

NOTICE OF SPECIAL TOWN MEETING

The electors and those entitled to vote in Special Town Meetings of the Town of Middlebury are hereby warned that a Special Town Meeting will be held at the Shepardson Community Center Auditorium, 1172 Whittemore Road on July 29, 2009 at 7:30 p.m. for the following purposes:

1. To approve the following Special Fund Budgets:

Capital Non-Recurring Fund	\$ 17,200.00
Highway Grant Fund	\$ -
Municipal Infrastructure Fund	\$137,802.00
Library Improvement Fund	\$ 43,505.80
Water Revolving Fund	\$ -
Park & Recreation Revenue Fund	\$ 10,000.00

2. To approve in accordance with Section 304F(2) of the Charter of the Town of Middlebury, the sale of a 1982 American LaFrance Pumper Truck, VIN #1AFAB1187C1A17583 for Ten Thousand (\$10,000.00) Dollars to the Tarkington Volunteer Fire Department of Cleveland, TX.
3. To amend the Town of Middlebury Ordinance concerning Burglar, Fire, Hold-up and Automatic Dialer Alarm Systems, Section 8. False Alarm Limitation to state: "A maximum of three (3) false alarms per town fiscal year (July 1 to June 30) shall be allowed from any alarm system to any person, firm or corporation. Upon receipt of the fourth false alarm during the fiscal year, a use fee shall be assessed by the Chief of Police in the amount of Fifty Dollars (\$50.00); upon the fifth false alarm, a use fee shall be assessed in the amount of Seventy-Five Dollars (\$75.00); and upon the sixth and each additional false alarm calls within the fiscal year, a use fee shall be assessed in the amount of One Hundred Dollars (\$100.00). Alarms originating from any building owned or operated by the Town of Middlebury shall be exempt from the user fee requirements."
4. To enact a Town of Middlebury Ordinance establishing payment schedule for annual Real Estate Tax, Personal Property Tax, and Motor Vehicle Tax to state:

" Pursuant to Section 12-142 et seq. of the Connecticut General Statutes,

- a. All taxes due and payable to the Town of Middlebury shall be in two semi-annual installments except for any tax of One Hundred Dollars (\$100.00) or less and all motor vehicle taxes, regardless of amount due."
- b. All taxes due and payable of One Hundred Dollars (\$100.00) or less and all motor vehicle taxes, regardless of amount due, are payable on the **1st day of July** of each year following the annual approval of the general fund budget with the exception of the first installment of real estate taxes which are due on the **1st day of July** of each year.
- c. All other taxes shall be due and payable in TWO installments; the first installment due and payable on the **1st day of July** of each year and the second installment on the **1st day of January** following the annual approval of the general fund budget."
- d. Except as established by action of a Town Meeting, each of the two installments of a tax due shall be equal; any taxpayer may pay the two installments when the first is due."

Adopted by the Board of Selectmen this 17th, day of July, 2009.

Thomas P. Gormley, First Selectman
Robert C. Desmarais, Sr., Selectman

Republican American

**Special Town Meeting
July 29, 2009
Minutes**

The meeting was called at 7:30 p.m. by Moderator Michael Marcucci. A motion to waive reading the legal notice was made by Stephen Ferrucci, seconded by Ralph Barra. Vote: All were in favor. Motion carried. The Moderator read the first item on the agenda:

“To approve the following Special Fund Budgets:

Capital Non-Recurring Fund	\$ 17,200.00
Highway Grant Fund	\$ -
Municipal Infrastructure Fund	\$137,802.00
Library Improvement Fund	\$ 43,505.80
Water Revolving Fund	\$ -
Park & Recreation Revenue Fund	\$ 10,000.00

A motion to open item #1 was made by Robert Desmarais, seconded by Thomas Gormley. Richard Spierito asked about the state funding. Mr. Gormley responded that the allocations were already made. A motion to close discussion was made by Mr. Ferrucci, seconded by John Cookson. All were in favor to close discussion. Vote on item #1: All were in favor, none opposed. Motion carried. The Moderator read item #2 on the agenda:

“To approve in accordance with Section 304F (2) of the Charter of the Town of Middlebury, the sale of a 1982 American LaFrance Pumper Truck, VIN #1AFAB1187C1A17583 for Ten Thousand (\$10,000) Dollars to the Tarkington Volunteer Fire Department of Cleveland, TX.”

The Moderator added that the Town of Middlebury netted \$9,400 after fees were paid. A motion was made by Mr. Ferrucci, seconded by Mr. Desmarais to open discussion on item #2. There was no discussion. Vote on Item #2: All were in favor, none opposed. Motion carried.

The Moderator read item #3 on the agenda:

“To amend the Town of Middlebury Ordinance concerning Burglar, Fire, Hold-up and Automatic Dialer Alarm Systems, Section 8. False Alarm Limitation to state: “A maximum of three (3) false alarms per town fiscal year (July 1 to June 30) shall be allowed from any alarm system to any person, firm or corporation. Upon receipt of the fourth false alarm during the fiscal year, a use fee shall be assessed by the Chief of Police in the amount of Fifty Dollars (\$50.00); upon the fifth false alarm, a use fee shall be assessed in the amount of Seventy-Five Dollars (\$75.00); and upon the sixth and each additional false alarm calls with the fiscal year, a use fee shall be assessed in the amount of One Hundred Dollars (\$100.00). Alarms originating from any building owned or operated by the Town of Middlebury shall be exempt from the user fee requirements.”

A motion to open Item #3 was made by Mr. Barra, seconded by Mr. Gormley. There was no discussion. Vote on Item #3: All were in favor, none opposed. Motion carried.

The Moderator then read Item #4: “To enact a Town of Middlebury Ordinance establishing payment schedule for annual Real Estate Tax, Personal Property Tax, and Motor Vehicle Tax to state:

“Pursuant to Section 12-142 et seq. of the Connecticut General Statutes,

- a. All taxes due and payable to the Town of Middlebury shall be in two semi-annual installments except for any tax of One Hundred Dollars (\$100.000 or less and all motor vehicle taxes, regardless of amount due.
- b. All taxes due and payable of One Hundred Dollars (\$100.000) or less and all motor vehicle taxes, regardless of amount due, are payable on the **1st day of July** of each year following the annual approval of the general fund budget with the exception of the first installment of real estate taxes which are due on the **1st day of July** of each year.
- c. All other taxes shall be due and payable in TWO installments; the first installment due and payable on the **1st day of July** of each year and the second installment on the **1st day of January** following the annual approval of the general fund budget.
- d. Except as established by action of a Town Meeting, each of the two installments of a tax due shall be equal; any taxpayer may pay the two installments when the first is due.”

A motion to open Item #4 was made by Robert Bona, seconded by Mr. Gormley. Mr. Spierto asked what would happen if the budget did not pass by July. The Moderator responded that the situation is covered by section “d” of Item #4. A motion to close discussion was made by Mr. Cookson, seconded by Mr. Ferrucci. Vote on item #4: All were in favor, none opposed. Motion carried.

There being no further business, a motion to adjourn was made by Mr. Desmarais, seconded by Mr. Barra. All were in favor. Meeting adjourned at 7:40 p.m. Number attending: 20

Respectfully submitted,

Edith Salisbury
Town Clerk
July 30, 2009