



House of Representatives

General Assembly

File No. 546

January Session, 2021

House Bill No. 6640

House of Representatives, April 21, 2021

The Committee on Planning and Development reported through REP. MCCARTHY VAHEY, C. of the 133rd Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING THE CEDAR HILLS INFRASTRUCTURE IMPROVEMENT DISTRICT.

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

1 Section 1. Section 1 of special act 15-16 is amended to read as follows
2 (*Effective from passage*):

3 (a) For purposes of this section:

4 (1) "District" means that certain real property, situated in the town of
5 North Haven, the county of New Haven and the state of Connecticut,
6 the Cedar Hills Infrastructure Improvement District, a body politic and
7 corporate, subject to sections 7-324 to 7-329, inclusive, of the general
8 statutes, except as otherwise provided in this section and consisting of
9 the area bounded and described as follows: All that certain piece or
10 parcel of land with the buildings thereon standing, situated in the town
11 of North Haven, county of New Haven and state of Connecticut, more
12 particularly bounded and described as follows: Beginning at a point on

13 the westerly line of land now or formerly of Conrail, said point being
14 the northeasterly most point of the parcel herein described, and located
15 at North 187,664.0573 East 566,341.8771 of the Connecticut state plane
16 coordinate system (NAD27); thence running N 58°24'57" W a distance
17 of 288.93 feet along lands now or formerly of Bartram Realty Co., Inc.
18 Exit Nine Ltd. partnership, and Michael Schiavone each in part to a
19 point; thence running along land now or formerly of the state of
20 Connecticut, S 37°08'46" W a distance of 714.93 feet to a point; thence
21 running the following courses and distances along land now or formerly
22 of Amtrak: S 53°31'42" E a distance of 50.00 feet to a point; S 36°28'18" W
23 a distance of 770.00 feet to a point; S 37°35'53" W a distance of 1050.12
24 feet to a point; along a curve to the left, with an arc length of 81.88 feet,
25 a radius of 521.14 feet, delta 09°00'08" to a point; S 28°35'45" W a distance
26 of 335.00 feet to a point; S 26°38'12" W a distance of 968.32 feet to a point;
27 along a curve to the right, with an arc length of 337.56 feet, a radius of
28 2296.39 feet, delta 08°25'20" to a point; S 37°42'34" W a distance of 624.49
29 feet to a point; S 43°02'53" W a distance of 41.32 feet to a point; S 52°24'11"
30 E a distance of 30.14 feet to a point; S 46°38'25" W a distance of 486.97
31 feet to a point; along a curve to the right, with an arc length of 163.54
32 feet, a radius of 605.28 feet, delta 15°28'25" to a point; along a curve to
33 the right, with an arc length of 243.59 feet, a radius of 808.24 feet, delta
34 17°16'04" to a point; S 80°52'59" W a distance of 174.96 feet to a point; S
35 87°07'09" W a distance of 302.64 feet to a point; along a curve to the right,
36 with an arc length of 726.72 feet, a radius of 753.32 feet, delta 55°16'22"
37 to a point; along a curve to the right, with an arc length of 223.65 feet, a
38 radius of 628.85 feet, delta 20°22'37" to a point; along a curve to the right,
39 with an arc length of 162.88 feet, a radius of 1656.17 feet, delta 05°38'06"
40 to a point; along a curve to the right, with an arc length of 182.57 feet, a
41 radius of 797.70 feet, delta 13°06'48" to a point on the town line between
42 North Haven and New Haven; thence running along said town line N
43 81°05'05" E a distance of 366.37 feet to a point; thence running the
44 following courses and distances along land now or formerly of Conrail:
45 N 38°08'31" E a distance of 697.88 feet to a point; along a curve to the
46 left, with an arc length of 86.37 feet, a radius of 538.71 feet, delta
47 09°11'12" to a point; N 28°57'20" E a distance of 616.49 feet to a point;

