



General Assembly

February Session, 2024

Raised Bill No. 5274

LCO No. 147



Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:
(PD)

AN ACT REVISING THE CHARTER OF THE SECRET LAKE ASSOCIATION.

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

1 Section 1. Section 7 of special act 450 is amended to read as follows
2 (*Effective from passage*):

3 [Notices of the time and place appointed for said first meeting shall
4 be signed by at least four persons named in section six hereof, and shall
5 be sent by mail to each member of the association at least five days
6 before the time appointed for said meeting. Said executive board shall
7 be elected by a plurality of the ballots cast at said meeting and the polls
8 for the reception of ballots shall be open from two o'clock, p.m., until
9 five o'clock, p.m., on said day.] Section 7 of said special act is repealed.

10 Sec. 2. Section 8 of special act 450 is amended to read as follows
11 (*Effective from passage*):

12 The annual meeting of the association shall be held [on the first
13 Saturday of June, in each year, at two o'clock in the afternoon] based on
14 a date voted upon by simple majority by the attending board members

15 at the May monthly board meeting, regardless of having achieved a
16 quorum. In no event shall the annual meeting be set after the second
17 Saturday of June. Notice of said meeting to be sent via regular mail or
18 personally to all members at least ten days prior to the annual meeting
19 date. Special meetings of the association may be held and warned in
20 such a manner as the [by-laws] bylaws may prescribe, provided notice
21 for any special meeting shall specify the object for which [such] said
22 meeting is called. Not less than [twelve] five members of the association
23 shall constitute a quorum for the transaction of business at any regular
24 meeting or special meeting except as above to establish the next annual
25 meeting date.

26 Sec. 3. Section 9 of special act 450 is amended to read as follows
27 (*Effective from passage*):

28 Notices of the annual and of all special meetings of the association
29 [shall be signed by the president or by the vice president and by two
30 other members of the executive board, and]

31 may be given by mail or personally. In case they are given by mail,
32 written notice of the time and place of such meetings shall be sent at
33 least [five] ten days before the time appointed [,] by letter mailed in
34 Hartford county and addressed to each member of said association [,] at
35 his legal residence, or if he shall be at the time dwelling within the limits
36 of said territory, at such dwelling. Personal notice may be given by
37 leaving with such member a written notice of such time and place of
38 meeting [,] at least [five] ten days before the time [appointed] of the
39 meeting.

40 Sec. 4. Section 11 of special act 450 is amended to read as follows
41 (*Effective from passage*):

42 The executive board shall have the care, custody and management of
43 all funds and property of the association and, when assembled
44 according to law, shall have power to make regulations for the
45 management and control of such property and its transfer and
46 conveyance; to make regulations concerning the time and place of

47 meetings of said executive board and of said association so far as they
48 are not inconsistent with any of the special provisions of this act; to
49 regulate the method of assessment and collection of taxes for association
50 purposes and to prescribe the duties and compensation of all officers
51 and employees of the association. The president, [vice president] vice-
52 president, clerk and treasurer shall serve without compensation []
53 except that they shall receive reimbursement for their agreed upon
54 actual expenses.

55 Sec. 5. Section 18 of special act 450, as amended by special act 49-41
56 and special act 75-35, is amended to read as follows (*Effective from*
57 *passage*):

58 [The clerk of said board shall, on or before the first day of June of each
59 year, prepare an assessment list of all the real estate in said territory,
60 including therein the value of houses and buildings and improvements
61 thereon, placing in the name of each member of the association such
62 lands, buildings and improvements as are assessed to such member on
63 the last assessment list of the towns of Avon and Canton, at the value at
64 which they stand assessed on such assessment list, provided, whenever
65 there has been a change in title any property between the first day of
66 October next preceding and the first day of July said property shall be
67 listed in the name of the person then owning it. Said clerk shall, on or
68 before the first day of June, report such list to the executive board, which
69 shall revise such list and if said board shall find that in any particular it
70 does not correspond with the last assessment list of the towns of Avon
71 and Canton, except as hereinbefore provided, said board shall correct
72 the same, and such list, when so revised and if necessary corrected, shall
73 be adopted by said executive board and shall then be and constitute the
74 assessment list of The Secret Lake Association, Incorporated. Such list
75 shall be so revised and completed and recorded by the clerk in the books
76 of the association, on or before the fifteenth day of July, and shall be
77 open to inspection by any member of the association.]

