



# House of Representatives

## File No. 715

General Assembly

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January Session, 2021 **(Reprint of File No. 546)**

House Bill No. 6640  
As Amended by House Amendment  
Schedule "A"

Approved by the Legislative Commissioner  
May 24, 2021

### **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, provided any such locations  
97 outside the district shall be contiguous to the district and approved by  
98 the legislative body of the municipality in which such locations exist.

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

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

111 (b) (1) Upon the petition of fifteen or more persons eligible to vote in  
112 the town of North Haven, specifying the district for any or all of the  
113 purposes set forth in this section, the selectmen of such town shall call a  
114 meeting of the voters to act upon such petition, which meeting shall be  
115 held at such place within such town and such hour as the selectmen

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

151 objects for which it was established, that are necessary for the  
152 accomplishment of such objects, including the power to lay and collect  
153 taxes. The clerk of such district shall cause its name and a description of  
154 its territorial limits and of any additions that may be made thereto to be  
155 recorded in, and a caveat be placed upon, the land records of the town  
156 of North Haven.

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

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

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

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

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



254 than one-half of the total of assessments for all interests in real property  
255 within such district.

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

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

288 earlier than six months prior to the filing of said petition. Any page of a  
289 petition that does not contain such a statement by the circulator shall be  
290 invalid. Any circulator who makes a false statement in the statement  
291 hereinbefore provided shall be subject to the penalty provided for false  
292 statement. No petition shall be valid for any action for a vote by the  
293 voters at any regular or special district meeting unless such petition  
294 shall be circulated by a voter eligible to vote in such district.

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

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

322 assume such indebtedness. On completion of the duties of the officers  
323 of such district, the clerk shall cause a certificate of the vote of such  
324 meeting to be recorded in the land records of the town of North Haven  
325 and the clerk shall notify the Secretary of the Office of Policy and  
326 Management.

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

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

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

351 (f) (1) Notwithstanding any provision of the general statutes,  
352 including sections 7-324 to 7-329, inclusive, of the general statutes, the  
353 district shall have the power to fix, revise, charge, collect, abate and

354 forgive reasonable taxes, fees, rents and benefit assessments, and other  
355 charges for the cost of the improvements, financing costs, operating  
356 expenses and other services and commodities furnished or supplied to  
357 the real property in the district in accordance with the applicable  
358 provisions of the general statutes that apply to districts established  
359 under section 7-325 of the general statutes, and this section and in the  
360 manner prescribed by the district. Notwithstanding any provision of the  
361 general statutes, the district may make grants for, or pay the entire cost  
362 of any improvements, including the costs of financing such  
363 improvements, capitalized interest and the funding of any reserve funds  
364 necessary to secure such financing or the debt service of bonds or notes  
365 issued to finance such costs, from taxes, fees, rents, benefit assessments  
366 or other revenues and may assess, levy and collect said taxes, fees, rents  
367 or benefit assessments concurrently with the issuance of bonds, notes or  
368 other obligations to finance such improvements based on the estimated  
369 cost of the improvements prior to the acquisition or construction of the  
370 improvements or upon the completion or acquisition of the  
371 improvements. The district and the town of North Haven are authorized  
372 to enter into an agreement to share revenue in accordance with section  
373 7-148bb of the general statutes.

374 (2) Notwithstanding any provision of the general statutes, whenever  
375 the district or the town constructs, improves, extends, equips,  
376 rehabilitates, repairs, acquires or provides a grant for any improvements  
377 or finances the cost of such improvements, such proportion of the cost  
378 or estimated cost of the improvements and financing thereof, as  
379 determined by the district, may be assessed by the district, herein  
380 referred to as "benefit assessments", in the manner prescribed by such  
381 district, upon the property benefited by such improvements and the  
382 balance of such costs shall be paid from the general funds of the district.  
383 The district may provide for the payment of such benefit assessments in  
384 annual installments, not exceeding thirty, and may forgive such benefit  
385 assessments in any single year without causing the remainder of  
386 installments of benefit assessments to be forgiven. Benefit assessments  
387 to buildings or structures constructed or expanded after the initial

388 benefit assessment may be assessed as if the new or expanded buildings  
389 or structures had existed at the time of the original benefit assessment.  
390 It is hereby determined that the costs of the improvements benefiting  
391 the district whether located within the district or in the town of North  
392 Haven are a benefit to all the property within the district.

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

406 (4) The budget, taxes, fees, rents, benefit assessments and any other  
407 charges of the district of general application shall be adopted and  
408 revised by the board of directors at least annually not more than thirty  
409 days before the beginning of the fiscal year, in accordance with the  
410 procedures to be established by the board, at a meeting called by the  
411 board, ensuring that interested persons are afforded notice and an  
412 opportunity to be heard. The board shall hold at least two public  
413 hearings on its schedule of fees, rates, rents, benefit assessments and  
414 other charges or any revision thereof before adoption, notice of which  
415 shall be delivered to the selectmen of the town of North Haven and be  
416 published in at least two newspapers of general circulation in the town  
417 of North Haven at least ten days in advance of the hearing. Not later  
418 than the date of the publication, the board shall make available to the  
419 public and deliver to the selectmen of the town of North Haven the  
420 proposed schedule of fees, rates, rents, benefit assessments and other  
421 charges. The procedures regarding public hearing and appeal, provided

