmen should authorize the Town Manager to approve the described refunds.

Fiscal Implications: The described refunds total \$3323.75

Manager's Recommendation: I recommend that the Board of Selectmen authorize the refunds recommended by the Collector of Revenue.

Recommended Motion: *I move that the Board of Selectmen authorize the refunds recommended by the Collector of Revenue in the amount of \$3323.75.*

Attachment:

- Grand List 2018 Refunds
- Grand List 2019 Refunds
- Grand List 2020 Refunds



The attached list represents taxes that have been corrected by authority of the provision of Section 12-129 of the General Statutes, and by the Assessor or Public Works Director of the Town of Winchester. The taxes/water and/or sewer amounts shown below have been paid and requests received for refunds of the same.

LIST #/GL YR	TAX TYPE	TAXPAYER	AMOUNT OF REFUND/REASON
10283	2019 MV	DIANE	\$6.86
	ARCHER	201 BIRCH ST	OVER PAYMENT
		WINSTED, CT 06098	
140094	2019 MV	NEIL	\$33.81
	LANG	244 E WAKEFIELD BLVD	C OF C
		WINSTED, CT 06098	
MV		TOTAL REFUNDS BY TYPE	\$40.67
1337	2019 RE		\$2,061.37
	CT3	P O BOX 868	C OF C
	VENTURES	LAKEWOOD, NJ 08701	
1656	2020 RE	MICHAEL OR LOIS	\$179.60
	DIMARTINO	76 STANTON AVE	OVER PAYMENT
		WINSTED, CT 06098	
10083	2020 RE	PATRICK OR MARY ANNE	\$338.77
	KELMELIS	113 PRESTON RD	OVER PAYMENT
		WINSTED, CT 06098	
3097	2020 RE	JOAN	\$305.89
	MACKIE	129 FOX DEN RD	OVER PAYMENT
		BRISTOL, CT 06010	
3590	2020 RE	ATT: ACCOUNTING DEPT	\$300.00
	NORTHWE	86 MAIN ST	OVER PAYMENT
	ST COMM	WINSTED, CT 06098	
4395	2020 RE	PATRICIA	\$11.65
	SISSON	31 SUMMER ST	OVER PAYMENT
		TORRINGTON, CT 06790	
3597	2018 RE	JAMES OR LYNNE	\$9.06
	TOTH	209 RIGGS ST	OVER PAYMENT
		OXFORD, CT 06478	
4943	2020 RE	C/O VALERIE LOCHNER	\$13.85
	WHEELER	539 WHEELERS POINT	OVER PAYMENT
	S POINT	WINSTED, CT 06098	
RE		TOTAL REFUNDS BY TYPE	\$3,220.19

It is recommended that refunds in the amount as stated above be made to the taxpayers listed, in accordance with the provisions of said General Statutes, Section 12-129.

4/27/2022

Date of Report


Halaree Monnerat, Collector of Revenue

APPROVED FOR PAYMENT:

DATED: _____

Town Manager

I have received from Town Accountant the above checks to cover the refunds as stated above.

Date: _____

Collector of Revenue



The attached list represents taxes that have been corrected by authority of the provision of Section 12-129 of the General Statutes, and by the Assessor or Public Works Director of the Town of Winchester. The taxes/water and/or sewer amounts shown below have been paid and requests received for refunds of the same.

LIST #/GL YR	TAX TYPE	TAXPAYER	AMOUNT OF REFUND/REASON
30117 2020	SUPP CONNORS	TAMARA 57 PROSPECT ST WINSTED, CT 06098	\$24.15 DUPLICATE PAYMENT
190040 2020	SUPP SCHMIDT	TIFFANY 293 COLEBROOK RD WINSTED, CT 06098	\$38.74 DUPLICATE PAYMENT
SUPP TOTAL REFUNDS BY TYPE			\$62.89
NUMBER OF REFUNDS	12	TOTAL REFUNDS	\$3,323.75

It is recommended that refunds in the amount as stated above be made to the taxpayers listed, in accordance with the provisions of said General Statutes, Section 12-129.

4/27/2022

Date of Report


Halaree Monnerat, Collector of Revenue

APPROVED FOR PAYMENT:

DATED: _____

Town Manager

I have received from Town Accountant the above checks to cover the refunds as stated above.

Date: _____

Collector of Revenue

BOARD OF SELECTMEN AGENDA ITEM SUMMARY

No.: 22-25

Date: May 2, 2022

Topic: New Business (F)- **Ordinance to Restrict Smoking & Cannabis Use**

From: Josh Kelly, Town Manager

Background & Information: On July 1, 2021, it became legal for adults age 21+ (regardless of medical status) to possess 1.5 ounces of cannabis in Connecticut. Between July 1 and December 31, 2022, retail sales of regulated cannabis will begin in the state. On July 1, 2023, adults age 21+ will be able to begin growing as many as six unregulated cannabis plants in their home. Given the influx of cannabis in the state and in our community, earlier this year the Board of Selectmen asked me to prepare a draft ordinance prohibiting the use of cannabis on Town property. The Town Attorney has this draft ordinance language and is currently reviewing it, so please expect to see some level of changes at your next meeting.

