



Senate

General Assembly

File No. 555

January Session, 2015

Substitute Senate Bill No. 1047

Senate, April 8, 2015

The Committee on Planning and Development reported through SEN. OSTEN of the 19th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT AMENDING THE CHARTER OF THE BOROUGH OF FENWICK WITHIN THE TOWN OF OLD SAYBROOK.

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

1 Section 1. Section 1 of number 271 of the special acts of 1899, as
2 amended by section 11 of special act of 13-23, is amended to read as
3 follows (*Effective from passage*):

4 That [all of] the electors [of this state, who own real estate located in
5 and who have been domiciled for two months during the year last past
6 in the town of Old Saybrook and within] described in section 2 of
7 number 271 of the special acts of 1899 in relation to the territory
8 included within the following limits, to wit: Bounded north by the
9 South Cove, so called; east by Connecticut River; south by Long Island
10 sound; and west by the east line of land of Daniel C. Spencer, said east
11 line running about south from said South Cove to Long Island sound,
12 the territory comprised within said boundaries being situated on the
13 peninsula of Lynde's Point, and known as New Saybrook and so

14 designated on a map thereof on file in the office of the town clerk of
15 Old Saybrook; are hereby declared to be, and shall forever continue to
16 be, a body politic and corporate within said town of Old Saybrook, by
17 the name of the borough of Fenwick; and by that name they and their
18 successors shall have perpetual succession, and shall be a person in
19 law, capable of suing and being sued, pleading and being impleaded
20 in all courts of whatsoever nature; and also of purchasing, holding,
21 and conveying any estate, real or personal; and shall have a common
22 seal and may change and alter the same at pleasure.

23 Sec. 2. Section 2 of number 271 of the special acts of 1899 is amended
24 to read as follows (*Effective from passage*):

25 (a) [All of the electors aforesaid, domiciled within said limits for two
26 months during the year last past, and owners of real estate located
27 within said limits, and all] Electors of the borough of Fenwick shall
28 include (1) all electors of the town of Old Saybrook who actually reside
29 within the limits of the said borough, [shall be freemen at the first
30 election of officers under this act and for the year next ensuing; and
31 every elector of this state who shall thereafter have been domiciled
32 within the limits of said borough for a period of two months during
33 any year and who shall have owned real estate located in said borough
34 during said time shall be a freeman of said borough for the year during
35 which he has so owned real estate and been so domiciled for two
36 months and for the year ensuing and all electors of the town of Old
37 Saybrook who actually reside within the limits of said borough shall
38 also be freemen of said borough] (2) every citizen of the United States
39 of the age of eighteen years or more who is liable to said borough for
40 taxes assessed against such citizen on an assessment of not less than
41 one thousand dollars on the last-completed grand list used in
42 connection with the assessment of taxes by said borough, or who
43 would be so liable if not entitled to a statutory exemption, and (3) any
44 holder of record of an interest in real property located within said
45 borough. Any [freeman] elector of said borough who votes in the said
46 borough under the provisions of [this act] number 271 of the special
47 acts of 1899, but whose permanent residence is not within the limits of

48 the town of Old Saybrook, may vote at all elections in any town in this
49 state where he or she permanently resides, and the fact that any person
50 is registered as [a voter] an elector in the borough of Fenwick shall not
51 deprive him or her of the right to register and vote in any town in this
52 state where he or she has a permanent residence.

53 (b) (1) For purposes of voting at meetings held by said borough, a
54 corporation shall have its vote cast by the chief executive officer of
55 such corporation, or such officer's designee. Any entity that is not a
56 corporation shall have its vote cast by a person authorized by such
57 entity to cast its vote. No owner shall have more than one vote.

58 (2) No holder of record of an interest in real property shall be
59 precluded from participating in any district meeting or referendum
60 because of the form of entity that holds such interest, whether such
61 holder of record is: (A) A corporation, partnership, unincorporated
62 association, trustee, fiduciary, guardian, conservator or other form of
63 entity, or any combination thereof, or (B) an individual who holds an
64 interest jointly or in common with another individual or individuals,
65 or with any one or more of the entities listed in subparagraph (A) of
66 this subdivision.

67 Sec. 3. Section 3 of number 271 of the special acts of 1899, as
68 amended by section 1 of number 256 of the special acts of 1943, section
69 1 of number 325 of the special acts of 1951 and number 28 of the special
70 acts of 1957, is amended to read as follows (*Effective from passage*):

71 A meeting of the [legal voters] electors of said borough of Fenwick
72 shall be held on the first Saturday of July in the year 1957, and
73 biennially thereafter, for the election from their numbers by a plurality
74 of votes of a warden, six burgesses, a clerk, a treasurer and a collector.
75 All of said officers of said borough shall be sworn faithfully to perform
76 the duties of their several offices, and shall hold office until the next
77 meeting and until others shall be chosen and qualified in their stead.
78 Notice of any meeting shall be signed by the warden or any three
79 burgesses, and shall designate the time and place of such meeting, the
80 officers to be elected, and other business to be transacted thereat; and

81 such notice shall be posted at least five days before the date of such
82 meeting on the public signpost in said borough.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	Number 271 of the special acts of 1899, Sec. 1
Sec. 2	<i>from passage</i>	Number 271 of the special acts of 1899, Sec. 2
Sec. 3	<i>from passage</i>	Number 271 of the special acts of 1899, Sec. 3

PD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill, which makes changes regarding who can participate in public meetings and vote in referenda in the Borough of Fenwick, has no fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis

sSB 1047

AN ACT AMENDING THE CHARTER OF THE BOROUGH OF FENWICK WITHIN THE TOWN OF OLD SAYBROOK.

SUMMARY:

The Office of Legislative Research does not analyze Special Acts.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 19 Nay 0 (03/20/2015)