48 along a curve to the right, with an arc length of 126.06 feet, a radius of
49 775.87 feet, delta 09°18'34" to a point; N 38°15'52" E a distance of 775.50
50 feet to a point; N 37°55'13" E a distance of 423.74 feet to a point; along a
51 curve to the left, with an arc length of 276.83 feet, a radius of 1700.00
52 feet, delta 09°19'48" to a point; N 28°35'25" E a distance of 789.68 feet to
53 a point; N 28°13'24" E a distance of 852.15 feet to a point; along a curve
54 to the left, with an arc length of 465.94 feet, a radius of 4000.11 feet, delta
55 06°40'26" to a point; N 22°25'26" E a distance of 292.92 feet to a point;
56 along a curve to the right, with an arc length of 259.16 feet, a radius of
57 1595.77 feet, delta 09°18'18" to a point; N 31°15'55" E a distance of 858.05
58 feet to the point and place of beginning; said parcel containing 364,216
59 square feet or 83.57 acres of land in total; plus land now or formerly of
60 Exit Nine Ltd. partnership as described below: Commencing at a point
61 on the westerly line of land now or formerly of Conrail, said point being
62 the southwesterly most point of the parcel previously described, and
63 located at North 187,664.0573 East 566,341.8771 of the Connecticut state
64 plane coordinate system (NAD27); thence running N 58°24'57" W a
65 distance of 190.45 feet along land now or formerly of Bartram Realty Co.,
66 Inc. to the point of beginning; thence running the following courses and
67 distances along land now or formerly of Bartram Realty Co., Inc.: Along
68 a curve to the left, with an arc length of 358.46 feet, a radius of 566.00
69 feet, delta 36°17'12" to a point; N 08°28'02" W a distance of 630.01 feet to
70 a point; along a curve to the right, with an arc length of 189.22 feet, a
71 radius of 506.00 feet, delta 21°25'33" to a point; N 12°57'30" E a distance
72 of 598.48 feet to a point; S 77°02'30" E a distance of 10.00 feet to a point;
73 along a curve to the right, with an arc length of 294.18 feet, a radius of
74 444.16 feet, delta 37°56'55" to a point; N 50°54'24" E a distance of 4.10 feet
75 to a point; N 46°36'55" E a distance of 74.51 feet to a point on the
76 southerly street line of Universal Drive; thence along said southerly
77 street line of Universal Drive, along a curve to the right, with an arc
78 length of 357.23, a radius of 566.98, delta 36°05'59" to a point; thence
79 running the following courses and distances along land now or formerly
80 of Michael Schiavone: S 12°37'30" W a distance of 1212.63 feet to a point;
81 along a curve to the left, with an arc length of 215.39 feet, a radius of
82 576.00 feet, delta 21°25'31" to a point; S 08°28'02" E a distance of 630.01

83 feet to a point; along a curve to the right, with an arc length of 309.22
84 feet, a radius of 496.00 feet, delta 35°45'16" to a point; thence S 58°24'57"
85 E a distance of 70.25 feet along the previous described parcel to the point
86 and place of beginning. The parcel herein described contains 189,865
87 square feet or 4.36 acres of land. Said parcel is more particularly
88 depicted on map titled "Subdivision Plan, Consolidated Rail Corp.
89 (Conrail), Penn Central Co. (Amtrak) - Celevon Corp., Nicesca, LLC -
90 agent, New Haven / North Haven, Connecticut" sheets 1-3 of 3. Date:
91 12/29/97 rev to 8/9/98. Scale: as noted. Said map prepared by Clarence
92 Blair Associates, Inc. The project boundaries shall [also] include any off-
93 site locations mandated by any permitting agency for improvements
94 associated with the project, including, but not limited to, locations
95 providing ingress and egress, and locations associated with any plan of
96 development established by the district.

97 (2) "Voter" means (A) any person who is an elector of the district, (B)
98 any citizen of the United States of the age of eighteen years or more who,
99 jointly or severally, is liable to the district for taxes assessed against such
100 citizen on an assessment of not less than one thousand dollars on the
101 last-completed grand list of such district, as the case may be, or who
102 would be so liable if not entitled to an exemption under subdivision (17),
103 (19), (22), (23) or (26) of section 12-81 of the general statutes, or (C) any
104 holder of record of a fee simple interest in real property within the
105 district.

106 (3) "Bonds" means bonds, notes or other obligations authorized by
107 this section, and refunding bonds, notes or other obligations to refinance
108 the same.

109 (b) (1) Upon the petition of fifteen or more persons eligible to vote in
110 the town of North Haven, specifying the district for any or all of the
111 purposes set forth in this section, the selectmen of such town shall call a
112 meeting of the voters to act upon such petition, which meeting shall be
113 held at such place within such town and such hour as the selectmen
114 designate, not later than thirty days after such petition has been received
115 by the selectmen. Such meeting shall be called by publication of a