Requested Action: I ask that the Board of Selectmen review the attached draft ordinance and make recommendations on changes they would like to see made so that the adoption process may move forward.

Fiscal Implications: There will be personnel costs in the Police Department associated with enforcing this ordinance, but fines levied will help cover those costs. Overall, I do not expect this ordinance to be an unreasonable burden on the Police Department or its budget.

Manager's Recommendation: I ask that the Board of Selectmen review the attached draft ordinance and make recommendations on changes they would like to see made so that the adoption process may move forward.

Recommended Motion: None.

Attachments: Draft Ordinance entitled "Smoking & Cannabis Use"

Chapter XX

SMOKING & CANNABIS USE

§ XX-1. Smoking and vaping restricted.

No person shall use, light, or smoke a lighted cigarette, cigar, cigarillo, vape product, pipe, or other smoking or vaping paraphernalia, as defined in Connecticut General Statutes Section 21a-240, in any form in or upon any building, park, playground, recreation area, athletic facility, beach, or area of assembly owned, leased, or controlled by the Town of Winchester as may be specifically designated by the Winchester Board of Selectmen.

§ XX-2. Use of cannabis on Town land restricted.

No person shall use, light, smoke, or otherwise consume cannabis products including, but not limited to vape pens, edibles, cigarettes, and other related products as defined by SB 1201, Sec 84, in any form in or upon any building, park, playground, recreation area, athletic facility, beach, or area of assembly owned, leased, or controlled by the Town of Winchester as may be specifically designated by the Winchester Board of Selectmen.

§ XX-3. Use of cannabis in outdoor sections of restaurants restricted.

No restaurant shall authorize the use or consumption of cannabis products including, but not limited to vape pens, edibles, cigarettes, and other related products as defined by SB 1201, Sec 84, in any form at outdoor sections of its facility that it in any way owns, leases, or controls, and the restaurant shall be responsible for enforcing this restriction.

§ XX-4. Penalties for offenses.

Violation of § XX-1 of this chapter shall constitute an infraction as defined in Connecticut General Statutes § 51-164n and/or may be punishable by a municipal fine of not more than \$100.

Violation of § XX-2 of this chapter shall constitute an infraction as defined in SB 1201 and may be punishable by a fine of not more than \$50.

Violation of § XX-3 of this chapter shall constitute an infraction as defined in SB 1201 and may be punishable by a fine of not more than \$1,000 for the restaurant at which the infraction occurred.

§ XX-5. Enforcement.

Members of the Winchester Police Department shall be charged with the enforcement of this chapter and may issue an infraction summons or a citation for infractions as defined herein. Additionally, agents and employees of the Town of Winchester and coaches or officials participating in any athletic event in or upon any Town-owned athletic or recreation facility are authorized to enforce this chapter through the exclusion of the violator from the athletic event or recreational facility.

§ XX-6. When effective.

This chapter shall be effective fifteen (15) calendar days following the Board of Selectmen's adoption of the ordinance.

BOARD OF SELECTMEN AGENDA ITEM SUMMARY

No.: 22-26

Date: May 2, 2022

Topic: New Business (G)- Ordinance to Establish a Fair Rent Commission

From: Josh Kelly, Town Manager

Background & Information: Fair rent commissions, which are created by act of a municipal legislative body, are bodies that are empowered to protect tenants from “harsh and unconscionable” conditions in their respective rented housing unit. Around town, as well as around the state and country, more evictions are occurring, more individuals and families are moving, and there has been a steep increase in the cost of rental units without the same level of investment going into making those rental units safe, secure, and healthy.

In an effort to curb price gouging of rental units and enforce safe standards in such units, the Connecticut General Assembly is considering an act this year that would require all towns with more than 25,000 residents to have a Fair Rent Commission. While Winchester falls far below this threshold, downtown Winsted has the same density of rental units per square mile as can be found in many towns with 25,000 residents or more, and as a Town we have been working hard to ensure that housing units are being improved and are safe, secure, and healthy for all tenants. In an effort to maintain fair rents in town, it is my recommendation that the Board of Selectmen consider creating a Fair Rent Commission.

