

ORDINANCE ALLOWING WESTON TO BECOME A MEMBER OF THE
HOUSATONIC RESOURCES RECOVERY AUTHORITY

WHEREAS, the prevailing solid waste disposal practices in the Town of Weston and in certain nearby communities could potentially result in unnecessary environmental damage, waste valuable land and other resources, and constitute a continuing hazard to the health and welfare of the citizens thereof, and present technology permits the conversion of residential and commercial solid waste into commercially valuable resources including steam and electricity, in an environmentally sound manner;

WHEREAS, Chapter 103b, Sections 7-273aa to 7-273oo of the Connecticut General Statutes provide for the creation and authorization of Regional Resources Recovery Authorities by the enactment by municipalities of concurrent ordinances;

WHEREAS, the City of Danbury and the Towns of Bethel, Bridgewater, Brookfield, Kent, New Fairfield, New Milford, Newtown, Redding, Ridgefield, and Sherman, by enactment of concurrent ordinances, established and created the "Housatonic Regional Resources Recovery Authority" (hereinafter referred to as the "Authority"), constituting a political subdivision of the State of Connecticut for the purpose of providing solid waste management and disposal services within the region of the Authority, which shall be the region within the jurisdiction of all of the member municipalities of the Authority, and which purpose includes providing for the disposal of residential and commercial solid waste, the financing, construction and operation of one or more solid waste disposal facilities for such purpose, and the delivery of solid waste thereto, including facilities for incineration of solid waste and production of steam, electricity and other by-products for sale to public utilities and others;

WHEREAS, Section 7-273aa (f) of the Connecticut General Statutes provides that any municipality may become a member of an existing authority upon such terms and conditions as the authority may determine;

WHEREAS, it is in the best interest of the Town of Weston to join the Authority and cooperate with the City of Danbury and the Towns of Bethel, Bridgewater, Brookfield, Kent, New Fairfield, New Milford, Newtown, Redding, Ridgefield, and Sherman to provide a regional solution to the problems of residential and commercial solid waste, management and disposal; and

WHEREAS, by vote of the existing member towns of the Authority, the Town of Weston was invited to become a member of the Authority, subject to enactment of an authorizing ordinance and execution of the Municipal Regional Solid Waste and Recycling System Agreement between the Authority and the Town of Weston.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF WESTON:

1. The provisions of Chapter 103b, Sections 7-273aa to 1-273oo are hereby adopted.
2. The Authority, constituting a political subdivision of the State of Connecticut established and created for the performance of an essential public and governmental function and created for the purposes, charged with the duties and granted the powers provided in Chapter 103b, Sections 7-273aa

to 7-273oo of the Connecticut General Statutes, as amended, and Chapters 446d and 446e of the Connecticut General Statutes, as amended, is hereby designated as the Regional Resources Recovery Authority for the Town of Weston, together with the other municipalities that have designated the Authority as their Regional Resources Recovery Authority, and such other municipalities as shall by ordinance and upon such terms and conditions as the Authority may determine, hereafter become member municipalities of the Authority.

3. The Town of Weston acknowledges and agrees to the following authorizing provisions of the Authority:

(a) The membership of the Authority shall consist of one member from each member municipality of the Authority. Each such member shall be appointed in the manner set forth in the ordinance adopted by each member municipality. Members shall serve for terms of three years, provided however, that members shall continue to serve until their successors are appointed and have qualified. In no event shall the terms of more than one half of the members expire simultaneously. If because of the addition or reduction of the number of member municipalities, the terms of more than one half of the members would expire simultaneously, then the terms of a sufficient number of members shall be automatically extended for a period of one year. Said extensions shall be based upon the alphabetical order of the member municipalities.

(b) Each member municipality may appoint one alternate member of the Authority who shall act in the event of the disability or absence for any other reason of the member of the municipality. Said alternate member shall only have a voice and vote at Authority meetings if the member from said municipality is absent from the meeting.

(c) The Authority shall operate with one hundred voting units which shall be assigned to member municipalities in proportion to each municipality's share of the total population of all members of the Authority as determined by the latest decennial federal census of population. There shall be no fractional votes and each municipality shall have a minimum of one vote. The distribution of voting units among members shall be recomputed following each decennial federal census and upon the withdrawal or termination of any member municipality or the admission of a new member municipality. All actions by the Authority shall require the affirmative vote of at least fifty-one percent of the total voting units present and voting at a duly called meeting of the Authority at which a quorum is present.

(d) Members of the Authority holding a majority of the voting units shall constitute a quorum, provided that no quorum shall be deemed to exist unless at least fifty percent of the members of the Authority shall be present.

(e) Members of the Authority shall serve without compensation but shall be reimbursed for their necessary expenses.

(f) Member municipalities may withdraw from the Authority only after agreeing, in writing, to comply with the terms and conditions contained in any contracts between such municipality and the Authority, or the holders of any bonds of the Authority. No such

withdrawal shall relieve such municipality of any liability, responsibility or obligation incurred by it as a member of the Authority or as a user of any of the Authority's projects.

5. The Board of Selectmen of the Town of Weston shall appoint the Weston member and alternate to the Authority, which, initially, shall be for a term that expires on June 30, 2023. The Board of Selectmen shall fill any vacancy which occurs and may remove said member or alternate for cause. No person shall be eligible for appointment as a Weston member or alternate to the Authority unless at the time of his appointment he is an elector of the Town. Any such person who ceases to be an elector of the Town shall thereupon cease to hold said office.