

ANNUAL TOWN MEETING
TOWN OF LISBON
MAY 7, 2012

Thomas Sparkman, First Selectman, called to order the Annual Town Meeting of May 7, 2012, at 7:00 PM. The meeting was held in the Lisbon Central School Cafeteria/Gymnasium at 15 Newent Road, Lisbon.

Nomination for Moderator:

ROBERT GRANT as nominated by Thomas Wakely seconded by Daniel Teper.
Nominations were closed

VOTE UNANIMOUS

ROBERT GRANT was duly chosen moderator.

WARNING was read by Laurie Tirocchi, Town Clerk.

Moderator read item 1: "To discuss the General Government Budget, for the Fiscal Year 2012/2013, as approved by the Board of Finance, in the amount of \$2,445,828."

No discussion followed.

Moderator read item 2: "To discuss the Board of Education Budget, for the Fiscal Year 2012/2013, as approved by the Board of Finance, in the amount of 9,366,122."

No discussion followed.

Moderator read item 3: "To discuss and act upon the Town Aid Road Fund for Fiscal Year 2012/2013, in the amount of \$88,173.

Motion to approve the Town Aid Road Fund for Fiscal Year 2012/2013, in the amount of \$88,173 by Kenneth Mahler seconded by George Williams.

VOTE UNANIMOUS
MOTION PASSED

Moderator read item 4: "To authorize the Board of Finance, the transfer of \$180,000 from the General Fund, to the Capital Reserve and Nonrecurring Fund."

Motion to approve the Board of Finance, the transfer of \$180,000 from the General Fund, to the Capital and Nonrecurring Fund, by Daniel Teper, seconded by Wayne Donaldson."

VOTE UNANIMOUS
MOTION PASSED

Moderator read item 5: "To authorize the Town of Lisbon acting through the Board of Selectmen, to offer for sale and/or dispose of any damaged, outdated or non-repairable property from the fixed asset inventory."

Motion to approve an ordinance authorizing the Town of Lisbon to offer for sale and/or dispose of any damaged, outdated or non-repairable property from the fixed asset inventory, by Thomas Wakely, seconded by Bob Jencks."

VOTE UNANIMOUS
MOTION PASSED

Moderator read item 6: "To authorize the Town of Lisbon, acting through the Board of Selectmen, as approved by the Planning & Zoning Commission, to accept and record the Warrenty Deed from G.C. Lisbon LLC to the Town of Lisbon, in connection with a road, Gavin Way and Drainage Easement."

Motion to approve an ordinance authorizing the Town of Lisbon to accept and record the Warrenty Deed from G.C. Lisbon LLC to the Town of Lisbon, in connection with a road, Gavin Way and Drainage Easement, by Wayne Donaldson, seconded by Robert Dufort.

VOTE UNANIMOUS
MOTION PASSED

Moderator read item 7: "To authorize the Town of Lisbon, acting through the Board of Selectmen, as approved by the Planning & Zoning Commission, to accept and record the Warrenty Deed from G.C. Lisbon LLC to the Town of Lisbon in connection with the Gavin Estates, Sullivan Road, and Conservation Easement.

Motion to approve an ordinance authorizing the Town of Lisbon to accept and record the Warrenty Deed from G.C. Lisbon LLC to the Town of Lisbon in connection with the Gavin Estates, Sullivan Road, and Conservation Easement by Thomas Wakely, seconded by Kenneth Mahler.

VOTE UNANIMOUS
MOTION PASSED

Moderator read item 8: "To authorize the Town of Lisbon, acting through the Board of Selectmen, as approved by the Planning & Zoning Commission, to accept and record the Executrix Deed-Statutory Form from Nancy E. Michaelson, Executrix of the Estate of Rudolph R. Bawza, Sr, Versailles Road to the Town of Lisbon for highway purposes."

Motion to approve an ordinance authorizing the Town of Lisbon to accept and record the Executrix Deed-Statutory Form from Nancy E. Michaelson, Executrix of the Estate of Rudolph R. Bawza, Sr, Versailles Road to the Town of Lisbon for highway purposes by Wayne Donaldson, seconded by Barbara Burzycki.

VOTE UNANIMOUS
MOTION PASSED

Moderator to read item 9: "To hear and adopt an Anti-blight Ordinance for the Town of Lisbon."

Motion to approve an ordinance authorizing the Town of Lisbon to adopt an Anti-Blight Ordinance, by Wayne Donaldson, second Mike Zelasky."