Other towns that currently have a Fair Rent Commission include Bloomfield, Danbury, Enfield, Farmington, Glastonbury, Groton, Hamden, Hartford, Manchester, Newington, Norwalk, Rocky Hill, Simsbury, Samford, Thompson, Westbrook, West Hartford, Wethersfield, and Windsor. Many, if not all, of these towns have excellent quality of life and are known to be great places to live, showing that a Fair Rent Commission can operate in a town successfully. Fair Rent Commissions have been able to be established by municipalities for over two decades.

Requested Action: I ask that the Selectmen review the attached draft ordinance and make recommendations on changes they would like to see so that the adoption process may move forward.

Fiscal Implications: There will be personnel costs encumbered by the Commission associated with enforcing this ordinance, but fines levied will help cover those costs. Overall, I expect that the Town can find some money to help get this Commission started in FY 2023 and that a small, modest budget would be included in the budget in future years.

Manager's Recommendation: I ask that the Board of Selectmen review the attached draft ordinance and make recommendations on changes they would like to see made so that the adoption process may move forward.

Recommended Motion: None.

Attachments: Draft Ordinance entitled “Fair Rent Commission.”

BOARD OF SELECTMEN AGENDA ITEM SUMMARY

No.: 22-26

Date: May 2, 2022

Topic: New Business (G)- **Ordinance to Establish a Fair Rent Commission**

From: Josh Kelly, Town Manager

An OLR Research Report entitled "Fair Rent Commissions: Duties and Obligations."

A pamphlet entitled "Tenants' Rights: Fair Rent Commission."

Chapter XX

Fair Rent Commission

§ XX-1. Establishment.

Pursuant to the provisions of Sections 7-148b to 7-148f of the Connecticut General Statutes, there is hereby established a Fair Rent Commission for the purpose of regulating and eliminating excessive rental charges for residential property within the Town of Winchester.

§ XX-2. Membership.

The Fair Rent Commission shall consist of seven members and three alternates, all of whom shall be registered voters of the Town of Winchester. Of the seven regular members, two shall be landlords and two shall be tenants and three shall be neither landlords nor tenants. Among the alternate members, at least one shall be a landlord and one shall be a tenant and one shall be neither.

In addition, not more than four of said regular members and not more than two of said alternates shall be registered members of the same political party. The members and alternates shall be appointed by the Board of Selectmen. At least five members or seated alternates shall constitute a quorum.

§ XX-3. Definitions.

Unless the context specifically indicates otherwise, the meaning of the terms used in this article shall be as follows:

- (a) COMMISSION — The Fair Rent Commission of the Town.
- (b) HOUSING ACCOMMODATION — Any building or structure wholly or in part containing living quarters occupied or fairly intended for occupancy as a place of residence, and including any land or building appurtenant thereto, except the following:
 - (1) A hospital, convent, monastery, asylum, public institution operated exclusively for charitable or educational purposes.
 - (2) Any housing accommodations owned and operated by the United States, the State of Connecticut, the housing authority of the Town of Winchester, the Town of Winchester or any agency or political subdivision of said governmental entities.
 - (3) Housing accommodations exempted by Section 7-148b of the Connecticut General Statutes, as amended.
 - (4) Any building or structure which contains three units or less at least one of which is occupied by the owner of said building or structure.
- (c) LANDLORD — Any person who leases, subleases, rents or permits the occupancy of any housing accommodation, including a person who manages a housing accommodation owned by someone else.
- (d) TENANT — Any person who leases or rents, whether by written or oral lease, any housing accommodation, as a residence for himself/herself and/or his or her immediate family.

(e) RENT OR RENTAL CHARGES — Any consideration, monetary or otherwise, including any bonus, benefit, or gratuity, demanded or received for the use or occupancy of any housing accommodations.

§ XX-4. Terms of members.

The initial members of the Fair Rent Commission shall serve for terms as follows:

- (a) Two members for a term of one year from the enactment of this article;
- (b) Two members for a term of two years from the enactment of this article; and
- (c) Three members for a term of three years from the enactment of this article.

Alternate members shall serve a term of three years. Following the completion of the terms of the initial members, all regular members shall serve terms of three years.

§ XX-5. Filling vacancies, removing members.

The Board of Selectmen shall fill all vacancies in the membership of the Commission and may remove any member in a manner consistent with the Town Charter.

§ XX-6. Powers and duties.

