

**SPECIAL TOWN MEETING
AUGUST 7, 2017
MINUTES**

The Special Town Meeting was called to order at 7:00 PM on Monday August 7, 2017 in the Eastford Elementary School by Town Clerk, Melissa Vincent. The warning of the meeting was read by Melissa Vincent.

1. **A.Brodeur/ R.Torcellini** moved to nominate Russell Mayhew as Moderator. **Motion Carried Unanimously.**

2. **A.Brodeur / R. Yulo** moved to act upon the proposed Ordinance Providing for the Continuation of a Joint Park Commission. **Motion Carried Unanimously.**

J. Trowbridge / R.Torgeson moved to amend the motion by striking certain words from the proposed Ordinance under Section 4-B “ Short Term and Long-Range Plans.” **Motion Carried Unanimously.**

The original reading of Section 4-B:

The Commission shall develop short-term and long-range plans for activities, usage, and facility development with respect to Crystal Pond Park and submit those plans to the Boards of Selectmen for review and approval, and upon approval, the Commission will proceed to implement.

The amended reading of Section 4-B:

The Commission shall develop short-term and long-range plans for activities, usage and facility development with respect to Crystal Pond Park and submit those plans to the Boards of Selectmen.

3. A.Brodeur / R. Yulo move to act upon the propose Ordinance Proibiting the Storage, Disposal, or Use of Waste from Oil and Gas Exploration or Extraction Activities, or any Derivative thereof, in the Town of Eastford, Connecticut.

R. Yulo / R. Torcellini moved to adjourn the meeting and commend the moderator at 7:34PM. **Motion Carried.**

Respectfully Submitted,



Melissa M. Vincent, Town Clerk

Approved Ordinances found on the following Pages.

ORDINANCE
JOINT PARK COMMISSION
August 7, 2017

TOWN OF EASTFORD

The ordinance entitled "Eastford Ordinance Creating the Camp Nahaco Commission" adopted June 16, 2003, effective July 9, 2003 is hereby repealed and the following is adopted in lieu thereof:

**ORDINANCE PROVIDING FOR THE CONTINUATION OF A JOINT PARK
COMMISSION**

SECTION 1: CONTINUATION OF THE COMMISSION

Pursuant to its authority under Section 7-148, 7-148cc and 7-339a to 7-339l, inclusive of the Connecticut State Statutes to oversee and maintain parks for the public good, the Town of Eastford does by this Ordinance, subject to the terms of Section 5, below, provide for the continuation of a commission within and for the Town of Eastford henceforth known as the "Crystal Pond Park Commission" (hereinafter referred to as the "Commission") to oversee and maintain property called Crystal Pond Park jointly with the neighboring Town of Woodstock. This ordinance, together with the ordinance to be adopted by the Town of Woodstock as set forth in Section 5, shall constitute an interlocal agreement as defined in General Statutes section 7-339a et seq...

References in this Ordinance to the "Board of Selectmen", unless otherwise defined, shall be deemed to refer to the Board of Selectmen of the Town of Eastford; references to the "Boards of Selectmen" shall be deemed to refer to the Boards of Selectmen of the Towns of Eastford and Woodstock; and references to the "Towns" or "towns" shall be deemed to refer to the Towns of Eastford and Woodstock.

SECTION 2: ORGANIZATION

A. Members. The Commission shall consist of ten regular members, five of which shall be registered voters in Eastford and five of which shall be registered voters in Woodstock, and two non-voting, ex-officio members, one of which shall be the First Selectman of the Town of Eastford and one of which shall be the First Selectman of the Town of Woodstock.

B. Appointments. The Board of Selectmen shall appoint all regular members of the Commission representing the Town of Eastford. In the event of a vacancy in a position representing Eastford on the Commission, the Board of Selectmen shall fill such vacancy. The members of the Commission may make recommendations to the Board of Selectmen regarding the appointment of new members of the Commission or the filling of vacancies, and the Board of Selectmen may, in its discretion, elect whether to follow such recommendations. All appointments shall be made at the monthly meeting of the Board of Selectmen or at such other meeting as the Board of Selectmen shall determine.

C. Terms. Members of the Commission shall be appointed for two-year terms or until their successors are duly appointed.

D. Officers. The members of the Commission shall every two (2) years, in July, elect a Chair, a Vice-Chair, a Secretary, and a Treasurer. The Chair and Vice-Chair shall at all times be from different towns. The positions of Secretary and Treasurer may be filled by any member of the Commission. The duties of the officers of the Commission shall be prescribed by the members of the Commission from time to time.

E. Board of Selectmen Liaisons. The Chair and the Vice-Chair shall serve as Liaisons, each with the Board of Selectmen in his or her own town.

F. Removal of Members. The members of the Commission may at any time, by vote of a majority of the members, recommend the removal of any member of the Commission for poor attendance at meetings of the Commission. In the event that the members of the Commission make such a recommendation, the Board of Selectmen in the town in which the member resides shall, in its discretion, decide whether to remove the member. In the event of such a removal, the Board of Selectmen shall fill the vacancy as provided in Section 2.B of the ordinance.