Motion amended to go to paper ballot voting, by Majorie Smith seconded by John Mather.

VOTE: YES-14 NO-40
MOTION FAILED

Moderator to read item 10: "To hear and adopt an Ordinance Providing for the Appointment of the Town Treasurer, Town Clerk, and Tax Collector."

Motion to approve an ordinance authorizing the Town of Lisbon to adopt an Ordinance Providing for the Appointment of the Town Treasurer, Town Clerk, and Tax Collector George Williams, seconded by Hans Kvist.

MOTION FAILED

Moderator to read item 11: " To hear and adopt an Ordinance Providing for the Appointment of Assistants to Town Assessor, Town Treasurer, Town Clerk, and Town Tax Collector."

Motion to approve an ordinance authorizing the Town of Lisbon to adopt an Ordinance Providing for the Appointment of Assistants to Town Assessor, Town Treasurer, Town Clerk, and Town Tax Collector by Steve Barrett, seconded by George Williams.

MOTION FAILED

Town Aid Road
(TAR)
According to the most recent figures, The Town Aid Road (TAR)
Fund Grant to the Town of Lisbon, will be \$64,480
As in the past, Town Aid Road Funding is being used for those projects
that are authorized by the State Of Connecticut.
Snow Removal
Road Salt and Sand
Chipseal
Drainage
Overlay
Plow Blades
Guardrails
Year 2005/2006 - \$76,844
Year 2006/2007 - \$76,844
Year 2007/2008 - \$87,850
Year 2008/2009 - \$88,127
Year 2009/2010 - \$64,480
Year 2010/2011 - \$88,127
Year 2011/2012 - \$88,127
Year 2012/2013 - \$88,173

AN ORDINANCE PROVIDING FOR THE APPOINTMENT OF ASSISTANTS TO THE TOWN ASSESSOR, TOWN TREASURER, TOWN CLERK, AND TOWN TAX COLLECTOR.

1. Pursuant to the provisions of Section 7-148(5)(c), Connecticut General Statutes, the Board of Selectmen may establish positions of employment for assistants, subordinates, and/or clerical staff to the Town Assessor, Town Treasurer, Town Clerk, and/or Town Tax Collector and appoint individuals to such position(s).
2. In creating such position(s), the Board of Selectmen shall determine and establish the job title, qualifications, hours of employment, job duties, and annual compensation for such position(s).
3. The provisions of this Ordinance shall be in lieu of, not in addition to, Section 7-19, Connecticut General Statutes. Only the Board of Selectmen may appoint individuals to the positions of assistant, subordinate, and/or clerical staff to the Town Assessor, Town Treasurer, Town Clerk, and/or Town Tax Collector.
4. Notwithstanding the foregoing, pursuant to Section 7-80, Connecticut General Statutes, the Town Treasurer may appoint a town employee or other individual of his or her choosing the "Deputy Town Treasurer" to fulfill his or her duties in the event of his or her absence or disability.

**AN ORDINANCE PROVIDING FOR THE APPOINTMENT OF THE TOWN
TREASURER, TOWN CLERK, AND TOWN TAX COLLECTOR**

1. The Town Ordinance entitled "An Ordinance Establishing the Town Clerk Term," adopted 7-17-1972, is hereby repealed.
2. Pursuant to the provisions of Section 9-185, Connecticut General Statutes, the offices of Town Treasurer, Town Clerk, and Town Tax Collector shall each be individually appointed by the First Selectman. In appointing the Town Treasurer, Town Clerk, and Town Tax Collector, the First Selectman shall receive advice and guidance from the Board of Selectmen.
3. The currently-elected Town Treasurer, Town Clerk, and/or Town Tax Collector, if any, shall continue to serve in his or her respective office until the end of the elected term of said office. At the end of the elected term, the First Selectman shall appoint a Town Treasurer, Town Clerk, and Town Tax Collector in accordance with the provisions set forth in Paragraph 2.
4. If there is not a currently-elected Town Treasurer, Town Clerk, and/or Town Tax Collector, the First Selectman shall appoint such officer(s) forthwith.
5. The Board of Selectmen shall determine and establish qualifications for the positions of Town Treasurer, Town Clerk, and Town Tax Collector, the annual compensation for said officers, and may for good cause remove such Town Treasurer, Town Clerk, or Town Tax Collector from office.
6. The First Selectman shall fill any vacancy in the office of Town Treasurer, Town Clerk, or Town Tax Collector in accordance with the provisions of Paragraph 2. Prior to doing so, the First Selectman may, at his or her discretion, appoint a temporary Town Treasurer, Town Clerk, or Town Tax Collector to fill such vacancy until a permanent replacement is appointed in accordance with the provisions of Paragraph 2.

