

Town Meeting
January 12, 2016

The meeting was called to order at 7:00PM by First Selectman George Temple. (FSGT) Town Clerk Margaret West read the call and return of posting. He explained that Item 1 will be going to referendum and there would be no vote or amendment on Item 1. Town Clerk Margaret West explained that there were 2 separate petitions to move this item to a referendum with over 538 signatures. The Town Clerk further explained that the Referendum would be on February 11, 2016 from 6AM to 8PM at Quaker Farms School, with a snow date of February 18, 2016. FSGT further explained again that there would no vote tonight; this is going to Referendum only discussion will be held tonight.

At this point First Selectman Temple asked for nominations of Moderator. Vincent Palutis moved to nominate August Palmer, seconded. FSGT asked for any other nominates (3 times) with no other nominations he congratulated Mr. Palmer. Moderator Palmer read the eligibility to vote at a town meeting. He then read a memo from the Town Clerk (addendum A).

Herman Schuler moved, seconded:

ITEM 1 Shall the Town of Oxford approve the "Tax Stabilization Agreement", the "Amended and Restated Community Support Agreement" and the "Amended and Restated Development Agreement" between the Town of Oxford and CPV Towantic, LLC as approved by the Board of Selectmen on 12/16/15?

Discussion:

A Resident commented that this is the same agreement and that we deserve more time for this and there was a lot false information and we were brought here for false reasons. Most of the people that came here want an opportunity to speak and now we can't even speak about this, it has been taken from us by the people sitting at the front table; our First Selectman. He further explained that the referendum date was not convenient for all the tax payers and the First Selectman was out collecting signatures from the meeting he stacked. If it's turned down now the referendum will not happen. Don't know why it is being rushed, if it's turned down now we will not have this date so why do we need to vote.

The Town Clerk intervened and ask the resident to state his name and address, (Stephen Brown 8 Bonnie Lane,) she further explained that the referendum date is set per Town Charter which says 30 to 40 days from this town meeting. Consideration of the Registrars was taken before the date was set by the BOS and the Town Clerk. This meeting will ratify this date not make the date.

S. Brown further commented that if it's turned down now we will not have this date so why do we need to vote. Moderator said we are not voting on this tonight just discussion. This is going to referendum on the date set.

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Town Counsel Kevin Condon commented that this will be going to referendum automatically and we will not be voting tonight as stated also by the First Selectman and Town Clerk. Only discussion will occur. We will be going to referendum.

Tim Billings 20 lake Dr asked about absentee ballots and about people already out of town.

Town Clerk Margaret West explained that ballots should be ready by this Wednesday or Thursday and that those needing an absentee ballot can either do it in person or by mail. The application link is on the town website.

P. Bunzl asked what the difference was between this agreement and the one presented to the last town meeting at the High School. Especially after Mr. Temple told us he could not negotiate with them at the last meeting. This is the exact same value over 20 years as the high school agreement.

FSGT asked the town attorney to explain:

Town Counsel Kevin Condon explained the difference is the Town has already been paid January 1, 2016. 1.175 million even though there is an appeal which the court heard on 12/22/2015. They decided whether they win or not they would pay the town the money anyway. That is the difference in the agreements. They have paid it; if the appeal wins then we will still have that money.

Peter Punzl commented that he understood they were obligated to give us those funds anyway so what is the difference in the agreements. This is the same agreement, the FS completely negated the High School vote.

Resident from 412 Mulligan Dr asked if it's only registered voters or tax payers too.

Moderator clarified that both taxpayers on the last completed grand list for over \$1000.00 assessment and registered voters are eligibly to vote at this referendum.

Town Clerk clarified that it was Taxpayers on the last completed grand list which is 2014.

Fran Teodoeos questioned the Tax Stabilization which he commented states the payment had been made in December.

