

By-laws of the Upper Marjorie Manor

Tax District

By-Laws: **Adopted:** **Meeting scheduled for 3/8/2012**

Amended: **Month day, Year**

BY-LAWS OF UPPER MARJORIE MANOR TAX DISTRICT

ARTICLE I NAME AND PURPOSE

Section 1. NAME: The name of the Tax District shall be "UPPER MARJORIE MANOR TAX DISTRICT", hereinafter referred to as the "District".

Section 2. PURPOSE: This District shall have all the powers and duties available to legally chartered special districts under the provisions of Chapter 105 of the Connecticut General Statutes (CGS) as the same now or may hereafter exist. The purpose of the District is to construct and maintain roads; to acquire, construct, maintain and regulate the use of recreational facilities; and to collect garbage, ashes and all other refuse matter in any portion of such district and provide for the disposal of such matter. The District may contract with a town, city, borough, or other district for carrying out any purposes for which the District was established.

Such powers and duties shall apply to the property in the Town of Danbury, Connecticut within the following boundaries:

Property located in the area commonly known as Upper Marjorie Manor, Danbury, Connecticut, including certain properties on Spruce Trail, Pine Trail, Beech Trail, Walnut Trail, Cedar Trail, Locust Trail, Oak Trail, Hickory Trail, and Hemlock Trail, who access their properties via the roads in Upper Marjorie Manor, all as more particularly described hereafter:

1. All those certain pieces or parcels being shown and designated as Lots 22, 37 and 38 on a certain map entitled, "Marjorie Manor No. 1 Map of East Section Route 37, Pembroke Division, Danbury, Conn. Scale:- 1"=100'. July, 1951 L.W. Marsh Surveyor" which map is on file in the office of the Danbury Town Clerk, as Map No. 1287.

2. All those certain pieces or parcels being shown and designated as Lots 22 and Lot 23 on a certain map entitled, "Marjorie Manor Map No. 2 of East Section Route 37, Pembroke Division, Danbury, Conn. Conveyed by Stanley H. Peck, Sr. and Genevieve T. Peck. Recorded March 14, 1951 in Danbury Land Records Vol. 252, Pg. 531. Scale:- 1"=40'. December 1952 L.W. Marsh Surveyor" which map is on file in the office of the Danbury Town Clerk, as Map No. 1432.

3. All those certain pieces or parcels being shown and designated as Lots 26 through and including Lot 112 on a certain map entitled, "Marjorie Manor Map No. 3 of East Section Route 37, Pembroke Division, Danbury, Conn. Conveyed

by Danbury National Bank, Administrator of the Estate of John W. Stokes. Recorded July 15, 1952 in Danbury Land Records Vol. 265, Pg. 440. Scale:- 1"=40'. December 1952 L.W. Marsh Surveyor" which map is on file in the office of the Danbury Town Clerk, as Map No. 1433.

4. All that certain piece and parcel of land situate in the City of Danbury, County of Fairfield and State of Connecticut, on the Easterly side of Hubble Road, shown and designated as Parcel 'C' containing 22,055 sq. ft. and Parcel 'B' containing 8,243 sq. ft. on a certain map entitled, "Map Showing Final Subdivision of a Portion of Property of Ervie S. Hawley, Jr., et al located at Marjorie Manor, Danbury, Connecticut Scale 1" = 50' certified substantially correct by Surveying Associates, P.C." which map is filed in the Office of the Town Clerk of the City of Danbury as Map 6736 and to which map reference is hereby made for a more particular description.

Said lots are shown on the City of Danbury Tax Assessor's Map as Lot Nos. G03078; G03079; G03089; G03097; H03007; H03011; H03013; H03015 to H03017; H03020 to H03032; H03034; H03037; H03039; H03040; H03043; H04006 to H04033; H04035; H04035; H04036; H04047.

Nothing in the Article changes, nor shall it be construed to change, the boundaries of the District as they were established by vote of the District at the Special Meeting called to establish the District held on October 19th, 2011 with the exception of the following corrections:

1. Added phrase clarifying tax district is for those accessing their properties through roads in Upper Marjorie Manor in Article1 Section 2.
2. G03097 (forgot the lot for the house that accesses roads via H03015)
3. H03012, H03018, H03019 (removed due to access is through Lower Marjorie Manor)

Section 3. LOCATION AND OFFICE: The principle place of business, location and address of the District shall be PO Box 06812-8334, New Fairfield, CT, 06812.