Pursuant to 7-148b through 7-148e, General Statutes, the Commission shall have the following powers:

- (1) To make such studies and investigations into rentals charged for housing accommodation within the Town as it deems appropriate to carry out its responsibilities hereunder.
- (2) To receive complaints, inquiries and other communications concerning alleged excessive rental charges in housing accommodations within the Town.
- (3) To conduct hearings on complaints or requests for investigations submitted to it by any tenant or any landlord. One week notice by registered or certified mail, postage prepaid, shall be given to the parties involved in such complaint. If any notice is returned without having been delivered, the Commission may arrange for service by a deputy sheriff, constable of the Town, or indifferent person in the same manner as is provided in the General Statutes of the state for service of process in a civil action.
- (4) To request the assistance of any department of the Town government, including any available records, information or expert witness which the department may have in its employ.
- (5) To administer oaths.
- (6) To subpoena witnesses and compel their attendance at said hearings and to compel the production of any books or documents relating to any matter before the Commission.
- (7) To determine, after a hearing, whether the rent for any housing accommodation is so excessive as to be harsh and unconscionable.
- (8) To order a reduction of any excessive rent which is deemed to be harsh and unconscionable (as determined according to standards described in Section 2-47) to an amount the Commission considers fair and equitable. However, the Commission shall not have the power to waive any rent which has become due prior to the filing date of the complaint. In its discretion, the Commission may make the order retroactive to the date of the tenant's complaint. Such order shall be in effect for a period of one year from its effective date, except if the Commission shall pursuant to a subsequent petition by the landlord or tenant at any time, order that the rent be changed.

(9) To dismiss a complaint.

(10) To continue, review, amend, terminate or suspend all its orders and decisions.

(11)

(a) If the Commission determines after a hearing that a housing accommodation fails to comply with the town's Housing Code laws or any state or municipal statute or regulation relating to health and safety, the Commission may order the tenant to pay the fair and equitable rent, as determined by the Commission, to the Commission.

(b) The Commission shall hold such rent in an escrow account, as hereinafter provided, until the landlord makes such repairs as are required to bring the housing accommodation into compliance with such laws, statutes, or regulations.

(c) If the landlord shall have corrected such violations after the order reducing the rent, and if the rent had been reduced solely because of such violations, the landlord may petition the Commission for the reinstatement of the original rent and for the payment to him/her of the rent held in the escrow account.

(d) If the landlord shall have corrected such violations after the order for reducing the rent, but the rent had not been reduced solely because of such violations, the landlord may petition the Commission for an order fixing a fair and equitable rent for such housing accommodation in light of its condition at the time of the landlord's petition, and for the payment to him of the rent held in escrow account.

(e) In any case arising under this subsection, upon reasonable determination of the Commission, the original rent or such fair and equitable rent as determined by the Commission, may be ordered into effect retroactive, at the discretion of the Commission, to the date of the petition for reinstatement. No such reinstatement shall be effective until after a hearing is held by the Commission in accordance with the provisions of subsection (3) hereof.

(12) To deposit into escrow account rent paid to the Commission by tenants when their landlord refuses to accept it or the landlord requests in writing that the Commission hold the rent until the complaint or claim can be resolved either through mediation or hearing.

(13) To establish an escrow account with a local bank or financial institution into which it shall deposit all rents or other funds paid to it pursuant to subsection (11), (12), and (13) hereof. If rent is deposited into the escrow account pursuant to subsection (11), such funds shall be released to the landlord if (a) he shall be successful in an appeal to the court or (b) if the Commission shall order such release after petition in accordance with subsection (12) hereof. If rent is deposited into the escrow account pursuant to subsection (13) or (14), such funds shall be withdrawn from the escrow account and paid to the landlord upon written request from the landlord.

(14) Interest earned on said escrow account shall be awarded to the landlord.

(15) To require the Town attorney to institute, and the Town attorney shall then institute, an action in any court of equity for either a temporary or final injunction, restraining violation of or directing compliance with any order made pursuant to any provision of this article. Such direction to the Town attorney shall be written by the Chairman of the Commission or by his designee upon the majority vote of the Commission.

(16) Attempt through the process of conciliation and negotiation between a tenant and a landlord, to arrive at a rental agreement which is mutually acceptable to said tenant and landlord initiating the formal hearing process.

(17) To exercise all the powers given a Fair Rent Commission under Connecticut General Statutes Section 7-148b to 7-148f and Section 47a-23c(b) as they may be amended from time to time.

§ XX-7. Filling vacancies, removing members.

In determining whether a rental charge is so excessive, with due regard to all the circumstances, as to be harsh and unconscionable, a Fair Rent Commission shall consider all factors set forth in Section 7-148c of the Connecticut General Statutes, as amended.

§ XX-8. Filling vacancies, removing members.

Any tenant, except those who live in a building or structure exempt under Section 2-43(b) of this article, shall be eligible to file a complaint with the Commission.

§ XX-9. Filling vacancies, removing members.

Any person who violates any order of rent reduction or rent suspension by demanding, accepting or receiving an amount in excess thereof while such order remains in effect, and no appeal pursuant to Connecticut General Statutes Section 7-148e is pending, or violates any other provision of Connecticut General Statutes Sections 7-148b to 7-148e, inclusive, and Connecticut General Statutes Section 47a-20, or who refuses to obey any subpoena, order or decision of a Commission pursuant thereto, shall be fined not less than \$25 not more than \$100 for each offense. If such offense continues for more than five days, it shall constitute a new offense for each day it continues to exist thereafter.