SECTION 3: MEETINGS

A. Regular and Special Meetings. Regular meetings of the Commission shall be held on a monthly basis at such time and place as from time to time shall be determined by the Commission. The members of the Commission may, by majority vote, elect to cancel any regular meeting. Special meetings of the Commission may be called by the Chair or by five or more members of the Commission.

B. Quorum. No business shall be conducted at any meeting of the Commission unless at least three members representing Eastford and at least three members representing Woodstock are present at the time the business is conducted. Except as otherwise set forth in this Ordinance, an act of the majority of the members present at any meeting shall be an act of the Commission.

C. Voting Rights of Members. Regular members shall have the right to vote on all matters coming before the Commission.

D. Conduct of Meetings. Except as a majority of the members of the Commission may otherwise determine, meetings of the Commission shall be conducted according to the then-current version of Robert's Rules of Order.

SECTION 4: DUTIES OF THE COMMISSION

A. Oversight of Day-To-Day Operations. The Commission shall oversee day-to-day operation of Crystal Pond Park, including activities, usage, facility development and management, and hiring of personnel to staff any programs that are included in a duly approved Park Budget or supplemental appropriation.

B. Short-Term and Long-Range Plans. The Commission shall develop short-term and long-range plans for activities, usage, and facility development with respect to Crystal Pond Park and submit those plans to the Boards of Selectmen.

C. Fees and Charges. All fees, charges, and other amounts collected from users of Crystal Pond Park shall be placed in one or more separate Town accounts and shall be used solely for the purpose of funding the maintenance, improvement, and operations of Crystal Pond Park.

D. Annual Park Budgets. The Commission shall, by a vote of a majority of its members, adopt an annual operating and maintenance budget and capital improvement plan for Crystal Pond Park (the "Park Budget") and shall submit its Park Budget to the Boards of Selectmen of Eastford and Woodstock no later than December 15 of each calendar year. Each annual Park Budget shall provide for equal sharing of costs between the two towns, except that responsibility for snowplowing and other routine tasks shall be divided between the two towns. In the event that both Boards of Selectmen approve an annual Park Budget, the Board of Selectmen of each town shall include a corresponding appropriation in that town's annual town budget. In the event that either Board of Selectmen disapproves an annual Park Budget, the reasons for disapproval will be communicated to the Commission and the other Board of Selectmen, and the Commission shall prepare a revised budget for submission to the Boards of Selectmen by no later than January 15. Except as set forth in paragraph 4.E, below, no appropriations shall be made unless they have been approved as part of the annual town budget of both towns.

E. Supplemental Expenditures. In addition to expenditures included in annual Park Budgets and approved as set forth in paragraph 4.D, above, the Commission may make expenditures of any supplemental appropriations duly approved by the Boards of Selectmen and other necessary boards and authorities of each town.

F. Report and Recommendations. Biennially, the Commission shall prepare and submit to the Boards of Selectmen of both towns a report setting forth the Commission's recommendations regarding the duties of the Commission and amendments to this Ordinance. The Boards of Selectmen shall, in their discretion, elect whether to follow such recommendations.

SECTION 5: AMENDMENT, TERMINATION OR WITHDRAWAL

This ordinance shall be amended in accordance with the procedure in the General Statutes for the amendment of a municipal ordinance. Either Town may withdraw from this interlocal agreement by repealing the ordinance. The effect of repeal of the ordinance by either Town shall constitute a termination of the interlocal agreement.


SECTION 6: EFFECTIVE DATE

The Board of Selectmen of the Town of Woodstock shall take all necessary steps to cause the legislative body of the Town of Woodstock to adopt an ordinance (the "Woodstock Ordinance") identical to this Ordinance. This Ordinance shall take effect upon the later of (a) the effective date of the Woodstock Ordinance or (b) ten days after publication of notice of adoption of the Ordinance in a newspaper having general circulation in the Town of Eastford and shall supersede and replace a predecessor ordinance adopted in Eastford on June 16, 2003

Approved by the Board of Selectmen: July 17, 2017

Town Meeting Approval: August 7, 2017

Effective Date: The effective date of the Woodstock Ordinance

Town Clerk Attest:  August 7, 2017
Melissa M. Vincent, Town Clerk

TOWN OF EASTFORD

August 7, 2017

ORDINANCE

PROHIBITING THE STORAGE, DISPOSAL OR USE OF WASTE FROM OIL AND GAS EXPLORATION OR EXTRACTION ACTIVITIES, OR ANY DERIVATIVE THEREOF, IN THE TOWN OF EASTFORD, CONNECTICUT

SECTION 1. PROHIBITIONS

- A. The application of natural gas waste or oil waste, whether or not such waste has received Beneficial Use Determination or other approval for use by DEEP (Department of Energy and Environmental Protection) or any other regulatory body, on any road or real property located within the Town of Eastford for any purpose is prohibited.
- B. The introduction of natural gas waste or oil waste into any waste water treatment facility within or operated by the Town of Eastford is prohibited.
- C. The introduction of natural gas waste or oil waste into any solid waste management facility within or operated by the Town of Eastford is prohibited.
- D. The storage, disposal, sale, acquisition, handling, treatment and/or processing of waste from natural gas or oil extraction activities is prohibited within the Town of Eastford.