ARTICLE II VOTERS AND MEETINGS

Section 1. VOTERS: Any person who lives, resides or is domiciled within the limits of said District and who is a legal voter of the Town of Danbury, Connecticut, or any citizen of the age of eighteen (18) years or more who, jointly or severally, is liable to the District for taxes assessed against him on an assessment of not less than One Thousand Dollars on the last completed Grand List of such district, or who would be so liable if not entitled to an exemption as set forth or referred to in Section 7-6 of the Connecticut General Statutes, or any other person who otherwise is eligible to vote in the tax district pursuant to said Section 7-6, may vote. In case of conflict, those persons entitled to vote within

the District shall be governed by the General Statutes of the State of Connecticut pertaining to voting rights as may apply to this District only.

Section 2a. ANNUAL MEETING: The annual meeting shall be held on the second Thursday of September in each year or earlier date at Upper Marjorie Manor, Danbury, Connecticut or at any such other place in the Town of Danbury, Connecticut, as may be designated by the Directors. Date and time to be determined by the Board of Directors. At said Annual Meeting, the officers and Directors of the District shall be elected and the voters shall do any and all things permissible or necessary within the limits of Section 7-327 of the Connecticut General Statutes, in particular, but without limiting the generality of the foregoing and the relevant sections of the Connecticut General Statutes, pertaining to the District and the purposes established hereunder.

Section 2b. ANNUAL BUDGET MEETING: The Annual Budget Meeting of the Tax District will be on the second Thursday of March. At the Annual Budget meeting, the budget shall be adopted, the tax laid, and the tax rate fixed.

Section 3. SPECIAL MEETINGS: Special meetings of the District may be called as set forth in Connecticut General Statutes Section 7-327 by the President or any three (3) Directors upon application of twelve (12) inhabitants qualified to vote in the District meeting.

Section 4. QUORUM: Not fewer than fifteen (15) voters of the District shall constitute a quorum for the transaction of business at any meeting of the District.

Section 5. ADJOURNMENT: At all meetings of the District where a quorum is present, the meeting may be adjourned from time to time by a majority of the voters voting on the question.

If fifteen (15) voters are not present at any meeting, the President of the District or, in his absence, the Vice President, may adjourn such meetings from time to time, until at least fifteen (15) voters are present.

No meeting shall be adjourned for more than twenty-one (21) days or less than five (5) days.

Section 6. NOTICE OF MEETINGS: Notice of all annual meetings and all special meetings, and any adjournments thereof, shall be given by posting a notice upon a public sign post within the territorial limits of the District at least ten (10) days before the day of such meeting, signed by the President or any three (3) Directors, which notice shall designate the time and place of such meeting and the business to be transacted thereat.

In addition to the foregoing, and any other notice required by the Connecticut General Statutes, notice of the annual meeting and any special meeting shall be

published via email and posted on the community website, UpperMarjorieManor.org, at least five (5) days before such meeting, and such notice shall designate the time and place of such meeting and the business to be transacted thereat.

Notice of time and place of the annual and special meetings shall be mailed/mailed to all voters of the district at the address last provided by the Town Assessor at least ten days prior to the meeting.

Section 7. VOTING: All questions arising in such meetings shall be decided by a majority vote of the qualified voters present and voting. The President shall vote only when there is a tie-vote. Voting at all meetings shall be a viva voce or such other method as a majority vote of the qualified members present and voting shall determine. The within and foregoing shall not limit the rights of any voter pursuant to the Connecticut General Statutes pertaining to voting in a tax district or the requirements of any vote pursuant thereto. Each voter shall have one (1) vote.

ARTICLE III BOARD OF DIRECTORS

Section 1. QUALIFICATIONS AND NUMBER: There shall be nine (9) members of the Board of Directors, consisting of the following: the President of the District, the Vice-President of the District, the Treasurer of the District, the Clerk of the District, and five other Directors, all of which shall be qualified voters of the District pursuant hereto and the Connecticut General Statutes.

Section 2. ELECTION AND TERM OF OFFICE: The Board of Directors shall be elected at the annual meeting of the voters of the District, shall take office on the First day of October and serve until each successor has been duly elected and qualified; excepting as hereinafter provided for the office of Clerk.

Section 3. DUTIES OF DIRECTORS: The Board of Directors shall have the control and general management of the District. The Directors in all cases shall act as a Board and individual directors shall have no power as such unless otherwise provided herein or by the Connecticut General Statutes. They may adopt such rules for the conduct and management of the District, as they may deem proper, not inconsistent with these By-Laws and the laws of the State of Connecticut.