TOWN OF LISBON ANTI-BLIGHT ORDINANCE

Section 1: Authority, Findings and Purpose

- 1.1. Authority. This Ordinance is enacted pursuant to the authority granted to the Town of Lisbon under Section 7-148 of the Connecticut General Statutes (2011), specifically including, but not limited to, subsection 7-148 (c) (7) (H) (xv).
- 1.2. Findings. The Town finds that:
 - A. Blighted or unsafe buildings, structures or land may pose a threat to the health, safety and general welfare of their occupants, as well as other members of the public, and may reduce the value and unreasonably interfere with the use, enjoyment and function of property in the vicinity of such premises.
 - B. Buildings, structures and land within the Town of Lisbon should not be allowed to become blighted or unsafe or to remain in such a condition.
- 1.3. Purpose. The purpose of this Ordinance is to prohibit any owner, agent, tenant or person in control of real property located in the Town of Lisbon from creating, maintaining, or causing or allowing to be created or maintained, any blighted premises, and to establish penalties for violation of this Ordinance.

Section 2: Definitions

The following definitions shall apply in the interpretation and enforcement of this ordinance:

BLIGHTED PREMISES: Any building, structure, land, or any part of a building, structure, or parcel of land, that meets any of the following criteria:

- A. The condition of the premises poses an imminent or substantial threat of physical danger to any person;
- B. The condition of the premises creates a fire hazard;
- C. The condition of the premises creates a public nuisance;
- D. The premises are not being maintained or have become dilapidated, as indicated by one (1) or more of the following conditions:
 1. missing or boarded windows or doors;
 2. severely cracked, collapsing or missing walls, roof, or floor;
 3. exterior walls that contain holes, breaks, loose or rotting materials or that are not properly surface-coated to prevent deterioration;
 4. structurally faulty foundation;
 5. seriously damaged or missing siding;

6. unrepaired fire or water damage;
7. foundation walls containing open cracks and breaks;
8. overhang extensions, including, but not limited to canopies, marquees, signs, awnings, stairways, fire escapes, standpipes and exhaust ducts, that are severely rusted or otherwise decayed;
9. chimneys and similar appurtenances that are in a state of disrepair
10. persistent garbage or trash that creates a substantial risk of vermin infestation;
11. abandoned vehicles, watercraft, campers or trailers of any kind on the premises (unless the premises is a motor vehicle recycler's yard or business licensed by the State of Connecticut);
12. graffiti;
13. violation of provisions regarding outside storage under Zoning Regulations for the Town of Lisbon; or
14. any condition on the property that is created or maintained in violation of any state or federal laws or regulations regarding the storage, treatment or disposal of hazardous materials or hazardous waste, as those terms may be defined in such laws or regulations.

BUILDING: Any structure having a roof supported by columns or by walls and intended for the shelter, housing or enclosure of persons, animals or property.

CAPABLE HOUSEHOLD MEMBER: A person who reasonably can be expected to perform maintenance and yard work around a property or premises.

DILAPIDATED: A condition of substantial physical deterioration, including, but not limited to, any physical condition that would violate applicable provisions of the State Building Code or Public Health Code.

ENFORCEMENT ACTIVITIES: Any activities that may reasonably be required to be conducted by an Enforcement Official to assure compliance with or assess appropriate penalties under this Ordinance, including, but not limited to, the following activities: investigation and inspection of premises known or reasonably believed to be "Blighted Premises," as defined herein; issuance of orders to correct any violations, and rescission of such orders in the event the relevant conditions of blight are satisfactorily remediated thereafter; issuance of citations; filing of liens pursuant to Section 7-148aa of the Connecticut General Statutes; and initiation of legal proceedings for the recovery of fines or the enforcement of this Ordinance.

ENFORCEMENT OFFICIAL: Any person authorized to enforce this Ordinance pursuant to Section 4.1. Whenever this Ordinance refers to actions that are or may be taken by an Enforcement Official after the issuance of a notice and order pursuant to Section 4.3, the reference shall be deemed to refer only to the specific Enforcement Official who issued such notice and order, or to that official's successor or authorized agent.