116 written notice of the same, signed by the selectmen, at least fourteen
117 days before the time fixed for such meeting in two successive issues of
118 some newspaper published or circulated in such town. Not later than
119 twenty-four hours before such meeting, (A) two hundred or more voters
120 or ten per cent of the total number of voters of such proposed district,
121 whichever is less, may petition the selectmen, in writing, for a
122 referendum of the voters of such proposed district, or (B) the selectmen
123 in their discretion may order a referendum of the voters of such
124 proposed district, on the sole question of whether the proposed district
125 should be established. Any such referendum shall be held not less than
126 seven or more than fourteen days after the receipt of such petition or the
127 date of such order, on a day to be set by the selectmen for a vote by paper
128 ballots or by a "yes" or "no" vote on the voting machines, during the
129 hours between twelve o'clock noon and eight o'clock p.m.; except that
130 such town may, by vote of the voters of such proposed district, provide
131 for an earlier hour for opening the polls but not earlier than six o'clock
132 a.m., notwithstanding the provisions of any special act. If voters
133 representing at least two-thirds of the assessments of holders of record
134 within the proposed district cast votes in such referendum in favor of
135 establishing the proposed district, the selectmen shall reconvene such
136 meeting not later than seven days after the day on which the referendum
137 is held. Upon approval of the petition for the proposed district by voters
138 representing at least two-thirds of the assessments of holders of record
139 within the proposed district present at such meeting, or if a referendum
140 is held, upon the reconvening of such meeting after the referendum, the
141 voters, upon the vote of voters representing a majority of assessments
142 of holders of record within the proposed district, shall choose necessary
143 officers therefor to hold office until the first annual meeting thereof; and
144 the district shall, upon the filing of the first report filed in the manner
145 provided in subsection (c) of section 7-325 of the general statutes,
146 thereupon be a body corporate and politic and have the powers
147 provided in sections 7-324 to 7-329, inclusive, of the general statutes, not
148 inconsistent with the general statutes or this section, in relation to the
149 objects for which it was established, that are necessary for the
150 accomplishment of such objects, including the power to lay and collect

151 taxes. The clerk of such district shall cause its name and a description of
152 its territorial limits and of any additions that may be made thereto to be
153 recorded in, and a caveat be placed upon, the land records of the town
154 of North Haven.

155 (2) At the meeting called for the purpose of establishing the district
156 as provided in subdivision (1) of this subsection, the voters may
157 establish the district for any or all of the following purposes: To
158 extinguish fires, to light streets, to plant and care for shade and
159 ornamental trees, to plan, lay out, acquire, construct, maintain and
160 finance railway infrastructure, roads, sidewalks, crosswalks, drains,
161 sewers and sewage treatment facilities, utility infrastructure,
162 improvements and connections, parking facilities, open space, bulkhead
163 repairs, dredging and construction, environmental remediation and
164 other infrastructure improvements and to acquire, construct, maintain
165 and regulate the use of recreational facilities, to plan, lay out, acquire,
166 construct, reconstruct, repair, maintain, supervise and manage a flood
167 or erosion control system, and to plan, lay out, acquire, construct,
168 maintain, operate, finance and regulate the use of a community water
169 system, all as hereinafter referred to as the "improvements". The district
170 may contract with a town, city, borough or other district for carrying out
171 any of the purposes or the purchase or sale of any of the improvements
172 for which such district was established.

173 (3) At the meeting called for the purpose of establishing the district
174 as provided in subdivision (1) of this subsection, the voters shall fix the
175 date of the annual meeting of the voters for the election of the board of
176 directors and officers for the district and the transaction of such other
177 business as may properly come before such annual meeting. At such
178 organizational meeting of the district, the voters shall elect four
179 directors. The four directors first elected shall be designated to serve
180 terms of one, two, three and four years, respectively, and the directors
181 elected thereafter shall serve for terms of four years. Upon its
182 organization and at all times thereafter, one additional director may be
183 appointed by the first selectman of the town of North Haven. From such
184 directors, the voters shall elect at the organizational meeting a president,