Topic:

STATE BOARDS AND COMMISSIONS; LANDLORD-TENANT RELATIONS;

Location:

LANDLORD - TENANT RELATIONSHIP;

Scope:

Connecticut laws/regulations;



July 12, 2000

2000-R-0691

FAIR RENT COMMISSIONS: DUTIES AND OBLIGATIONS

By: John Moran, Research Analyst

You asked for an explanation of the duties and obligations of municipal fair rent commissions authorized under CGS § 7-148b.

SUMMARY

Fair rent commissions, which are created by act of a municipal legislative body, can receive and investigate rent complaints, issue subpoenas, hold hearings, and order landlords to reduce rents for specific reasons. When a commission finds the housing in question fails to comply with any local or state health or safety requirement, it may suspend rent payments until the housing is in compliance. A commission may also order a landlord to cease any retaliatory action against a tenant who complains to it. A commission must hold a hearing before taking any action.

A fair rent commission's purpose is to "control and eliminate excessive rental charges." The law also states that anyone who violates a commission order or subpoena is subject to a fine of between \$25 and \$100.

COMMISSION POWERS (§ 7-148b)

In order to control excessive rental charges, state statute authorize municipal commissions to (1) to conduct studies and investigations, (2) hold hearings, (3) receive rent complaints (except on units rented on a seasonal basis), (4) require people to appear at hearings under oath, (5) issue subpoenas, and (6) issue orders regarding rent increases. A commission can

alter or terminate any of its decisions. Under this statute “seasonal basis” means housing rented for not more than 120 days a calendar year.

Commissions are also authorized to carry out the provisions of a landlord tenant statute (§ 47a-20) regarding prohibited retaliatory actions by landlords. This section prohibits retaliation for a tenant making a good faith (1) effort to bring the dwelling in compliance with state and local laws and regulations, including filing a complaint; (2) request for reasonable repairs; and (3) effort to require the landlord to meet his legal responsibilities. Retaliation is also prohibited following the notice of a municipal health or safety violation or if the tenant organizes or joins a tenants union. Commissions can also carry out a subsection of the eviction statute (§ 47a-23c (b)).

CONSIDERATIONS IN DETERMINING EXCESSIVE RENT (§ 7-148c)

Commissions must consider a number of factors when determining whether a rental charge is excessive to the point of being “harsh and unconscionable.” The factors include: (1) rents for comparable units; (2) amount and frequency of rent increases; (3) sanitary conditions; (4) number of bathtubs or showers, toilets, and sinks; (5) services, furniture, and furnishings; (6) bedroom size and number; (7) repairs necessary to make the accommodations livable; (8) amount of taxes and overhead expenses, including debt service; (9) compliance with state and local health and safety laws and regulations; (10) renter's income and housing availability; (11) utility availability; (12) tenant damage to the premises, other than ordinary wear; and (13) the degree to which income from the rent increase will be reinvested in property improvements.

ORDERS BY COMMISSIONS (§ 7-148d)

After holding a hearing on a complaint, a commission can determine that a rent increase is excessive and order “rent be limited to such an amount as it determines to be fair and equitable.” This appears to mean the commission can set the rent at the rate it believes is fair.

If the housing in question fails to meet local or state health and safety requirements, then the commission can order the suspension of rent payments until the unit meets standards. During the time the rent is not paid to the landlord, it is paid to the commission to hold in escrow and is subject to any provisions adopted by the municipality.

If the commission determines, after holding a hearing, that a landlord has retaliated in any way against a tenant who has complained to it, the commission can order the landlord to cease the retaliation.

PENALTIES AND VIOLATIONS (§ 7-148f)

An order of rent reduction or suspension is violated when a landlord accepts, receives, or demands an amount in excess of the order while it is in effect and no appeal is pending. Refusing to obey a commission order, subpoena, or decision is also a violation.

Violators will be fined at least \$25 but not more than \$100. If the offense continues for more than five days, it constitutes a new offense for each additional day beyond five.

APPEAL

Any landlord under any order by a commission may appeal to the Superior Court for the judicial district where the rental property is located.

