

RESIGNATION OF CHAIRMAN & MEMBER OF PLANNING AND ZONING COMMISSION Con.

I respect the tremendous efforts all of you have made over the years to the Commission and I wish you all the best. Thank you for your support.

Sincerely,
PAUL L. ABBOTT
Paul L. Abbott

A true copy of the above received for record September 25, 1987.

Attest:

Maureen J. Pascha
Town Clerk

MINUTES OF ANNUAL TOWN MEETING OCTOBER 5, 1987 - 8 PM KENT CENTER SCHOOL

Meeting opened by the First Selectman, Maureen Brady, who called for the selection of a Moderator. John D. Greene was chosen and the Warning read by the Clerk.

1. Motion by A. Ward, seconded by J. Chamberlain, that we receive and accept the reports of the Selectmen, Town Treasurer, Board of Education, and of other offices, committees and boards whose reports are printed in the Annual Town Report. Approved.
2. Motion by L. Schiesel, seconded by A. Ward, to authorize the Selectmen and Town Treasurer to borrow from time to time upon the credit of the Town sufficient funds for the needs of the Town and to make and deliver the negotiable promissory note or notes of the Town therefor.
3. Motion by J. Chamberlain, seconded by R. Pratt, to appoint Glen Nielsen and Bruce K. Adams to 3 yr. terms on the Park & Recreation Commission and Karen A. Chase to a 1 yr. vacancy term on Park & Rec.
4. Motion by M. Grusauski, seconded by A. Ward, that the Town of Kent adopt the following resolution:

RESOLVED: That the Town of Kent adopt an Ordinance, copies of which are available to each voter, adopting the provisions of Chapter 103b Sections 7-273aa to 7-273oo by which the Town of Kent will join other regional towns in a public body politic and corporate of the State to be known as the Housatonic Resources Recovery Authority.

ORDINANCE

WHEREAS, the prevailing solid waste disposal practice in the Town of Kent and in nearby communities could potentially result in unnecessary environmental damage, waste valuable land and other resources, and constitute a continuing hazard to the health and welfare of the citizens thereof, and present technology permits the conversion of residential and commercial solid waste into commercially valuable resources including steam and electricity, in an environmentally sound manner;

ORDINANCE Continued

WHEREAS the Town of Kent has entered into discussions with nearby communities regarding a regional solution to residential and commercial solid waste management and disposal, and will pursue such discussions with other cities and towns as may seek to cooperate for such purposes;

WHEREAS, Chapter 103b, Sections 7-273aa to 7-273oo of the Connecticut General Statutes, as amended by the provisions of Public Act No. 85-478, provide for the creation and authorization of Resources Recovery Authorities by the enactment by municipalities of concurrent ordinances.

WHEREAS, it is in the best interest of the Town of Kent to cooperate with one or more of the nearby communities in a Resources Recovery Authority to provide a regional solution to the problems of residential and commercial solid waste management and disposal; and

WHEREAS, it is in the best interest of the Town of Kent that said Resources Recovery Authority have the powers contained in Section 7-273bb of the Connecticut General Statutes as amended by Public Act 85-478.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF KENT:

1. The provisions of Chapter 103b, Sections 7-273aa to 7-273oo, as amended by the provisions of Public Act 85-478, are hereby adopted.
2. A public body politic and corporate of the State, to be known as the "Housatonic Resources Recovery Authority" (hereinafter referred to as the "Authority"), constituting a political subdivision of the State of Connecticut established and created for the performance of an essential public and governmental function is hereby created for the purposes, charged with the duties and granted the powers provided in Chapter 103b, Sections 7-273aa to 7-273oo of the Connecticut General Statutes, as amended by Public Act 85-478, and Chapters 446d and 446e of the Connecticut General Statutes, as amended, which Authority is hereby designated as the Resources Recovery Authority for the Town of Kent. The Authority shall be the Resources Recovery Authority for the Town of Kent and for such other member municipalities as shall by ordinance concurrent herewith adopt the provisions of Chapter 103b of the Connecticut General Statutes, as amended, create the Authority and designate the Authority as their Resources Recovery Authority, and such other municipalities as shall by ordinance and upon such terms and conditions as the Authority may determine, hereafter become member municipalities of the Authority.
3. The Authority is established and created for the purpose of providing solid waste management and disposal services within the region of the Authority, which shall be the region within the jurisdiction of all the member municipalities of the Authority, and which purpose includes providing for the disposal of residential and commercial solid waste, the financing, construction and operation of one or more solid waste disposal facilities for such purpose, and the delivery of solid waste thereto, including facilities for incineration of solid waste and production of steam, electricity and other by-products for sale to public

ORDINANCE Continued

4. The membership of the Authority shall consist of one member from each member municipality of the Authority. Each such member, including each of the first members of the Authority, shall be appointed in the manner set forth in the concurrent ordinance adopted by each member municipality. Members shall serve for terms of three years, on a rotating basis as determined by the Board of the Authority, provided however, that members shall continue to serve until their successors are appointed and have qualified. In no event shall the terms of more than one half of the members expire simultaneously. If because of the addition or reduction of the number of member municipalities, the terms of more than one half of the members would expire simultaneously, then the terms of a sufficient number of members shall be automatically extended for a period of one year. Said extensions shall be based upon the alphabetical order of the member municipalities.

Each member municipality may appoint one alternate member of the Authority who shall act in the event of the disability or absence for any other reason of the member of the municipality. Said alternate member shall only have a voice and vote at Authority meetings if the member from said municipality is absent from the meeting.