185 a vice-president, a clerk and a treasurer to serve until the first annual
186 meeting for the election of officers and thereafter such officers shall be
187 elected annually. Not fewer than three members of the board of
188 directors shall be residents of the state of Connecticut. Subject to the
189 provisions of subdivision (4) of this subsection, (A) not fewer than
190 [fifteen] two-thirds of the voters of the district shall constitute a quorum
191 for the transaction of business at such organizational meeting of the
192 district; and (B) if [fifteen] two-thirds of the voters are not present at
193 such meeting, the selectmen may adjourn such meeting from time to
194 time, until at least [fifteen] two-thirds of the voters are present. Special
195 meetings of the district may be called on the application of ten per cent
196 of the total number of voters of such district or twenty of the voters of
197 such district, whichever is less, or by the president or any three directors
198 upon giving notice as provided in this subdivision. Any special meeting
199 called on the application of the voters shall be held not later than twenty-
200 one days after receiving such application. Notice of the holding of the
201 annual meeting and all special meetings shall be given by publication of
202 a notice of such meetings in a newspaper having a general circulation in
203 such district at least ten days before the day of such meetings, signed by
204 the president or any three directors, which notice shall designate the
205 time and place of such meetings and the business to be transacted
206 thereat. Two hundred or more persons or ten per cent of the total
207 number of voters of such district, whichever is less, may petition the
208 clerk of such district, in writing, at least twenty-four hours prior to any
209 such meeting, requesting that any item or items on the call of such
210 meeting be submitted to the voters not less than seven or more than
211 fourteen days thereafter, on a day to be set by the district meeting or, if
212 the district meeting does not set a date, by the board of directors, for a
213 vote by paper ballots or by a "yes" or "no" vote on the voting machines,
214 during the hours between twelve o'clock noon and eight o'clock p.m.,
215 except that the district may, by vote of its board of directors, provide for
216 an earlier hour for opening the polls but not earlier than six o'clock a.m.
217 The paper ballots or voting machine ballot labels, as the case may be,
218 shall be provided by the clerk. When such a petition has been filed with
219 the clerk, the president, after completion of other business and after

220 reasonable discussion shall adjourn such meeting and order such vote
221 on such item or items in accordance with the petition, and any item so
222 voted may be rescinded in the same manner. The clerk shall phrase such
223 item or items in a form suitable for printing on such paper ballots or
224 ballot labels. Subject to the provisions of subdivision (4) of this
225 subsection, (i) not fewer than [fifteen] two-thirds of the voters of the
226 district shall constitute a quorum for the transaction of business at any
227 meeting of the district; (ii) if [fifteen] two-thirds of the voters are not
228 present at such meeting, the president of the district or, in such
229 president's absence, the vice-president, may adjourn such meeting from
230 time to time, until at least [fifteen] two-thirds of the voters are present;
231 and (iii) all meetings of the district where a quorum is present may be
232 adjourned from time to time by a vote of a majority of the voters voting
233 on the question. At any annual or special meeting, the voters may, by a
234 majority vote of those present, discontinue any purposes for which the
235 district is established or undertake any additional purpose or purposes
236 enumerated in subdivision (2) of this subsection.

237 (4) (A) A quorum for the transaction of business at the meeting called
238 for the purpose of establishing the district, as provided in subdivisions
239 (1) and (3) of this subsection, shall be either [fifteen] two-thirds of the
240 voters of such district or a majority of the holders of record of interests
241 in real property within such district, as long as the assessments of such
242 holders of record constitute more than one-half of the total of
243 assessments for all interests in real property within such district. If
244 [fifteen] two-thirds of the voters or a majority of the holders of record of
245 interests in real property within such district are not present at such
246 meeting or the assessments of such holders of record constitute less than
247 one-half of the total of assessments for all interests in real property
248 within such district, the selectmen may adjourn such meeting, from time
249 to time, until at least [fifteen] two-thirds of the voters or a majority of
250 the holders of record of interests in real property within such district are
251 present and the assessments of such holders of record constitute more
252 than one-half of the total of assessments for all interests in real property
253 within such district.

254 (B) For the transaction of business at any other meeting of the district,
255 a quorum shall be either [fifteen] two-thirds of the voters of the district
256 or a majority of the holders of record of interests in real property within
257 such district, as long as the assessments for such holders of record
258 constitute more than one-half of the total of assessments for all interests
259 in real property within such district. If [fifteen] two-thirds of the voters
260 or a majority of the holders of record of interests in real property within
261 such district are not present at such meeting or the assessments of such
262 holders of record constitute less than one-half of the total assessments
263 for all interests in real property within such district, the president of the
264 district or, in such president's absence, the vice-president, may adjourn
265 such meeting, from time to time, until at least [fifteen] two-thirds of the
266 voters or a majority of the holders of record of interests in real property
267 within such district are present and the assessments of such holders of
268 record constitute more than one-half of the total of assessments for all
269 interests in real property within such district. All actions, resolutions
270 and proceedings at any annual or special meeting of the district where
271 a quorum is present shall require a majority vote of (i) the voters present
272 and voting, and (ii) the property owners representing at least one-half
273 of the assessments of holders of record of a fee simple interest in real
274 property within the district, present and voting.