HOUSING BLIGHT: A condition that is caused or exists when property that is used by any person or persons for dwelling purposes, or that is located within 1,500 feet of any such dwelling, or that is located within any zoning district that allows residential use as of right, becomes or remains "Blighted Premises," as defined in this Ordinance.

OWNER: Any person, partnership, corporation, or other legal entity that holds legal title to real property, as appears in the Lisbon land records.

STRUCTURE: An object that is constructed, assembled or erected and the use of which requires more or less permanent location on the ground or attachment to something having a permanent location on the ground.

TENANT: A person who has the legal right to occupy real property, or who does in fact occupy such property, but who is not the owner of such property.

TOWN: The Town of Lisbon, Connecticut.

Section 3: Prohibition of Blighted Premises

No owner of real property located in the Town of Lisbon shall allow, create, maintain or cause to be developed or allowed any blighted premises.

Section 4: Enforcement

- 4.1. Enforcement Officials: The building official, director of public health, and zoning enforcement officer of the Town of Lisbon shall each have the power to conduct any Enforcement Activities relating to the physical condition of any building or other structure. The director of public health and zoning enforcement officer of the Town of Lisbon shall also each have the power to conduct any Enforcement Activities relating to the physical condition of any land.
- 4.2. Inspection and Designation of Blighted Premises: An Enforcement Official may inspect any buildings, structures or properties that appear to be blighted or unsafe based upon his or her own visual determination or upon a complaint or report from any other person who has reason to know such conditions exist.
- 4.3. Notice and Enforcement:
 - A. Initial Finding, Notice and Order: When an Enforcement Official finds that any building, structure or land constitutes a Blighted Premises, he or she shall issue to the owner(s) and/or tenant(s) of such premises a written notice and order to correct the conditions within 60 days of the date of notice, except as may otherwise be provided in this Ordinance. The notice

shall either be hand-delivered, or sent by any form of mailing that provides confirmation of delivery, to such owner(s) and/or tenant(s), and shall include:

1. The facts upon which the finding of blight is based;
2. The date by which the conditions of blight must be corrected; and
3. The fines and fees that may be imposed by citation if the conditions are not corrected.

B. Request for Extension of Time to Remediate Conditions. Prior to the expiration of the 60-day (or other) period for correction specified in the notice of Blighted Premises, the person(s) receiving the notice may apply to the Enforcement Official for an extension of the repair period. The Enforcement Official may grant one or more extensions of the repair period, none of which may be longer than 60 days, if he or she determines that the person(s) who received the notice is diligently working to remedy the blighted conditions and that under the facts and circumstances an extension is reasonably warranted.

C. Issuance of Citation. If the conditions of blight are not corrected to the satisfaction of the Enforcement Official by the conclusion of the original correction period and any extensions thereof granted, the Enforcement Official shall issue a citation and impose a fine. If the Blighted Premises constitute Housing Blight, as defined in this Ordinance, the fine shall be \$100 for each day the blighted conditions continue to exist. The fine for the existence of Blighted Premises that do not constitute Housing Blight shall be no less than Two Hundred Fifty Dollars (\$250). The citation shall also require the payment of an administrative fee of One Hundred Dollars (\$100) for the investigation and the preparation and issuance of the citation. The citation may be hand-delivered or sent by any form of mailing that provides confirmation of delivery. The citation shall provide a period of 30 days for the payment of the fines and administrative fee.

D. Notice of Failure to Pay Fines and Fees. If the fines and administrative fee required by a citation have not been paid within 30 days after the issuance of the citation, the Enforcement Official shall send a notice to the recipient of the citation, either by hand-delivery or by any form of mailing that provides confirmation of delivery. Such notice shall inform the person(s) cited:

1. Of the allegations against him or her and the amount of fines and fees due, which fees shall include an additional administrative fee of One Hundred Dollars (\$100) for the preparation and issuance of the notice;
2. That he or she may contest his or her liability before a citation hearing officer by delivery, in person or mail, of written notice of the request for such a hearing within 10 days after the date of issuance of the notice;