JM:ts

Legal Services Offices

Statewide Legal Services:

(860) 344-0380 (Central CT & Middletown)
1-800-453-3320 (All other regions)

Other Legal Services Programs:

Hartford, Hartford County:

Greater Hartford Legal Assistance

80 Jefferson Street
Hartford, CT 06106-5051
(860) 541-5000
FAX: (860) 541-5050

Greater New Haven Area:

New Haven Legal Assistance

Association, Inc.
426 State Street
New Haven, CT 06510
(203) 946-4811
TDD: (203) 946-4811
FAX: (203) 498-9271

Visit us on the internet:

www.slsct.org
www.ghla.org
www.nhlegal.org
www.connlegalservices.org
www.laroc.org

This pamphlet was produced by the Legal Assistance Resource Center of CT in cooperation with CT Legal Services, Greater Hartford Legal Assistance, New Haven Legal Assistance Association, and Statewide Legal Services.

The information in this pamphlet is based on the law as of December 2001. We hope that the information is helpful. It is not intended as legal advice for an individual situation. If you need further help and have not done so already, please call Statewide Legal Services (see above) or contact an attorney.

Copyright: 12/2001

Throughout Connecticut:

Statewide Legal Services (see left)

Connecticut Legal Services:

Administrative Office: (860) 344-0447

Offices:

211 State Street
Bridgeport, CT 06604
(203) 336-3851

587 Main Street
New Britain, CT 06051
(860) 225-8678

153 Williams Street
New London, CT 06320
(860) 447-0323

20 Summer Street
Stamford, CT 06901
(203) 348-9216

85 Central Avenue
Waterbury, CT 06722
(203) 756-8074

872 Main St., P.O. Box 258
Willimantic, CT 06226
(860) 456-1761

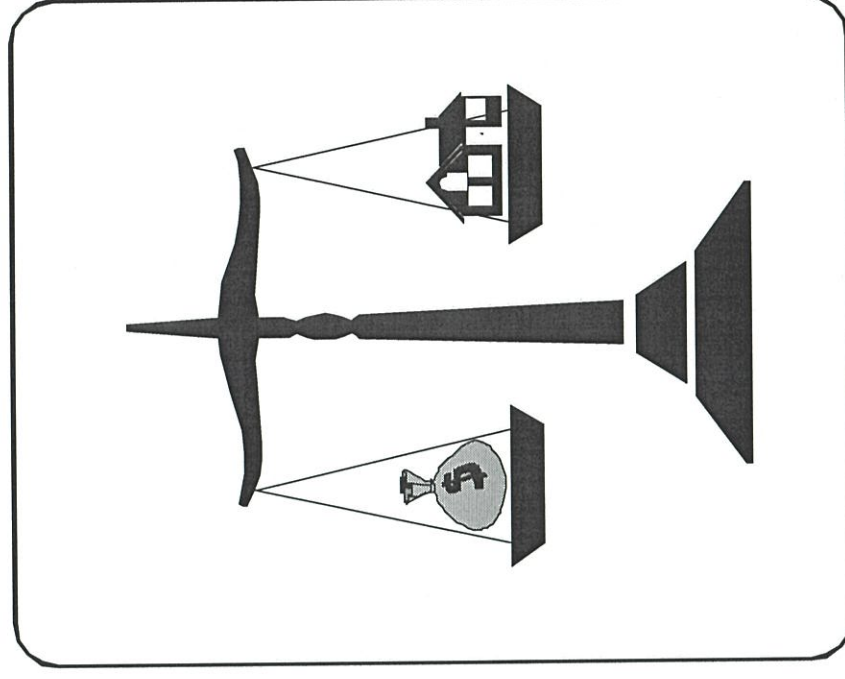
CLS Satellite Offices:

Danbury (203) 348-9216
Meriden (860) 225-8678
Middletown (860) 225-8678
Norwalk (203) 899-2451
Norwich (860) 447-0323
Rockville 1-800-413-7796
Torrington 1-800-413-7797

AIDS Legal Network for CT

80 Jefferson Street
Hartford, CT 06106
(860) 541-5040 or 1-888-380-3646

Tenants' Rights: Fair Rent Commission



What is the Fair Rent Commission?

The Fair Rent Commission is a city/town commission which has the power to decide whether a rent increase or a rent charged to a tenant in the town is unfairly high.

What can the Fair Rent Commission do?

The Fair Rent Commission receives complaints from tenants about rents charged for their apartments, investigates the complaints and holds hearings on those complaints.

After a hearing, the Fair Rent Commission may order the landlord to reduce the rent. If the apartment needs repairs, the Commission may order the rent to be reduced or order the tenant to pay the rent to the Fair Rent Commission until the landlord has made all repairs needed.

Who may file a complaint?

Any tenant who lives in a town with a Fair Rent Commission may file a complaint. You do not need to have a written lease to file a complaint. You do not need a lawyer to file a complaint. *Note: Not all cities have a Fair Rent Commission. (See pages 8 and 9 to find out whether your town does.)*

When should I file a complaint?