275 (5) In any case in which an action for a vote by the voters of the district
276 is to be initiated by the petition of such voters, in addition to such other
277 requirements as the general statutes or any special act may impose, such
278 petition shall be on a form prescribed or approved by the clerk of such
279 district, and each page of such petition shall contain a statement, signed
280 under penalties of false statement, by the person who circulated the
281 same, setting forth such circulator's name and address, and stating that
282 each person whose name appears on said page signed the same in
283 person in the presence of such circulator, that the circulator either knows
284 each such signer or that the signer satisfactorily identified himself to the
285 circulator and that all the signatures on said page were obtained not
286 earlier than six months prior to the filing of said petition. Any page of a
287 petition that does not contain such a statement by the circulator shall be
288 invalid. Any circulator who makes a false statement in the statement

289 hereinbefore provided shall be subject to the penalty provided for false
290 statement. No petition shall be valid for any action for a vote by the
291 voters at any regular or special district meeting unless such petition
292 shall be circulated by a voter eligible to vote in such district.

293 (6) Once formed, the district shall not be required to comply with the
294 provisions of subdivisions (1) to (5), inclusive, of this subsection until
295 such time as it authorizes the issuance of bonds or makes application for
296 the subdivision or development of land within the district.

297 (c) Whenever the officers of such district vote to terminate its
298 corporate existence and whenever a petition signed by ten per cent of
299 the total voters of such district or twenty of the voters of such district,
300 whichever is less, applying for a special meeting to vote on the
301 termination of the district is received by the clerk, the clerk shall call a
302 special meeting of the voters of such district, the notice of which shall
303 be signed by the officers thereof, by advertising the same in the same
304 manner as provided in section 7-325 of the general statutes. Not later
305 than twenty-four hours before any such meeting, two hundred or more
306 voters or ten per cent of the total number of voters, whichever is less,
307 may petition the clerk of the district, in writing, that a referendum on
308 the question of whether the district should be terminated be held in the
309 manner provided in section 7-327 of the general statutes. If, at such
310 meeting, a two-thirds majority of the voters present vote to terminate
311 the corporate existence of the district, or, if a referendum is held, two-
312 thirds of the voters casting votes in such referendum vote to terminate
313 the corporate existence of the district, the officers shall proceed to
314 terminate the affairs of such district. The district shall pay all
315 outstanding indebtedness and turn over the balance of the assets of such
316 district to the town of North Haven, if the legislative body of the town
317 authorizes such action. No district shall be terminated under this
318 subsection until all of its outstanding indebtedness is paid unless the
319 legislative body of the town of North Haven agrees, in writing, to
320 assume such indebtedness. On completion of the duties of the officers
321 of such district, the clerk shall cause a certificate of the vote of such
322 meeting to be recorded in the land records of the town of North Haven

323 and the clerk shall notify the Secretary of the Office of Policy and
324 Management.

325 (d) (1) For purposes of voting at meetings held by such district, any
326 tenant in common of any interest in real property shall have a vote equal
327 to the fraction of such tenant in common's ownership of such interest.
328 Any joint tenant of any interest in real property shall vote as if each such
329 tenant owned an equal fractional share of such real property. A
330 corporation shall have its vote cast by the chief executive officer of such
331 corporation, or such officer's designee. Any entity that is not a
332 corporation shall have its vote cast by a person authorized by such entity
333 to cast its vote. An owner shall be entitled to cast one vote, or a fractional
334 vote, as applicable, for each property that it owns within the district.

335 (2) No holder of record of a fee simple interest in real property shall
336 be precluded from participating in any district meeting or referendum
337 because of the form of entity that holds such interest, whether such
338 holder of record is (A) a corporation, partnership, unincorporated
339 association, trustee, fiduciary, guardian, conservator or other form of
340 entity, or any combination thereof, or (B) an individual who holds
341 interests jointly or in common with another individual or individuals,
342 or with any one or more of the entities listed in subparagraph (A) of this
343 subdivision.

344 (e) Notwithstanding any provision of the general statutes, including
345 sections 7-324 to 7-329, inclusive, of the general statutes, the district shall
346 have the power to assess, levy and collect benefit assessments upon the
347 land and buildings in the district that, in its judgment, are benefited by
348 the improvements.

349 (f) (1) Notwithstanding any provision of the general statutes,
350 including sections 7-324 to 7-329, inclusive, of the general statutes, the
351 district shall have the power to fix, revise, charge, collect, abate and
352 forgive reasonable taxes, fees, rents and benefit assessments, and other
353 charges for the cost of the improvements, financing costs, operating
354 expenses and other services and commodities furnished or supplied to
355 the real property in the district in accordance with the applicable

356 provisions of the general statutes that apply to districts established
357 under section 7-325 of the general statutes, and this section and in the
358 manner prescribed by the district. Notwithstanding any provision of the
359 general statutes, the district may make grants for, or pay the entire cost
360 of any improvements, including the costs of financing such
361 improvements, capitalized interest and the funding of any reserve funds
362 necessary to secure such financing or the debt service of bonds or notes
363 issued to finance such costs, from taxes, fees, rents, benefit assessments
364 or other revenues and may assess, levy and collect said taxes, fees, rents
365 or benefit assessments concurrently with the issuance of bonds, notes or
366 other obligations to finance such improvements based on the estimated
367 cost of the improvements prior to the acquisition or construction of the
368 improvements or upon the completion or acquisition of the
369 improvements. The district and the town of North Haven are authorized
370 to enter into an agreement to share revenue in accordance with section
371 7-148bb of the general statutes.

