

100. AN ORDINANCE CREATING A BOARD OF UTILITIES COMMISSIONERS TO OVERSEE THE OPERATION OF THE BOZRAH LIGHT AND POWER COMPANY

(APRIL 6, 1995)

Section 1. Membership

a. A board of utilities commissioners is created to oversee the operation of Bozrah. Said board shall be known as the "Bozrah Utilities Commission" (sometimes hereinafter referred to as the "commission" or the "commissioners"). The Mayor of Groton shall be chairman of the Bozrah Utilities Commission.

b. There shall be nine Bozrah Utilities Commissioners, consisting of the five persons serving on the City of Groton Utilities Commission pursuant to the Charter of Groton as ex officio members, and a total of four Bozrah Utilities Commissioners from the Town of Bozrah and the Town of Lebanon, chosen as hereinafter provided.

c. The Town of Bozrah shall choose three electors of said Town to serve as Bozrah Utilities Commissioners, in such manner as said Town shall determine, to serve for terms as follows: (i) one elector shall serve for a term beginning on the Effective Time and ending on April 30, 1996; (ii) one elector shall serve for a term beginning on the Effective Time and ending on April 30, 1997; and (iii) one elector shall serve for a term beginning on the Effective Time and ending on April 30, 1998. Thereafter, said Town shall choose one commissioner in each year in like manner to serve for a term of three years beginning on the first day in May.

d. The Town of Lebanon shall choose one elector of said town to serve as a Bozrah Utilities Commissioner, in such manner as said Town shall determine, to serve for a term beginning on the Effective Time and ending on April 30, 1996. Thereafter, said Town shall choose one commissioner in like manner to serve for a term of three years beginning on the first day in May.

Section 2. Quorum, Voting

Five Bozrah Utilities Commissioners shall constitute a quorum for the transaction of business. At all meetings of the commissioners, the Mayor of Groton, when present, shall preside and shall have a vote and each of the remaining eight members, when present, shall have a vote. No vote shall be adopted except on the approval of a majority of all the commissioners.

Section 3. General

The Bozrah Utilities Commissioners may appoint a clerk and a treasurer and may fix the salaries of such officers. The treasurer of the Bozrah Utilities Commissioners shall give a bond to the City, with proper sureties thereon, conditioned upon the faithful performance of his duties. The commissioners shall draw orders on their treasurer for payment of all obligations of Bozrah.

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Section 4. Records, Reports, and Budget

The Commissioners shall keep a record of their official proceedings and accounts in accordance with the applicable Connecticut General Statutes. They shall render to each annual meeting of Groton a general statement showing the fiscal year's transactions and the condition of Bozrah's properties. Such statements shall be sworn to by one or more of the commissioners and recorded in the records of the City. The Bozrah Utilities Commission shall cause to be prepared and shall approve an annual budget for Bozrah by May 31st. The commissioners shall also render statements to the Mayor and Council of Groton as they may require.

Section 5. Responsibilities

a. The commissioners shall make rules and regulations regarding the use and distribution of electricity, propose the rates therefor, and collect the same.

b. All transactions of the Bozrah Utilities Commissioners shall be subject to the approval of the Mayor and Council of Groton. Major transactions of the commissioners, including the extension of utility services, acquisitions or sale of real property, establishing rates, and expenditures of a major nature shall be proposed in advance to the Mayor and Council and subjected to the procedure established for the adoption of ordinances in Article V, Section 14 of the Charter of the City of Groton; provided an extension or improvement of any utility which has been ordered by the proper state authority shall not be subject to referendum; and provided further that the establishing of rates and charges shall not be subject to referendum.

c. No rate or charge for any utility service shall be established until after a public hearing before the commission at which all consumers of electricity, owners of property served or to be served, and others interested shall have had an opportunity to be heard concerning such proposed rate or charge.

d. The commissioners shall initially establish rates to be charged for electricity sold and services rendered by Bozrah. Rates shall be fair, reasonable, and compensatory and shall be uniform for all customers within the same class; but different rate schedules may be applied to different classes of customers as determined by the commissioners. Rates shall not be changed more often than once in three months; and any change shall take effect on the first day of the month. Such rates shall be fixed in accordance with the Connecticut General Statutes.

e. The commissioners may require reasonable deposit as security for the payment of charges for electric service and may provide for the return of the deposits when satisfactory consumer credit has been established.

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Section 6. Powers

The commissioners, or their duly authorized representatives, may (i) enter any land in any territory served or traversed by Bozrah, for the purpose of making necessary surveys, and (ii) exercise any other powers or privileges granted to them by the Connecticut General Statutes.

Section 7. Effective Date

This Ordinance shall take effect on April 7, 1995.

Initially approved: January 17, 1995
Finally approved: April 6, 1995



Catherine S. Kolnaski, Mayor



Debra E. Dickey, City Clerk