You should file a complaint with the Fair Rent Commission whenever:

- Your landlord has demanded an increase in rent which you believe is unfair;
- Your landlord wants to charge you for utilities when they used to be included in the rent;
- You believe your present rent is unfair because your apartment has serious unsafe and unhealthy conditions or conditions which violate the housing code.

Can my landlord evict me if I file a complaint?

NO. The law says your landlord cannot evict you just because you filed a complaint with the Fair Rent Commission.

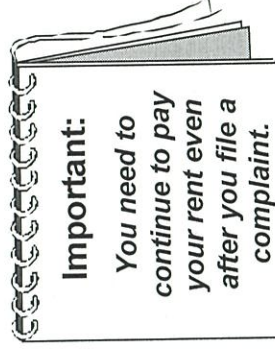
However, you can be evicted if you don't pay your rent each month. If you have paid your rent and your landlord tries to evict you after you have filed a complaint with the Commission, contact legal services and the Commission right away.

How do I file a complaint?

To file a Fair Rent complaint, call or go to the offices of the Fair Rent Commission and ask to fill out the complaint form.

What rent should I pay after I file my complaint?

Before you do anything else, you should make sure that each month you offer to your landlord the old rent or any higher rent which you think is fair. Offer this amount when it comes due each month. You must offer this amount to your landlord as rent each month even after you have filed a complaint with the Fair Rent Commission. You must continue to do so until the Commission has ruled on your complaint.



Warning:

Always pay by check or bank money order. Make sure your check says, "Rent in full for the month of ____/year."

Never pay cash!

What happens after I file a complaint?

After you have filled out the complaint, the Fair Rent Commission will investigate your complaint and schedule a hearing on it. The Commission may ask you and your landlord to come to an informal conference to see if an agreement can be made on what the rent should be. You do not have to agree to anything at this informal conference. If you cannot reach an agreement with your landlord, you have the right to demand a hearing on your complaint.

What do I need to do before the hearing?

Well before the date of the hearing, you should tell the Fair Rent Commission the following:

- the witnesses you want to be at the hearing, particularly any witnesses, such as code inspectors, who work for the town;
- the documents you will need for the hearing, particularly any city/town documents, such as code enforcement reports; and
- if you think an important witness might not show up for the hearing, or that the landlord won't supply some documents, insist that the Commission issue a subpoena. This subpoena can force that person to go to the hearing and/or to bring the documents.

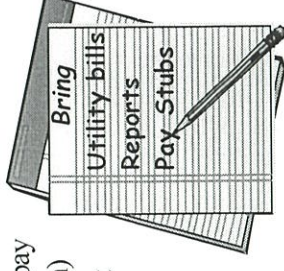
Get ready to *present your side*....



- Be ready to describe the conditions of your apartment if they are unhealthy, unsafe, or violate the housing code. Examples of these conditions include rats, roaches, leaks, holes, etc. Bring pictures if you have them.
- Ask the Housing Code Office to inspect your apartment as soon as you file your complaint. Get a copy of this report and give it to the Fair Rent Commission.

- Get all related documents together. This list includes:

- ☐ Copies of your utility bills (if you pay your own utilities and they are high)
- ☐ Report from the Health Department or Housing Code Office
- ☐ Proof of your income, such as payroll stubs, welfare forms, etc.



If you have any questions or problems, call Statewide Legal Services at 1-800-453-3320.

What happens at the hearing?

The Fair Rent Commission will hold a hearing on your case. The Commission will listen to witnesses called by you and by your landlord. It will also look at any documents that are important to the situation. All testimony will be taken under oath and recorded.

After the hearing, the Commission will make its decision and give you a written notice of the decision. You have a right to appeal that decision.

What are my rights at the hearing?

- You can have any person called to be a witness.
- You can demand that a person bring any books or documents to the hearing that you think are needed
- You can subpoena a person or documents to be sure they appear at the hearing.
- You have the right to be represented at the hearing
- You have the right to ask questions of your landlord and his or her witnesses.

How does the Commission make its decision?

The law lists 13 factors to be considered by the Commission. The most important of these factors are:



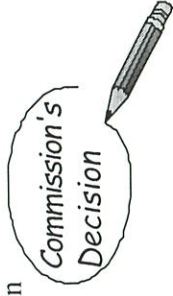
- ☐ the rents charged for similar apartments in the neighborhood or the town,
- ☐ the size of the rent increase and the history of recent rent increases
- ☐ the condition of the apartment and whether it violates housing and health codes
- ☐ the landlord's expenses and whether this increase will be used to improve your apartment
- ☐ your income and whether there are other apartments you can afford.