372 (2) Notwithstanding any provision of the general statutes, whenever
373 the district or the town constructs, improves, extends, equips,
374 rehabilitates, repairs, acquires or provides a grant for any improvements
375 or finances the cost of such improvements, such proportion of the cost
376 or estimated cost of the improvements and financing thereof, as
377 determined by the district, may be assessed by the district, herein
378 referred to as "benefit assessments", in the manner prescribed by such
379 district, upon the property benefited by such improvements and the
380 balance of such costs shall be paid from the general funds of the district.
381 The district may provide for the payment of such benefit assessments in
382 annual installments, not exceeding thirty, and may forgive such benefit
383 assessments in any single year without causing the remainder of
384 installments of benefit assessments to be forgiven. Benefit assessments
385 to buildings or structures constructed or expanded after the initial
386 benefit assessment may be assessed as if the new or expanded buildings
387 or structures had existed at the time of the original benefit assessment.
388 It is hereby determined that the costs of the improvements benefiting
389 the district whether located within the district or in the town of North
390 Haven are a benefit to all the property within the district.

391 (3) In order to provide for the collection and enforcement of its taxes,
392 fees, rents, benefit assessments and other charges, the district is hereby
393 granted all the powers and privileges with respect thereto as districts
394 organized pursuant to section 7-325 of the general statutes, and as held
395 by the town of North Haven or as otherwise provided in this section.
396 Such taxes, fees, rents or benefit assessments, if not paid when due, shall
397 constitute a lien upon the premises served and a charge against the
398 owners thereof, which lien and charge shall bear interest at the same
399 rate as delinquent property taxes. Each such lien may be continued,
400 recorded and released in the manner provided for property tax liens in
401 chapter 12 of the general statutes and shall take precedence over all
402 other liens or encumbrances except a lien for taxes of the town of North
403 Haven.

404 (4) The budget, taxes, fees, rents, benefit assessments and any other
405 charges of the district of general application shall be adopted and
406 revised by the board of directors at least annually not more than thirty
407 days before the beginning of the fiscal year, in accordance with the
408 procedures to be established by the board, at a meeting called by the
409 board, ensuring that interested persons are afforded notice and an
410 opportunity to be heard. The board shall hold at least two public
411 hearings on its schedule of fees, rates, rents, benefit assessments and
412 other charges or any revision thereof before adoption, notice of which
413 shall be delivered to the selectmen of the town of North Haven and be
414 published in at least two newspapers of general circulation in the town
415 of North Haven at least ten days in advance of the hearing. Not later
416 than the date of the publication, the board shall make available to the
417 public and deliver to the selectmen of the town of North Haven the
418 proposed schedule of fees, rates, rents, benefit assessments and other
419 charges. The procedures regarding public hearing and appeal, provided
420 by section 7-250 of the general statutes, shall apply for all benefit
421 assessments made by the district, except that the board shall be
422 substituted for the water pollution control authority. Should the benefit
423 assessments be assessed and levied prior to the acquisition or
424 construction of the improvements, then the amount of the benefit
425 assessments shall be adjusted to reflect the actual cost of the

426 improvements, including all financing costs, once the improvements
427 have been completed, should the actual cost be greater than or less than
428 the estimated costs. Benefit assessments shall be due and payable at
429 such times as are fixed by the board, provided the district shall give
430 notice of such due date not less than thirty days prior to such due date
431 by publication in a newspaper of general circulation in the town of
432 North Haven and by mailing such notice to the owners of the property
433 assessed at their last-known address.