SECTION 2. PROVISION TO BE INCLUDED IN BIDS AND CONTRACTS FOR CONSTRUCTION OR MAINTENANCE OF TOWN ROADS AND REAL PROPERTY

- A. All bids and contracts related to the purchase or acquisition of materials to be used to construct or maintain any publicly owned and/or maintained road or real property within the Town of Eastford shall include a provision stating that the materials shall not contain natural gas waste or oil waste.
- B. All bids and contracts related to the solicitation of services to construct or maintain any publicly owned and/or maintained road or real property within the Town of Eastford shall include a provision stating that no materials containing natural gas waste or oil waste shall be utilized in providing such services to the Town of Eastford.
- C. The following statement, which shall be a sworn statement under penalty of perjury, shall be included in all bids related to the purchase or acquisition of materials to be used to construct or maintain any publicly owned and/or maintained road or real property within the Town of Eastford, and all bids related to the solicitation of services to construct or maintain any publicly owned and/or maintained road or real property within the Town of Eastford:

"We _____ hereby submit a bid for materials, equipment and/or labor to the Town of Eastford. The bid is for bid

documents titled _____. We hereby certify under penalty of perjury that, if this bid is selected, no natural gas waste or oil waste will be used by the undersigned bidder in the performance of the contract. We further certify that no subcontractor, agent or vendor will be allowed or permitted to use materials containing natural gas waste or oil waste.”

SECTION 3. PENALTIES

This ordinance shall apply to any or all actions occurring after the effective date of this ordinance. The Town of Eastford is empowered to issue “Cease and Desist” orders in case of any violation of the Prohibitions and Provisions stated above in Sections 1 and 2. It is further empowered to require remediation of any damage done to any land, road, building, aquifer, well, water course, air quality or other asset, be it public or private, within the Town of Eastford. It may impose fines in any amounts deemed reasonable as determined by the Eastford Board of Selectmen for any and all infractions against this ordinance.

SECTION 4. DEFINITIONS

As used in the ordinance, the following terms shall have the meaning indicated:

APPLICATION – The physical act of placing or spreading natural gas waste or oil waste on any road or real property located within the Town of Eastford.

HYDRAULIC FRACTURING – The fracturing of underground rock formations, including shale and non-shale formations, by man-made fluid-driven techniques for the purpose of stimulating oil, natural gas, or other subsurface hydrocarbon production.

NATURAL GAS EXTRACTION ACTIVITIES – All geologic or geophysical activities related to the exploration for or extraction of natural gas, including, but not limited to, core and rotary drilling and hydraulic fracturing.

NATURAL GAS WASTE –

- A. Any liquid or solid waste or its constituents, that is generated as a result of natural gas extraction activities, which may consist of water, brine, chemicals, naturally occurring radioactive materials, heavy metals, or other contaminants;
- B. Leachate from solid wastes associated with natural gas extraction activities;
- C. Any waste that is generated as a result of or in association with the underground storage of natural gas;
- D. Any waste that is generated as a result of or in association with liquefied petroleum gas well storage operations; and
- E. Any products or byproducts resulting from the treatment, processing, or modification of any of the above wastes.

OIL EXTRACTION ACTIVITIES – All geologic activities related to the exploration for or extraction of oil, including, but not limited to, core and rotary drilling and hydraulic fracturing.

OIL WASTE –

- A. Any liquid or solid waste or its constituents that is generated as a result of oil extraction activities, which may consist of water, brine, chemicals, naturally occurring radioactive materials, heavy metals, or other contaminants;
- B. Leachate from solid wastes associated with oil extraction activities; and
- C. Any products or by-products resulting from the treatment, processing, or modification of any of the above wastes.

SECTION 5. TRANSPORTATION

Nothing in this ordinance shall be interpreted to bar the transportation of any product or byproduct described herein on any road or real property within the Town of Eastford.

SECTION 6. SEVERABILITY

If any provision of this ordinance shall be determined by any court of competent jurisdiction to be invalid and unenforceable to any extent, the remainder of this ordinance shall not be affected thereby, and each provision hereof shall be valid and shall be enforced to the fullest permitted by law.

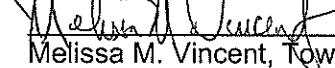
SECTION 7. EFFECTIVE DATE

This ordinance shall become effective 15 days after adoption at Town Meeting.

Approved by the Board of Selectmen: _____ July 17, 2017

Town Meeting Approval: _____ August 7, 2017

Effective Date: _____ August 22, 2017

Town Clerk Attest:  _____ August 7, 2017
Melissa M. Vincent, Town Clerk