Kevin Condon Town Counsel explained the BOS approved the agreements on 12/16/15 and a check was never received until January 2016. Finance Director, Jim Hliva explained the check was not received until 1/4/2016.

Herman Schuler commented that isn't it true the 1.175 was a payment under schedule A1 of the old agreement.

FSGT answered this is true.

Resident on 529 Putting Green Lane asked why this paper work is not accurate.

Moderator explained that this payment was under the old agreement.

Kathy Johnson, Selectman commented that Power plant owed us this money.

Fran commented on comparing the 2 agreements, all this money is doing is moving the payment forward from the old agreement. The payment was going to be made anyway. It's not the 7 million that is in the High School Agreement.

Herman Schuler commented on the difference between the old agreement and the new agreement, the old pays 5 million and the new pays 5.8 million.

Peter Thomas 72 Towantic Hill Rd, commented that according to CGS that a best effort appraisal needed to be done, was that done and has to be made public?

FSGT explained that it had been done and yes we will make it public.

Discussion ensued regarding the process to do the best effort appraisal and questions and comments regarding the mega watts. Discussion ensued: The moderator explained that there would be no outbursts.

Discussion ensued regarding a debate around negotiating the contract. The Moderator asked that those in attendance not yell out or clap. Otherwise he would be force to shut it down.

Kathy Johnson, Selectman asked what happens if this is defeated?

FSGT commented that he didn't think it would be defeated but if it is, from necessity we will commence litigation against the power plant and try and get the value that its worth. There are not too many Judges in the State of Connecticut that will tell Oxford that they have to receive more than the best tax agreement in the state.

Wayne McCormack, 593 Putting Green Lane: Mr. McCormick asked if we could see the study saying it is the best deal in the State, we would like to visualize that.

Herman Schuler; the new agreement provides for installments over the next 20 years, he explained that he was the past EDC director and is very familiar with these agreements: He pointed out that this new agreement represents our financial security. The amount of money represents paying cash for the library and its operating cost for the next 12 years. Filing suit against CPV will be a waste of time but what will happen is the old agreement will be in effect. We are not stopping the plant. It is completely approved and will be done. That is a fact, it is your choice, do we send a 60 million dollar message to CPV that we don't like you or do you want to take the money and go forward.

Resident Christine (name & address unclear) asked what happens when this technology is obsolete and are we still going to get the money.

FSGT commented yes, this is a contract and an agreement. This is the nature of the agreement. The Benefit of tax agreement is a contract with a company that is financially strong. The State of Connecticut does not allow the towns to tax on their personal property. This has cost the town hundreds and thousands of dollars. We could be in a position to take zero dollars. What the Tax Agreement is a contract it will be valid no matter what happens in the future with the CPV. If anyone can show me any town in Ct that does not have an agreement please let me know.

Mitchell Kuhn 624 Troon Ct asked about the taxes and the amount of mega watts.

FSGT explained that the power plant is willing to negotiate now because of the difference in what they will pay in taxes. The amount of energy is a 47% percent increase in mega output. We negotiated an increase of 112 % in taxes. The PP wants stability, the people here do not want a power plant and that is not a reality, he further commented that we are going to have a power plant and that this is the best deal in the State of Connecticut. It allows stabilized tax growth with out depreciation, it provides appreciation. We looked into the future.

Discussion from various residents continued regarding the contracts and bargaining position.

Ray Hodgson 9 Newsom Rd asked how the emergency services are going to deal with the power plant and how much it will cost to decommission the plant; the agreement has a limit of 6 million. What is the source of information on this?

Herman Schuler explained this information is in the Development Management plan, CSC 192 B on the Connecticut Sitting Counsel web site. There is also information on the decommissioning of the plant because this was all necessary from the Citing Counsel.

P. Thomas wanted to know how much the assessment of the plant will add to the Grand list.

Herman Schuler explained he spent 6 years on this project. The PP will not be added to the Grand list. The income represents a 7-1/2 % decrease in taxes. It reduces the budget that has to be funded by the grand list.