The President shall designate duties upon each of the five (5) Directors and appoint all committees and Boards of the District. They shall prepare and present to the annual meeting of the voters a proposed slate of officers for the ensuing year. They shall review the annual budget and prepare comments and recommendations to be transmitted to the annual budget meeting of the District.

The Board of Directors shall approve all contracts or other corporate action between the annual District meetings and their approval shall be required prior to any expenditure by the officers of \$500.00 or more.

Section 4. ANNUAL MEETING: The Annual Meeting of the Board of Directors shall be held on the second Thursday of September in each year at Upper Marjorie Manor, Danbury, Connecticut, or at any such other place in the Town of Danbury, Connecticut, as may be designated by the Board of Directors, immediately following the Annual Meeting of the Voters.

Section 5. SPECIAL MEETINGS: Special meetings of the Board of Directors may be called by the president or any three (3) Directors upon giving notice as hereinafter provided.

Section 6. QUORUM: Not fewer than four (4) members of the Board of Directors shall constitute a quorum for transaction of business at any meeting of the Board.

Section 7. ADJOURNMENT: At all meetings of the Board of Directors where a quorum is present, the meeting may be adjourned from time to time by a majority of members present voting on the question.

If four (4) members of the Board of Directors are not present at any meeting, the majority of the Directors present may adjourn the meeting from time to time until four (4) members are present.

No meeting shall be adjourned for a period of more than twenty-one (21) days or less than five (5) days.

Section 8. NOTICE OF MEETINGS: Notice and an agenda of business of any meeting of the Board of Directors shall be given by posting a notice upon the public sign post within the territorial limits of the District and an email to members at least 5 days before the day of such meeting, signed by the President or any three (3) Directors, which notice shall designate the time and place of such meeting. Any adjournments thereof shall have written notice emailed to each member not less than three (3) days before the meeting.

Section 9. VOTING: All questions arising at such meetings shall be decided by a majority vote of the Directors present and voting. The President shall vote only to dissolve a tie. Each director shall have one (1) vote. Voting at all meetings shall be a viva voce or such other method as a majority vote of the Directors present and voting shall determine.

Section 10. VACANCIES: Any vacancy in the Board of Directors may be filled by the majority of the remaining Directors then in office. Vacancies shall be filled

only for the unexpired portion of the term and until a successor has been duly elected and qualified.

ARTICLE IV OFFICER ROLES AND RESPONSIBILITIES

Section 1. NUMBER: The Officers of the District shall be:

1. President
2. Vice President
3. Clerk
4. Treasurer

Section 2. ELECTION, TERM OF OFFICE AND QUALIFICATIONS: The Officers of the District shall be elected at the annual meeting of the Voters of the District, shall take office on the first day of October following the annual meeting and shall hold office until the 30th of September of the following year, or until their successors have been duly elected and qualified. Voting, election and qualification shall be in accordance with Article II hereof, and the relevant sections of the Connecticut General Statutes.

Section 3. PRESIDENT: The President of the District shall be a member of the Board of Directors and the Chief Executive Officer thereof. He shall preside at all meetings of the Voters of the District. At all meetings at which he presides, he shall vote only to dissolve a tie-vote.

The President shall designate the duties devolving upon each of the five (5) Directors. He, or his designee shall approve all bills for payment and shall countersign all checks drawn by the Treasurer. He shall, ex officio, be a member of all committees and Boards of the District.

The President shall cause to be called regular and special meetings of the Voters or the Board of Directors in accordance with these By-Laws and the General Statutes of the State of Connecticut.

The President shall sign and make all contracts and agreements in the name of the District, subject to and upon approval of the Board of Directors.

The President shall have general direction and management of the affairs of the District.

The President shall do any and all things required by the General Statutes of the State of Connecticut.

Section 4. VICE PRESIDENT: The Vice-President of the District shall be a member of the Board of Directors. He shall have all the authority, power, and

duties of the President whenever the President vacates his office, is absent or from any cause is unable to perform his duties.

The Vice-President shall have such other powers and duties as the President shall from time to time delegate according to these By-Laws and the General Statutes of the state of Connecticut.

Section 5. CLERK:

The Clerk shall be a member of the Board of Directors, shall keep a record of the minutes of all meetings of the voters and of the Board of Directors and shall keep and maintain a current list of the voters of the district as received from the Assessor's Office of the City of Danbury.