434 (g) (1) Notwithstanding any provision of the general statutes,
435 including sections 7-324 to 7-329, inclusive, of the general statutes,
436 whenever the district has authorized the acquisition or construction of
437 the improvements or has made an appropriation therefor, the district
438 may authorize the issuance of bonds, notes or other obligations to
439 finance the cost of the improvements, the creation and maintenance of
440 reserves required to sell the bonds and the cost of issuance of the bonds,
441 provided no bonds shall be issued prior to the district entering into an
442 interlocal agreement with the town of North Haven, in accordance with
443 the procedures provided by section 7-339c of the general statutes,
444 including at least one public hearing on the proposed agreement and
445 ratification by the legislative body of the town of North Haven. The
446 bonds may be secured as to principal or interest by (A) the full faith and
447 credit of the district, (B) fees, revenues or benefit assessments, or (C) a
448 combination of subparagraphs (A) and (B) of this subdivision. Such
449 bonds shall be authorized by resolution of the board of directors. The
450 district is authorized to secure such bonds by the full faith and credit of
451 the district or by a pledge of or lien on all or part of its revenues, fees or
452 benefit assessments. The bonds of each issue shall be dated, shall bear
453 interest at the rates and shall mature at the time or times not exceeding
454 thirty years from their date or dates, as determined by the board, and
455 may be redeemable before maturity, at the option of the board, at the
456 price or prices and under the terms and conditions fixed by the board
457 before the issuance of the bonds. The board shall determine the form of
458 the bonds, and the manner of execution of the bonds, and shall fix the
459 denomination of the bonds and the place or places of payment of
460 principal and interest, which may be at any bank or trust company

461 within the state of Connecticut and other locations as designated by the
462 board. In case any officer whose signature or a facsimile of whose
463 signature shall appear on any bonds or coupons shall cease to be an
464 officer before the delivery of the bonds, the signature or facsimile shall
465 nevertheless be valid and sufficient for all purposes the same as if the
466 officer had remained in office until the delivery.

467 (2) While any bonds issued by the district remain outstanding, the
468 powers, duties or existence of the district shall not be diminished or
469 impaired in any way that will affect adversely the interests and rights of
470 the holders of the bonds. Bonds issued under this section, unless
471 otherwise authorized by law, shall not be considered to constitute a debt
472 of the state of Connecticut or the town of North Haven, or a pledge of
473 the full faith and credit of the state of Connecticut or the town of North
474 Haven, but the bonds shall be payable solely by the district or as special
475 obligations payable from particular district revenues. Any bonds issued
476 by the district shall contain on their face a statement to the effect that
477 neither the state of Connecticut nor the town of North Haven shall be
478 obliged to pay the principal of or the interest thereon, and that neither
479 the full faith and credit or taxing power of the state of Connecticut nor
480 the town of North Haven is pledged to the payment of the bonds. All
481 bonds issued under this section shall have and are hereby declared to
482 have all the qualities and incidents of negotiable instruments, as
483 provided in title 42a of the general statutes.

484 (h) (1) The board of directors may authorize that the bonds be secured
485 by a trust agreement by and between the district and a corporate trustee,
486 which may be any trust company or bank having the powers of a trust
487 company within the state of Connecticut. The trust agreement may
488 pledge or assign the revenues. Either the resolution providing for the
489 issuance of bonds or the trust agreement may contain covenants or
490 provisions for protecting and enforcing the rights and remedies of the
491 bondholders as may be necessary, reasonable or appropriate and not in
492 violation of law.

493 (2) All expenses incurred in carrying out the trust agreement may be

494 treated as a part of the cost of the operation of the district. (A) The pledge
495 by any trust agreement or resolution shall be valid and binding from
496 time to time when the pledge is made; (B) the revenues or other moneys
497 so pledged and then held or thereafter received by the board shall
498 immediately be subject to the lien of the pledge without any physical
499 delivery thereof or further act; and (C) the lien of the pledge shall be
500 valid and binding as against all parties having claims of any kind in tort,
501 contract or otherwise against the district, irrespective of whether the
502 parties have notice thereof. Notwithstanding any provision of the
503 Uniform Commercial Code, neither this subsection, the resolution or
504 any trust agreement by which a pledge is created need be filed or
505 recorded except in the records of the district, and no filing need be made
506 under title 42a of the general statutes.

507 (i) (1) Bonds issued under this section are hereby made securities in
508 which all public officers and public bodies of the state of Connecticut
509 and its political subdivisions, all insurance companies, trust companies,
510 banking associations, investment companies, executors, administrators,
511 trustees and other fiduciaries may properly and legally invest funds,
512 including capital in their control and belonging to them; and (2) such
513 bonds shall be securities that may properly and legally be deposited
514 with and received by any state or municipal officer or any agency or
515 political subdivision of the state of Connecticut for any purpose for
516 which the deposit of bonds of the state of Connecticut is now or may
517 hereafter be authorized by law.

518 (j) Bonds may be issued under this section without obtaining the
519 consent of the state of Connecticut or the town of North Haven, and
520 without any proceedings or the happening of any other conditions or
521 things other than those proceedings, conditions or things that are
522 specifically required thereof by this section, and the validity of and
523 security for any bonds issued by the district shall not be affected by the
524 existence or nonexistence of the consent or other proceedings,
525 conditions or things.