Resident from 2 Little Valley Rd. CPV was in MA and pulled out because the residents fought like we are doing here.

Resident asked: Do towns that have PP raise property value?

FSGT explained if you lower taxes this increases property values.

C. Ferrell 6 Prokop Rd explained that he can see the plant from his house, so will this benefit my property value?

Discussion ensued on what type of assessment was done on water treatment systems?

Point of order was called: is Mr. Schuler a town official. Moderator explained it doesn't matter who answers the questions.

The moderator explained that this is a public meeting and any one can answer questions.

Herman Schuler again explained he spent 6 years with this project here and at the state level as well. It does not omit water, it consumes water. The same amount of water as a garden hose running for 24 hours. (84 Hundred gallons a day) The water that goes into the plant turns to steam. All of this information is in the record from the citing counsel and the DEEP report.

Kathy Johnson Selectman, commented that, I am on your side but be careful of your outburst, there are good questions being asked the moderator can end this meeting.

P. Buntz commented that the Deep also acknowledges that certain particles could not be monitored. His discussion ensued regarding whether the BOS and Town Attorney have the kind of knowledge to negotiate this kind of contract. Why didn't we have a consultant that is an expert in this kind of agreement?

S. Browne 8 Bonnie lane: In 20 years all of us may not be here, but the idea that we are going to artificially lower taxes from this money that is not certain, down the road myself and my daughter will inherit this. I don't think we should put this burden on our kids. If we want something in this town then we should pay for it ourselves.

One resident commented that the DEEP was unable to answer her when she asked what effect this plant would have on residents down stream and their water.

Herman Schuler explained he wanted to reply to S. Brown comment and remind everyone here we control our town budget. Anyone here can come and join the budget process and can actually motion to lower any item/line in the budget and force a vote on it. He further reminded everyone we also have a split budget.

Brian Logan 76 Christian Street asked how this was going to benefit him and his taxes.

FSGT explained that his experience is any town where there is a decrease in taxes there is an increase in property value. Property value will go up, your mill stays down it's a gain. Discussion ensued between B. Logan and FSGT.

FSGT explained that Oxford Greens uses 8 times more water than what CPV will use. All water will be recycled.

John Peterson 54 Towantic Hill Rd: commented on the steam that will come out of these stacks, discussion ensued.

FSGT: The Concerns that you addressed tonight are the same concerns I had until I went to the Citing Counsel. This Power plant was not approved by me or anyone in Oxford. This had to go through the Citing Counsel, Deep, the FAA, EPA and Army Corp of Engineers. These questioned were raised and answered and they voiced it through their approval. Tonight we are deciding on a date to vote as a town. It doesn't matter what you and I think the town is going to decide. I would suggest we move along and set the date.

Linda Czaplinski asked what the life expectance of the plant is.

FSGT commented 45 years.

Discussion ensued on clean energy. The moderator asked for the meeting to stay on subject.

Selectman Johnson commented that we would have to go through the whole life of the plant to get the total amount of money.

FSGT explained the payment process over time.

Discussion ensued regarding the negotiation of the agreement.

FSGT explained why CPV was willing to negotiate. He further commented that we got the best deal in the State of Connecticut. This meeting is an opportunity to be heard, I negotiated this for 2 years with the town attorney and another attorney, an agreement is an agreement, both sides have to agree.

Discussion ensued between the First Selectman and Selectman Johnson regarding the negotiations.

The moderator received a motion to move the question, seconded;

Motion carried: Discussion ended.

The moderator called for a vote to recess to referendum as stated earlier to February 11, 2016/Snow Date February 18, 2016.

Motion Carried: Unanimous

Vincent Palutis moved, seconded:

ITEM 2 Shall the Town of Oxford approve and authorize the First Selectman to sign the Commercial Property Assessed Clean Energy (C-PACE) Resolution as approved by the Board of Selectmen on 12/3/15 and 12/16/15?