The Clerk shall present at each meeting the minutes of the preceding meeting and submit at the annual meeting a report of the activities during the preceding year.

The Clerk will maintain a current copy of the District By-Laws and any amendments thereto.

The Clerk must file an annual organizational report with the Danbury Town Clerk including the names of the officers and directors, by-laws or ordinance changes and any other information required by the Secretary of the State Office of Policy concerning the District's organization and financial status. This annual report must be filed on or before July 31"

The Clerk shall maintain and provide upon request information required by the Freedom of Information Act adopted in 1975 in accordance with Section I-18a to I-21k of the CGS.

In order to meet Freedom of Information Act ("FOIA") requirements concerning accessibility, a parallel set of the District's files will be maintained in the office of the Town Clerk of the City of Danbury, subject to the agreement of said Town clerk (per FOI Docket #FIC 1999-197).

Section 6. TREASURER:

The Treasurer shall be a member of the Board of Directors and shall have charge of the collection and payment(s) of all moneys of the District, under such rules and regulations established by the Board of Directors.

The Treasurer shall prepare the annual budget, which shall be reviewed by the Board of Directors and transmitted with the board's comments and recommendations to the annual budget meeting of the district for adoption.

The Treasurer shall obtain from the town of Danbury Tax Assessor a copy of the Grand List and prepare a rate bill based on the budget approved at the annual meeting to be delivered to the District Treasurer for tax collection.

The district is a “reporting agency” as defined in CGS Section 7-391 of the Connecticut General Statutes. The Treasurer is responsible for providing a statement concerning the accounts and finances of the district with the Town Clerk of the City of Danbury. Such statement shall include, but shall not be limited to, a listing of major disbursements and sources of receipts and shall be filed not later than ninety days after the end of the fiscal year. Each treasurer or other officer who fails to file a statement required pursuant to subsection 7-392 shall be fined five hundred dollars for each statement not filed. The fine shall be levied and collected by the town clerk.

The Treasurer shall maintain the books of the District and shall issue checks in payment of legally incurred District expenses, charges and obligations, provided however, that all said checks shall be co-signed by either the District President or Vice President.

The Treasurer shall have the responsibility for the investment of and accounting for municipal funds, with the advice and consent of the Board of Directors in accordance with CGS.

The Treasurer shall be bonded by the District in an amount of not less than \$25,000.00 or the annual budget, whichever is greater.

ARTICLE V BUDGET

Section 1. PREPARATION: The budget, as prepared by the Treasurer, and approved by the Board of Directors will be presented to the voters for action at the annual budget meeting of the District. The agenda for the annual budget meeting shall include the fixing of the tax rate and the laying of the tax in accordance with Section 7-327(b) of the CGS.

The Treasurer shall prepare the annual budget to be proposed by the Officers of the District. The annual budget shall contain in reasonable detail:

- (1) an itemized statement of all actual receipts from all sources during its last fiscal year;
- (2) an itemized statement by classification of all actual expenditures during the same year;
- (3) an itemized estimate of anticipated revenues during the ensuing fiscal year from each source other than from District property taxes and an estimate of the amount which should be raised by District property taxation for each ensuing fiscal year;
- (4) an itemized estimate of expenditures of the District for such ensuing fiscal

year;

(5) the amount of revenue surplus or deficit of the District at the beginning of the fiscal year for which estimates are being prepared; and

(6) such other information, statements, accounts or estimates as the Board of Directors or the General Statutes of the State of Connecticut may require.

Section 2. APPROVAL OF BUDGET: Annually, in March, prior to the beginning of the fiscal year, beginning on July 1, there shall be a meeting of the Voters of the District for the purpose of adopting the budget, laying the tax and fixing the tax rate.

Such meeting shall take action upon the budget estimate and recommendations, and may make such specific appropriations as appear advisable, but no appropriation shall be made exceeding in amount that for the same purpose recommended by the Board of Directors, and no appropriation shall be made for any purpose not recommended by the Board of Directors.

Section 3. LIMITATION: The limitations shall be as set forth in the Connecticut General Statutes, specifically Section 7-328, et seq., which provides that no contract or obligation which involves an expenditure in the amount of Two Thousand Dollars (\$2,000) or more in any one (1) year shall be made by the Board of Directors unless the same is specially authorized by a vote of the District, nor shall the Directors borrow money without like authority.

Section 4. FISCAL YEAR: The fiscal year of the District is in conformance with the Uniform Fiscal Year of July 1st to June 30th. District budget adoption must be a minimum of 30 days prior to the beginning of the fiscal year in accordance with Section 7-327(c) of the CGS.