3. That if he or she does not demand a hearing, an assessment and judgment shall be entered against him or her; and
 4. That such judgment may issue without further notice.
- E. Hearings. Any person who requests a hearing pursuant to Section 4.3.D of this Ordinance shall be given written notice of the date, time and place for the hearing. Such hearing shall be held 15 to 30 days from the date of the mailing or hand-delivery of the notice of such hearing. The hearing shall be conducted by a citation hearing officer appointed by the First Selectman. All hearings shall be conducted in accordance with Section 7-152c of the Connecticut General Statutes, or such other statute as may be applicable.
- F. Decision After Hearing. The citation hearing officer shall issue a decision at the conclusion of the hearing. If he or she determines that the recipient of the citation is not liable, he or she shall dismiss the matter and enter that determination in writing accordingly. If the hearing officer determines that the recipient of the citation is liable for the violations cited, he or she shall enter that determination in writing accordingly, and assess the relevant fines and fees that are provided for in this Ordinance. In addition to the administrative fees set forth in other sections of this Ordinance, the fees shall include a hearing fee of \$100 per hour for the services of the citation hearing officer, including the time needed for him or her to prepare for and conduct the hearing and to enter his or her decision. If the fines and fees are not paid on the date of entry of such decision, the citation hearing officer shall send notice of such decision to the recipient of the citation by first class mail.
- G. Liens and Enforcement of Citations. Liens may be placed upon property for unpaid citations in accordance with Section 7-148aa or other applicable sections of the Connecticut General Statutes. If the required fines and fees are not paid at the time of entry of a decision pursuant to Section 4.3.F of this ordinance, the citation hearing officer shall mail a notice of the assessment of such fines and fees to the person found liable. If the fines and fees are not paid within thirty days after the entry of the decision, the hearing officer shall file a certified copy of the notice of assessment with the clerk of a Superior Court facility in accordance with Section 7-152c(f) of the Connecticut General Statutes, or such other statute as may be applicable.
- H. Injunctions. In addition to the issuance of any citation, an Enforcement Official shall have the authority, upon confirmation by the First Selectman of the availability of funds appropriated for such purpose, to apply to a court of competent jurisdiction for an injunction to restrain or correct any conditions that have caused Blighted Premises.

- I. Exemption. Any Blighted Premises for which a special permit or site plan application for improvements is pending shall be exempt from the provisions of this Ordinance for a period of ninety (90) days from the date of submission of a complete application to the Planning and Zoning Commission, provided that no more than one such exemption shall be available within any period of 365 consecutive days.
- J. Extended Period for Remediation. When Blighted Premises are owned or occupied by a person or persons for whom it is particularly difficult to maintain a reasonable level of upkeep, whether due to physical infirmity or lack of sufficient income, an Enforcement Official may give such person or persons special consideration in determining a reasonably adequate time to correct the violation(s). In such instances, the Enforcement Official may allow a period of more than 60 days to correct the violations, provided that the Enforcement Official shall specify, in writing, the reasons for granting the extended period. Such written statement of reasons need not contain any personal information that would, if disclosed to the public, invade the personal privacy of the owner or occupant but may, instead, be a simple statement that the person was determined by the Enforcement Official to have special physical or financial needs.

Section 5: Validity


If any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, clauses, sentences or phrases of the Ordinance, which shall remain in effect, it being the legislative intent that this Ordinance shall stand, notwithstanding the invalidity of any part, and shall be and remain valid and enforceable to the fullest extent permitted by law.

Moderator to read item 12: "To adjourn Annual Town Meeting action upon the General Government Budget and Board of Education Budget, pursuant to "An Ordinance Requiring Referendum Votes for the Annual Town Budget," for a referendum vote on Thursday May 17, 2012 between the hours of 6:00 a.m. and 8:00 p.m. to be held in the Lisbon Town Hall, 1 Newent Road, and Lisbon Senior Center, 11 Newent Road, Lisbon, Connecticut 06351."

Motion to "To adjourn Annual Town Meeting action upon the General Government Budget and Board of Education Budget, pursuant to "An Ordinance Requiring Referendum Votes for the Annual Town Budget," for a referendum vote on Thursday May 17, 2012 between the hours of 6:00 a.m. and 8:00 p.m. to be held in the Lisbon Town Hall, 1 Newent Road, and Lisbon Senior Center, 11 Newent Road, Lisbon, Connecticut 06351." by George Williams, seconded by John Mather.

MOTION CARRIED

Town meeting adjourned to referendum vote.
Town meeting adjourned at 8:20 p.m.


Laurie Tirocchi
Town Clerk

RECEIVED FOR RECORD AT LISBON
CT ON 05/08/2012 AT 1:30 p.m.
ATTEST. LAURIE TIROCCHI, TOWN CLERK


asst. clerk