Alysee Lembo Associate with Connecticut Green bank gave a brief presentation on the program. She explained that this is for Business use to support loans for Green Energy. There is no cost to the town but the town helps by us utilizing the assessment process in the tax offices. There is a stipend paid for this service by the town. She further explained it's a win-win for Economic Development.

Several Residents questioned why the town needed to do this?

Alysee Lembo explained it has to be approved by each town that opts in because we will be using the Tax office to assess the Business. This is all done at no cost to the Tax payers.

The moderator accepted a motion to move the question, seconded.

Motion Carried: Unanimous

The Moderator called for a vote on the motion.

Motion Carried: 2 nays

Meeting recessed at 8:32 PM

Respectfully Submitted,


Margaret A. West
Oxford Town Clerk

16 JAN 26 PM 2:56
TOWN OF OXFORD, CT

TOWN CLERK



TOWN OF OXFORD

S.B. Church Memorial Town Hall
486 Oxford Road, Oxford, Connecticut 06478-1298

OFFICE OF THE TOWN CLERK

Date: January 12, 2016
TO: Moderator Town Meeting
From: Town Clerk
Re: Petition to Referendum

The Town Clerk's office has received 2 separate petitions for Item 1 on tonight's Town Meeting notice. These petitions have been certified by the Town Clerk per Section 3-7 and 3-9 (B) of the Oxford Town Charter, therefore Item 1 will be subject to a Petitioned Town meeting per sections 3-8 only reasonable discussion, explanations or presentations shall take place.

The vote on Item 1 will be by referendum, which was set by the Board of Selectman with advice from the Town Clerk for February 11, 2016 with a snow date of February 18, 2016. The time of voting will be from 6AM-8:00PM per Town Charter and Absentee ballot will be available through Town Clerk's office.

Margaret A West, CCTC
Oxford Town Clerk

When an item for which a sufficient petition has been received is reached on the call, the Moderator shall permit the question to be introduced, and after any presentations, explanations and reasonable discussion, shall announce that such item will be voted on at an adjourned Town Meeting by Referendum. The question may not be amended, and it shall appear on the referendum ballot in the same form as it appears in the warning of the meeting. The date for the referendum shall be set by the Board of Selectmen with the advice of the Town Clerk, and then ratified by the legislative body at such town meeting. The date for the referendum shall not be earlier than thirty (30) nor more than forty (40) days after the Town Meeting. Hours of voting shall be from 6:00 a.m. to 8:00 p.m. on said date. After the completion of all other business appearing in the warning of the meeting, the Moderator shall adjourn the meeting to the date set for the referendum. If the question in the warning of the Town Meeting is not in a form suitable for printing on ballot labels, the Town Clerk shall phrase such resolution appropriately, and the question shall be submitted to a "yes" or "no" vote.



TOWN OF OXFORD

S.B. Church Memorial Town Hall
486 Oxford Road, Oxford, Connecticut 06478-1298

OFFICE OF THE TOWN CLERK

Date: January 6, 2016

TO: Board of Selectmen

From: Town Clerk

Re: Town Meeting January 12, 2016 (Item 1)

Please be advised that this office has received and certified petitions per Oxford Town Charter sections 3-7 and 3-9 (B) for item 1 on the January 12, 2016 town meeting notice.

Item 1 will be subject to an adjourned town meeting by referendum and per section 3-9 (B) only presentations, explanations, and reasonable discussion shall take place. The vote on Item one will be a referendum vote, which date shall be set by the Board of Selectman with advice from the Town Clerk which shall be not less than 30 or more than 40 days. The 30th day would be Thursday February 11, 2016.

Please advise this office of the date to be ratified at the town meeting.

Sincerely


Margaret A. West, CCTC
Oxford Town Clerk

Cc: TC & Registrar of Voters
Meeting moderator