78 Said Association shall have the power, for the purposes of
79 apportioning among all owners of land or other real property the cost

80 or expense of exercising the powers granted by this act, to lay and collect
81 an annual assessment which may be levied by the directors during the
82 month of July each year, and which shall be an assessment equal as to
83 rate upon all owners of record of any improved lots within said territory
84 on the fifteenth day of June in each year. Unimproved land (separate
85 unimproved lots) annual assessments will also be equal but less than the
86 assessment for improved lots. Joint owners of the same land shall be
87 considered as one owner for the purposes of such levy. Such
88 assessments shall be due and payable within thirty days after being
89 billed. The directors shall provide the Tax Collector of said Association
90 a rate book setting forth all necessary information concerning such
91 assessment of the members, which Tax Collector shall have the same
92 powers and duties as have Tax Collectors of the respective Towns of
93 Avon and Canton with respect to the collection of taxes. If such
94 assessments and forfeitures are not paid within thirty days after their
95 due date, they shall be then due without demand with interest at the
96 statutory rate applicable for delinquent taxes in the state of Connecticut
97 from their due date. They shall constitute a lien without record upon all
98 real estate owned of record by the person upon whom levied within the
99 limits of the territory of said Association, and if not paid within one
100 hundred twenty days after their due date such real estate may be liened
101 by the Tax Collector in a manner similar to that provided by law for tax
102 liens upon real estate, and any such lien shall have precedence over all
103 other liens except those for State and Town Taxes.

104 Sec. 6. Section 19 of special act 450 is amended to read as follows
105 (*Effective from passage*):

106 [Any person claiming to be aggrieved by any such proportional
107 valuation by said board may appeal to the superior court in the manner
108 provided by the general statutes for appeals from boards of relief.]
109 Section 19 of said special act is repealed.

110 Sec. 7. Section 20 of special act 450, as amended by special act 75-35,
111 is amended to read as follows (*Effective from passage*):

112 Said association, at its annual meeting or at any special meeting called
113 for that purpose, by a majority vote of those present at such meeting,
114 may lay a tax, for the purposes herein specified, [of not exceeding seven
115 mills on the dollar of the total value of said real estate as shown by the
116 assessment list hereinbefore provided for,] and shall appoint a collector
117 to collect such tax, and rate bills shall be made out [and signed by said
118 board,] and warrants may be issued for the collection of money due on
119 such rate bills, pursuant to the provisions of section 12-130 of the general
120 statutes.

121 Sec. 8. Section 21 of special act 450, as amended by special act 75-35,
122 is amended to read as follows (*Effective from passage*):

123 Written notice of the rate of such tax, and of the amount apportioned
124 to each member of the association shall be sent by the tax collector of the
125 association on or before the first day of July, and such tax shall be due
126 and payable within thirty days from the sending of such notice, and, if
127 such tax be not paid when due, it shall bear interest at the rate [of nine
128 per centum per annum] set by the general statutes from the date when
129 it was so payable. The collector shall have all the power of collectors of
130 town taxes and shall be accountable to the executive board in the same
131 manner as town collectors are accountable to selectmen, and shall pay
132 the taxes as soon as collected to the treasurer of the association. Each
133 [such] tax shall be a lien upon the property upon which it shall be laid
134 for one year from the time of the laying of such tax, and may be collected
135 by suit in the name of said association, or by foreclosure of such lien.
136 Such lien may be continued by certificate to be recorded in the land
137 records of the town of Avon or Canton, pursuant to the provisions of
138 sections 12-173 and 12-174 of the general statutes.

139 Sec. 9. Section 22 of special act 450, as amended by special act 75-35,
140 is amended to read as follows (*Effective from passage*):

141 No contract which shall involve [an] the expenditure of money in
142 excess of [one] five thousand dollars or more in any year shall be made
143 by the executive board unless the same shall be specially authorized by

144 a vote of the association. The directors shall not, within any year, make
145 contracts or incur obligations which shall, in the aggregate, amount to
146 more than the sum of [two] ten thousand dollars, unless the same shall
147 be authorized by a vote of the association; nor are the directors
148 authorized to borrow money without like authority.

149 Sec. 10. Section 23 of special act 450 is amended to read as follows
150 (*Effective from passage*):

151 [The executive board may, by a three-quarters vote of those present
152 at any meeting, abate the taxes assessed as aforesaid upon any such
153 person or persons as are poor and indigent and unable to pay the same,
154 causing a proper entry to be made on its records.] Section 23 of said
155 special act is repealed.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>from passage</i> | SA 450, Sec. 7 |
| Sec. 2 | <i>from passage</i> | SA 450, Sec. 8 |
| Sec. 3 | <i>from passage</i> | SA 450, Sec. 9 |
| Sec. 4 | <i>from passage</i> | SA 450, Sec. 11 |
| Sec. 5 | <i>from passage</i> | SA 450, Sec. 18 |
| Sec. 6 | <i>from passage</i> | SA 450, Sec. 19 |
| Sec. 7 | <i>from passage</i> | SA 450, Sec. 20 |
| Sec. 8 | <i>from passage</i> | SA 450, Sec. 21 |
| Sec. 9 | <i>from passage</i> | SA 450, Sec. 22 |
| Sec. 10 | <i>from passage</i> | SA 450, Sec. 23 |

Statement of Purpose:

To revise provisions of the charter of the Secret Lake Association concerning annual and special meetings, the assessment and collection of taxes, and the approval of certain contracts.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]