



## TOLLAND BOARD OF EDUCATION

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### VISION STATEMENT

*To represent education at its best, preparing each student for an ever-changing society, and becoming a full community of learning where excellence is achieved through each individual's success.*

### AGENDA

September 23, 2020

7:30 PM

A. CALL TO ORDER, PLEDGE OF ALLEGIANCE

B. APPROVAL OF THE AGENDA

- September 9, 2020

C. APPROVAL OF MINUTES

D. PUBLIC PARTICIPATION (2 minute limit)

*The members of the Tolland Board of Education welcome members of the public to share their thoughts and ideas at this time. When appropriate to do so, members of the Board and the administration may respond to comments during "Points of Information". However, in consideration of those in attendance and in an effort to proceed in a timely manner, follow-up discussion may need to take place outside of the meeting setting.*

E. CORRESPONDENCE

F. POINTS OF INFORMATION

G. STUDENT REPRESENTATIVES' REPORT – Alexandra Costa and Simar Grewal

H. SUPERINTENDENT'S REPORT

- H.1 Covid19 Update
- H.2 BOE Goal Setting – September 30, 2020
- H.3 BOE Capital Budget Request
- H.4 TEPTO Donation
- H.5 Student Technology / Devices and ERF Request
- H.6 Field and Grounds Agreement

I. COMMITTEE & LIAISON REPORTS

J. CHAIRPERSON'S REPORT

K. BOARD ACTION

L. PUBLIC PARTICIPATION (2-minute limit)

*Comments must be limited to items on this agenda.*

M. POINTS OF INFORMATION

- Town Council-Special Meeting Minutes – September 8, 2020
- Town Council-Meeting Minutes – September 8, 2020
- Town Council-Meeting Minutes – September 12, 2020

N. FUTURE

Dr. Willett will set up:

- School rounds / tours / starting with TIS (briefings/tours/debriefings)
- Mental Health Services Initiatives (presentation and discussion)
- School Bus Stop Safety (presentation)
- Portrait of a Graduation / Visioning (presentation and discussion of initiatives)
- Pathways and Light House Programs
- Understanding By Design (presentation and discussion)
- Regionalization (presentation and discussion)
- Board of Education Goal Setting (working session and establishment of goals)
- Update on CRE efforts, Equity Efforts,

O. NEW BUSINESS

P. ADJOURNMENT

**TOLLAND BOARD OF EDUCATION**  
**ZOOM Meeting**

REGULAR MEETING – September 9, 2020

Members Present: Ashley Lundgren, Chair; Christina Plourd, Vice Chair; Renie Besaw, Christine Griffin, Kate Howard-Bender, Jacob Marie, Karen Moran, Dana Philbin

Members Absent: Tony Holt

Administrators Present: Dr. Walter Willett, Superintendent of Schools

**A. CALL TO ORDER, PLEDGE OF ALLEGIANCE**

Ms. Lundgren called the meeting to order at 7:34 p.m. The Pledge of Allegiance was recited.

**B. APPROVAL OF THE AGENDA**

It was noted that because Mr. Holt is not in attendance that Correspondence will not be reviewed.

Ms. Lundgren requested that another member step into to role of reporting correspondence because correspondence is now backed up. Ms. Howard-Bender volunteered to step into this role.

**C. APPROVAL OF MINUTES**

- **August 12, 2020**

Ms. Plourd motioned to approve the minutes of the August 12, 2020 meeting.

Mr. Marie seconded the motion.

Discussion:

Ms. Howard-Bender requested a clarification of the minutes. She explained that a letter was sent by Ms. Plourd (page 13) and read the quote, "Ms. Plourd noted that she sent a lengthy e-mail to the state with her concerns regarding the hybrid model." Ms. Howard-Bender commented that Ms. Plourd misspoke and it needs to be corrected to reflect that 4 Board members signed the letter and that Ms. Plourd was not the sole author of the letter.

Ms. Lundgren responded that last week she noted that the letter that was submitted and read was verbatim and thus the minutes need to reflect what was actually said.

Ms. Howard-Bender commented that she would like it reflected in "our" minutes that Ms. Plourd misspoke.

Ms. Lundgren commented that she does not believe this is a misspeaking.

Ms. Howard-Bender commented that it absolutely is because Ms. Plourd said that she wrote it and it is signed by 4 people so it is inaccurate.

Ms. Lundgren commented that this is exactly what the letter submitted says.

Ms. Plourd commented that she does not believe the minutes need to be changed. She explained that she did write the letter and this is what she said. The letter that was included in the minutes is as she requested and is the letter she wrote with the support of 4 other Board members. Thus, this is accurate information and she did not misspeak.