422 by section 7-250 of the general statutes, shall apply for all benefit  
423 assessments made by the district, except that the board shall be  
424 substituted for the water pollution control authority. Should the benefit  
425 assessments be assessed and levied prior to the acquisition or  
426 construction of the improvements, then the amount of the benefit  
427 assessments shall be adjusted to reflect the actual cost of the  
428 improvements, including all financing costs, once the improvements  
429 have been completed, should the actual cost be greater than or less than  
430 the estimated costs. Benefit assessments shall be due and payable at  
431 such times as are fixed by the board, provided the district shall give  
432 notice of such due date not less than thirty days prior to such due date  
433 by publication in a newspaper of general circulation in the town of  
434 North Haven and by mailing such notice to the owners of the property  
435 assessed at their last-known address.

436 (g) (1) Notwithstanding any provision of the general statutes,  
437 including sections 7-324 to 7-329, inclusive, of the general statutes,  
438 whenever the district has authorized the acquisition or construction of  
439 the improvements or has made an appropriation therefor, the district  
440 may authorize the issuance of bonds, notes or other obligations to  
441 finance the cost of the improvements, the creation and maintenance of  
442 reserves required to sell the bonds and the cost of issuance of the bonds,  
443 provided no bonds shall be issued prior to the district entering into an  
444 interlocal agreement with the town of North Haven, in accordance with  
445 the procedures provided by section 7-339c of the general statutes,  
446 including at least one public hearing on the proposed agreement and  
447 ratification by the legislative body of the town of North Haven. The  
448 bonds may be secured as to principal or interest by (A) the full faith and  
449 credit of the district, (B) fees, revenues or benefit assessments, or (C) a  
450 combination of subparagraphs (A) and (B) of this subdivision. Such  
451 bonds shall be authorized by resolution of the board of directors. The  
452 district is authorized to secure such bonds by the full faith and credit of  
453 the district or by a pledge of or lien on all or part of its revenues, fees or  
454 benefit assessments. The bonds of each issue shall be dated, shall bear  
455 interest at the rates and shall mature at the time or times not exceeding

456 thirty years from their date or dates, as determined by the board, and  
457 may be redeemable before maturity, at the option of the board, at the  
458 price or prices and under the terms and conditions fixed by the board  
459 before the issuance of the bonds. The board shall determine the form of  
460 the bonds, and the manner of execution of the bonds, and shall fix the  
461 denomination of the bonds and the place or places of payment of  
462 principal and interest, which may be at any bank or trust company  
463 within the state of Connecticut and other locations as designated by the  
464 board. In case any officer whose signature or a facsimile of whose  
465 signature shall appear on any bonds or coupons shall cease to be an  
466 officer before the delivery of the bonds, the signature or facsimile shall  
467 nevertheless be valid and sufficient for all purposes the same as if the  
468 officer had remained in office until the delivery.

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

486 (h) (1) The board of directors may authorize that the bonds be secured  
487 by a trust agreement by and between the district and a corporate trustee,  
488 which may be any trust company or bank having the powers of a trust  
489 company within the state of Connecticut. The trust agreement may

490 pledge or assign the revenues. Either the resolution providing for the  
491 issuance of bonds or the trust agreement may contain covenants or  
492 provisions for protecting and enforcing the rights and remedies of the  
493 bondholders as may be necessary, reasonable or appropriate and not in  
494 violation of law.

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

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

520 (j) Bonds may be issued under this section without obtaining the  
521 consent of the state of Connecticut or the town of North Haven, and  
522 without any proceedings or the happening of any other conditions or



523 things other than those proceedings, conditions or things that are  
524 specifically required thereof by this section, and the validity of and  
525 security for any bonds issued by the district shall not be affected by the  
526 existence or nonexistence of the consent or other proceedings,  
527 conditions or things.

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

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

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

555 (2) The district shall take affirmative steps to provide for the full  
556 disclosure of information relating to the public financing and  
557 maintenance of improvements to real property undertaken by the  
558 district. Such information shall be provided to any existing residents  
559 and to all prospective residents of the district. The district shall furnish  
560 each developer of a residential development within the district with  
561 sufficient copies of such information to provide each prospective initial  
562 purchaser of property in such district with a copy, and any developer of  
563 a residential development within the district, when required by law to  
564 provide a public offering statement, shall include a copy of such  
565 information relating to the public financing and maintenance of  
566 improvements in the public offering statement.

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

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

586 (o) At the option of the town of North Haven by vote of the legislative  
587 body, the district shall be merged into the town of North Haven, [if no]

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

596 (p) This section, being necessary for the welfare of the town of North  
 597 Haven and its inhabitants, shall be liberally construed to effect the  
 598 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

*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.*

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### **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.

House "A" makes clarifying changes regarding the boundaries of the District, which has no fiscal impact.

### **The Out Years**

**State Impact:** None

**Municipal Impact:** None

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**OLR Bill Analysis**

**HB 6640 (as amended by House "A")**

***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)