5. The Board of Selectmen of the Town of Kent shall appoint the Kent member and alternate to the Authority. The Board of Selectmen shall fill any vacancy which occurs and may remove said member or alternate for cause. No person shall be eligible for appointment as a Kent member or alternate to the Authority unless at the time of his appointment he is an elector of the Town. Any such person who ceases to be an elector of the Town shall thereupon cease to hold said office.
6. The Authority shall operate with one hundred voting units which shall be assigned to member municipalities in proportion to each municipality's share of the total population of all members of the Authority as determined by the latest decennial federal census of population. There shall be no fractional votes and each municipality shall have a minimum of one vote. The distribution of voting units among members shall be recomputed following each decennial federal census and upon the withdrawal or termination of any member municipality or the admission of a new member municipality. All actions by the Authority shall require the affirmative vote of at least fifty-one percent of the total voting units present and voting at a duly called meeting of the Authority at which a quorum is present.

Members of the Authority holding majority of the voting units shall constitute a quorum, provided that no quorum shall be deemed to exist unless at least fifty percent of the members of the Authority shall be present and voting.

7. Members of the Authority shall serve without compensation but shall be reimbursed for their necessary expenses.

8. Member municipalities may withdraw from the Authority only after agreeing, in writing, to comply with the terms and conditions contained in any contracts between such municipality and the Authority, or the holders of any bonds of the Authority. No such withdrawal shall relieve such municipality of any liability, responsibility or obligation incurred by it as a member of the Authority or as a user of any of the Authority's projects.
9. The ordinance shall be deemed to be concurrent with such ordinances as shall be enacted by the member Towns which ordinances are not inconsistent in any material respect with the provisions of this ordinance. Said ordinance shall be deemed concurrent even though said ordinances are not adopted simultaneously by said municipalities.
10. This Ordinance shall become effective 15 days after publication of a summary thereof, pursuant to the provisions of 7-157(b) in a newspaper having a circulation in the Town of Kent.

Discussion. Approved unanimously.

5. Motion by E. Bull, seconded by J. Chamberlain, that the Town of Kent adopt the following resolution:

RESOLVED: That the Town of Kent authorize its First Selectman to execute and enter into the Joint Planning Memorandum among the town, the Connecticut Resources Recovery Authority ("CRRA"), the Housatonic Resources Recovery Authority and various other municipalities in the Housatonic Valley region, pursuant to which the town agrees to pay to CRRA its pro rata share of CRRA's Unreimbursed Expenses (as defined therein);

RESOLVED: That the First Selectman of the Town of Kent be, and she hereby is authorized to execute and deliver said Joint Planning Memorandum on behalf of the Town of Kent; and

FURTHER RESOLVED: That the Town of Kent hereby pledges its full faith and credit to satisfy its obligations under such Joint Planning Memorandum.

Discussion. Approved unanimously.

6. Motion by E. Epstein, seconded by P. Moroz, that the Town of Kent adopt the following:

TOWN OF KENT
RESOLUTION AND ORDINANCE

WHEREAS, the Town of Kent presently has a Planning and Zoning Commission which since November 27, 1981 has been responsible for the administration and implementation of the Flood Plain Management Ordinance of the Town of Kent, adopted February 27, 1980 and

WHEREAS it would facilitate the management of the Flood Plain in the Town of Kent were the Planning and Zoning Commission able to amend the contents of these ordinances by regulation from time to time,

NOW THEREFORE, the Town of Kent, acting herein by a Town Meeting, takes the following action:

I certify that the foregoing pages are extracts of
the minutes of the Annual Town Meeting of October 5, 1987.



Dorothy Osborne, Asst Town Clerk

TOWN OF KENT
SPECIAL TOWN MEETING
MAY 19, 1989
ITEM NO. 3

ORDINANCE RE:
HOUSATONIC RESOURCES RECOVERY AUTHORITY

BE AND IT IS HEREBY ORDAINED THAT:

A. Section 6 and Section 7 of the Ordinance adopted at Town Meeting on October 5, 1987 adopting the provisions of Chapter 103b of the Connecticut General Statutes, Sections 7-273aa to 7-273oo, as amended by Public Act 87-478, and establishing the Town of Kent's participation in the Housatonic Resources Recovery Authority, are hereby amended to read as follows:

6. Except in the case of proceedings to terminate membership in the Authority, the Authority shall operate with one hundred (100) voting units which shall be assigned to member municipalities in proportion to each municipality's share of the total population of all members of the Authority as determined by the latest decennial federal census of population. There shall be no fractional votes and each municipality shall have a minimum of one vote. The distribution of voting units among members shall be recomputed following each decennial federal census and upon the withdrawal or termination of any member municipality or the admission of a new member municipality. All actions by the Authority shall require the affirmative vote of at least fifty-one (51) percent of the total voting units present and voting at a duly called meeting of the Authority at which a quorum is present.

Members of the Authority holding a majority of the voting units shall constitute a quorum, provided that no quorum shall be deemed to exist unless at least fifty-one (51) percent of the members of the Authority shall be present and voting.

In the case of proceedings to terminate membership in the Authority, each member municipality shall have one vote and there shall be no vote by voting units.

7. Members of the Authority shall serve without compensation but may be reimbursed for their necessary expenses.

B. This Ordinance shall become effective fifteen (15) days after publication.

5/25/89

I certify that this is a true copy of the Motion unanimously approved at the Special Town Meeting held on May 19, 1989.

Attest:



Town Clerk