Section 5. TAXES, ASSESSMENTS, AND BONDS:

1. Districts must use the property tax levied on the same “assessed valuation” basis as municipal property taxes.

2. Property valuation for taxation purposes is performed for the District by the town tax assessor with the District Grand Lists prepared for and available to the District treasurer. The Treasurer will prepare a rate bill. District taxes are collectible as a lien on the property in the same manner as town taxes.

3. Bonds for any public Works projects, which the District is authorized to construct under Chapter 105, may be issued by the District. The procedure for the issuance of such bonds must be in accordance with the statutory Municipal Bonding Act (CGS 7-369 - 7-3 80a) and their indebtedness will be considered as an underlying debt of their host municipality by municipal credit rating agencies.

4. The statute requires that all moneys received on behalf of the District by Directors and its officers must be paid over to the Treasurer.

Section 6. DISTRICT TERMINATION: If the District is terminated, the officers are directed to pay off all outstanding indebtedness and turn over the balance of the assets to the town, if authorized by the town legislative body. No district may be terminated Without paying all outstanding indebtedness unless the legislative body of the municipality agrees in Writing to assume the indebtedness in accordance with Section 7-329 of the CGS.

ARTICLE VI ROAD REGULATIONS

Section 1. No motorized vehicle shall travel on District roads in excess of fifteen (15) miles per hour.

ARTICLE VII RULES AND PROCEDURES FOR TAX DISTRICT MEETINGS

Section 1. Tax District meetings shall be conducted in accordance with the parliamentary procedure as set forth in Robert's Rules of Order, Revised and the President of the Tax District shall act as moderator and decide all questions of parliamentary procedure.

Section 2. The Tax District meetings, both general and special, shall act only on those matters that are specified in the posted notice of said meeting.

Section 3. Any person eligible to vote in the Tax District meeting, when recognized, may speak to the business before the meeting. Others may be permitted to speak to the business when recognized by majority vote. All speakers shall first identify themselves to the President of the District.

Section 4. AGENDA FOR ANNUAL/BUDGET MEETINGS

The order of business at the annual/budget meeting shall be as follows (as appropriate for the annual meeting or budget meeting):

1. MEETING CALLED TO ORDER
2. READING OF LEGAL MEETING NOTICES
3. INTRODUCTION OF BOARD AND OFFICERS

4. INTRODUCTION OF SPECIAL GUESTS
5. CLERK'S REPORT
 - A. Minutes of previous meeting.

- B. Business arising from minutes action
- C. Correspondence action
 - 1.
 - 2.
- 6. TREASURER'S REPORT
- 7. OTHER COMMITTEE REPORTS, COMMITTEE CHAIR REPORTING:
 - A. Roads
 - B. By-Laws
 - C. Other Reports
- 8. ELECTION OF OFFICERS AND BOARD MEMBERS
- 9. PRESENTATION OF BUDGET AND SETTING OF CHARGES TO BE SET (Budget meeting)
- 10. OLD BUSINESS
 - A.
 - B.
 - C.
 - D.
- 12. NEW BUSINESS
 - A.
 - B.
 - C.
 - D.
- 13. ANNOUNCEMENTS
 - A. Next Directors Meeting
 - B. Next General Meeting
 - C. Next Special Meeting

ARTICLE VIII AMENDMENTS AND GENERAL STATUTES

Section 1. AMENDMENTS: These By-Laws may be altered, amended, repealed or added to by an affirmative vote of the Voters of the District at an annual meeting or at a special meeting called for that purpose, provided that notice pursuant to Article II herein shall have been given, stating the alteration, amendment or changes proposed. Only such changes as have been specified in the notice shall be made.

Section 2. GENERAL STATUTES: Insofar as these By-Laws or any amendment thereto limit or conflict with the General Statutes of the State of Connecticut or any amendment, addition, repeal or alteration thereto, said General Statutes and its amendments, addition, repeal or alterations shall govern.

Summary of meetings in these bylaws:

Date	Notice required	Description
10/1		Officers' terms start
February		Budget prepped, reviewed, approved by directors
2 nd Thursday of March	10 days	Annual District meeting to approve budget –
6/30:7/1		End/beginning of fiscal year
7/31		Final date for annual District report to be filed with town clerk of Danbury
2 nd Thursday of September	10 days	Annual District meeting to elect officers Annual Board of Directors meeting
9/30		End of Officers' terms