Here are the 13 factors the Fair Rent Commission considers:

1. The rents charged for similar apartments in the city or neighborhood;
2. The health and safety conditions of your apartment;
3. The number of bathtubs or showers, toilets, kitchen sinks and bathroom sinks in your apartment;
4. Services (such as utilities, furniture, furnishings and equipment) supplied by the landlord;
5. The size and number of bedrooms in your apartment;
6. The repairs needed to make your apartment livable;
7. The amount of taxes and other expenses of the landlord;
8. Whether your apartment complies with the housing code and State statutes relating to health and safety;
9. Your income and whether there are other apartments you can afford;
10. What utilities you have in your apartment and whether you or your landlord pays for them;
11. Damages, other than ordinary wear and tear, which you have caused to the apartment;
12. How much the landlord has raised your rent in the past;
13. How much of the rent increase will be used to improve your apartment and the building.

What does the Commission do after the hearing?

After the hearing, the Fair Rent Commission considers the testimony and documents. It can decide a number of things:



1. It can decide that the rent increase is *fair* and order you to pay it.
 2. It can decide that the rent increase is *unfair* and:
 - A. Set the rent at a fair level and order the landlord to accept that amount as rent.
- OR...*

- B. Decide that the rent increase has to be phased-in gradually. This means you won't be hit with a large increase all at once.
- OR...*

- C. Delay a rent increase until repairs are made. It may order you to pay rent each month to the Fair Rent Commission at a level it decides is fair. This rent will be held by the Commission until your landlord has repaired the unsafe and unhealthy conditions in your apartment. Once those repairs are made, the rent you have paid to the Commission will be given to your landlord.

The Fair Rent Commission may also give your complaint to other city agencies, such as the Health Department or Housing Code Office. These agencies must then make sure that your landlord repairs the unsafe and unhealthy conditions in your apartment.

If your landlord fails to comply with any order of the Fair Rent Commission, he or she may be subject to a fine. You should report any violations to the Fair Rent Commission.

What can I do if I don't agree with the Fair Rent Commission's decision?

You have a right to appeal the Fair Rent Commission's decision. Connecticut statutes provide for this appeal process (C.G.S. §7-148e). Appeals are court cases which must be taken to the housing session for the area where you live. If you are considering appealing a Fair Rent Commission decision, you should contact Statewide Legal Services (see back page for number).

Towns with Fair Rent Commissions

The following towns have Fair Rent Commissions. You should contact the Fair Rent Commission in the town in which you live.

Bloomfield
800 Bloomfield Ave
Bloomfield CT 06002
(860) 769-3500

Bridgeport
45 Lyon Terrace, Room 211
Bridgeport, CT 06604
(203) 576-8323

Danbury
Town Hall
155 Deer Hill Ave.
Danbury, CT 06810
(203) 797-4625

Enfield
Town Manager's Office
820 Enfield Street
Enfield, CT 06082
(860) 253-6391

Farmington
Town Hall, c/o Social Services
1 Monteith Drive
Farmington, CT 06032
(860) 673-8200

Glastonbury
c/o Housing Authority
25 Risley Road
Glastonbury, CT 06033
(860) 652-7568

Groton
45 Fort Hill Road
Groton, CT 06340
(860) 446-5988

Hamden
Fair Housing Office
11 Pine Street
Hamden, CT 06514
(203) 776-5978

Hartford
10 Prospect Street
Hartford, CT 06103
(860) 543-8645

Manchester
c/o Health Department
479 Main St., PO Box 191
Manchester, CT 06045-0191
(860) 647-3173

New Haven
165 Church St., 1st Floor
New Haven, CT 06510
(203) 946-8156

Newington
c/o Human Services
131 Cedar St.
Newington, CT 06111
(860) 665-8590

Norwalk
125 East Ave.
Norwalk, CT 06851
(203) 854-7989

Fair Rent Commissions (continued)

Rocky Hill
Barbara Natarajan
45 S. Condor Drive
Rocky Hill, CT 06067
(860) 529-9865

Simsbury
c/o Social Services
Town Hall
933 Hopmeadow Street
Simsbury, CT 06070
(860) 658-3283

Stamford
c/o Ellene Bromley
Social Service Commission
888 Washington Blvd.
Stamford, CT 06904-2152
(203) 977-4140

Thompson
Town Clerk Office
P.O. Box 899
Riverside Drive
North Groszenordale
Thomson, CT 06255

Westbrook
c/o First Selectman
P.O. Box G
Westbrook, CT 06498
(860) 399-6236

West Hartford
Social Services Dept.
50 South Main St.
West Hartford, CT 06107
(860) 523-3258

West Haven
355 Main St.
P.O. Box 312
Community Development Office
West Haven, CT 06516
(203) 937-3550

Wethersfield
Fair Rent Commission
Town Hall
505 Silas Deane Highway
Wethersfield, CT 06109
(860) 721-2800

Windsor
Windsor Town Hall
275 Broad St.
Windsor, CT 06095
(860) 285-1900