526 (k) The district and all its receipts, revenues, income and real and

527 personal property shall be exempt from taxation and benefit
528 assessments and the district shall not be required to pay any tax, excise
529 or assessment to or from the state of Connecticut or any of its political
530 subdivisions. The principal and interest on bonds or notes issued by the
531 district shall be free from taxation at all times, except for estate and gift,
532 franchise and excise taxes, imposed by the state of Connecticut or any
533 political subdivision thereof, provided nothing in this section shall act
534 to limit or restrict the ability of the state of Connecticut or the town of
535 North Haven to tax the individuals and companies, or their real or
536 personal property or any person living or business operating within the
537 boundaries of the district.

538 (l) The district shall at all times keep accounts of its receipts,
539 expenditures, disbursements, assets and liabilities, which shall be open
540 to inspection by duly appointed officers or duly appointed agents of the
541 state of Connecticut or the town of North Haven. The fiscal year of the
542 district shall begin on July first and end on the following June thirtieth
543 or as otherwise established by section 7-327 of the general statutes. The
544 district shall be subject to an audit of its accounts in the manner
545 provided in the general statutes.

546 (m) (1) At such time as any construction or development activity
547 financed by bonds issued by the district is taking place, the clerk of the
548 district shall submit project activity reports quarterly to the selectmen of
549 the town of North Haven, the Secretary of the Office of Policy and
550 Management and to the chairpersons of the joint standing committee of
551 the General Assembly having cognizance of matters relating to finance,
552 revenue and bonding.

553 (2) The district shall take affirmative steps to provide for the full
554 disclosure of information relating to the public financing and
555 maintenance of improvements to real property undertaken by the
556 district. Such information shall be provided to any existing residents
557 and to all prospective residents of the district. The district shall furnish
558 each developer of a residential development within the district with
559 sufficient copies of such information to provide each prospective initial

560 purchaser of property in such district with a copy, and any developer of
561 a residential development within the district, when required by law to
562 provide a public offering statement, shall include a copy of such
563 information relating to the public financing and maintenance of
564 improvements in the public offering statement.

565 (n) (1) This section shall be deemed to provide an additional,
566 alternative and complete method of accomplishing the purposes of this
567 section and exercising the powers authorized hereby and shall be
568 deemed and construed to be supplemental and additional to, and not in
569 derogation of, powers conferred upon the district by law and
570 particularly by sections 7-324 to 7-329, inclusive, of the general statutes,
571 provided insofar as the proceedings of this section are inconsistent with
572 any general statute or special act, or any resolution or ordinance of the
573 town of North Haven, this section shall be controlling.

574 (2) Except as specifically provided in this section, all other statutes,
575 ordinances, resolutions, rules and regulations of the state of Connecticut
576 and the town of North Haven shall be applicable to the property,
577 residents and businesses located in the district. Nothing in this section
578 shall in any way obligate the town of North Haven to pay any costs for
579 the acquisition, construction, equipping or operation and
580 administration of the improvements located within the district or to
581 pledge any money or taxes to pay debt service on bonds issued by the
582 district except as may be agreed to in any interlocal agreements executed
583 by the town of North Haven and the district.

584 (o) At the option of the town of North Haven by vote of the legislative
585 body, the district shall be merged into the town of North Haven, [if no]
586 and any property that is owned by the district shall be distributed to the
587 town of North Haven, if (1) once bonds are issued by the district or the
588 district commences collecting funds, the district fails to comply with its
589 obligations not later than [four years after the effective date of this
590 section] six months after the date of such failure, or (2) after the bonds
591 authorized by this section are no longer outstanding. [and any property
592 that is owned by the district shall be distributed to the town of North

593 Haven.]

594 (p) This section, being necessary for the welfare of the town of North
595 Haven and its inhabitants, shall be liberally construed to effect the
596 purposes hereof.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	SA 15-16, Sec. 1

PD *Joint Favorable*

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 makes a variety of technical and clarifying changes to the charter of the Cedar Hills Infrastructure Improvement District in the Town of North Haven. This has no fiscal impact as it does not establish any new responsibilities or funding sources for the District or the Town of North Haven.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis

HB 6640

***AN ACT CONCERNING THE CEDAR HILLS INFRASTRUCTURE
IMPROVEMENT DISTRICT.***

SUMMARY

The Office of Legislative Research does not analyze Special Acts.

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable

Yea 26 Nay 0 (03/31/2021)