Ms. Moran commented that in regard to the minutes someone is not necessarily going to read the entire letter so if they are only going by the one statement then it is

incorrect. It should say that Ms. Plourd wrote it with 4 other members listed or 3 other members beside herself.

Ms. Philbin commented that Ms. Plourd said that what should be in the minutes is accurate in regard to what she said; however, somehow they need to note that in the letter Ms. Plourd said, "I am writing.... with the support of 4 other members". This would equate to 5 members and only 4 members signed the letter. Ms. Philbin clarified that she does not want to change what Ms. Plourd said because the minutes are supposed to reflect accurately what is said but they need to be accurate in who penned the letter and who signed it.

Ms. Plourd commented that she watched the meeting from last week so it will be reflected in the minutes from both last week and the meeting she was at that the letter was penned by her with the support of 4 other Board members. This is more than accurately portrayed in 3 separate Board meetings. She respectfully asked the Chair to call the question and vote these minutes.

Ms. Moran commented that Ms. Plourd's letter was signed by Ms. Plourd and 3 other Board members for a total of 4 people, not 5. If 5 signed the letter it would be the majority of the Board.

Ms. Philbin reiterated what Ms. Moran said. She cited from the letter, "I hope this email finds you all well. I am writing you as the Vice Chair of the Tolland Board of Education, with the support of 4 other members." This is a total of 5 which is a quorum versus a caucus. It is an illegal quorum. Ms. Philbin asked who the 4 other members were since she only sees Ms. Plourd, Ms. Besaw, Ms. Lundgren, and Mr. Marie. In order to get past this they need to talk about having an illegal quorum at another point on the agenda. Ms. Lundgren commented that she has information to present under Points of Information regarding this letter.

Ms. Griffin clarified that she is the fifth person noted in the letter. Her name was erroneously left off of the letter. She supported the letter and planned on signing the letter. It was only an omission that her name was not included.

Ms. Lundgren commented that she believes the minutes need to be left as-is and are as spoken and therefore they do not need to be changed. She believes the minutes reflect what Ms. Plourd wrote and stated.

A roll call vote was taken.

	Aye	Nay	Abstain
Lundgren	x		
Plourd	x		
Besaw	x		
Griffin	x		
Howard-Bender		x	
Marie	x		



Moran	x		
Philbin	x		

Motion passed.

- August 26, 2020  
Mr. Marie motioned to approve the minutes of the August 26, 2020 special meeting.  
Ms. Plourd seconded the motion.  
Discussion:  
Ms. Philbin commented that on page 3 [item D, last section] it states, "Ms. Philbin motioned to move item E to after item I." She noted that correspondence was not done and wished to note that when Ms. Howard-Bender does the correspondence that they will need to review the August 26, 2020 correspondence as well. Ms. Lundgren clarified that she believes they will need to do 2 meetings of correspondence. Ms. Lundgren added that the minutes reflect that they did not have the Correspondence section and believes it should be left as-is.  
A roll call vote was taken. Motion passed unanimously.

#### D. PUBLIC PARTICIPATION

Kate Vallo, 80 Tolland Green, inquired about one of the data points from the surveys circulated to families over the summer and understands that the data may not be readily available this evening. If possible she would like the Board to discuss it as a whole as it impacts reopening under the next condition. She asked in what circumstances a family would choose to have their child learn fully remotely. For her family they would have chosen for their children to learn fully remotely if schools had fully reopened in an all-in condition because they would be aware that schools would not be able to do social distancing as recommended by public health, at this time, to help mitigate pandemic conditions. Ms. Vallo commented that some members of the Board and the community have been thinking about all-in learning as the best way to provide education to students but she wants the Board and people responsible for the next reopening condition look at this data point. Ms. Vallo believes they will end up with more students learning remotely if schools choose to go all-in learning before it is time to stop social distancing. She added that she would appreciate if Ms. Lundgren or a member of the Board could track this data. Further, it would be important to learn how families feel now about this data point. It is not just about the measures happening in the state but what the community is willing to do.

Liz Costa, 54 Josiah Lane, thanked everyone including Dr. Willett, the staff, and teachers for the opening of the schools. Based on what they are seeing across the state, and nearby at UConn, she hopes they are taking a slow approach to fully reopening. Testing is not available to test as many or as often it likely should for students based on other criteria used across other industries in the state. Ms. Costa suggested asking Rob Miller how they can partner with UConn on the wastewater testing of each school at the very least. Secondly, Ms. Costa hopes the Board will fully consider ensuring that all students in Tolland Public Schools have a school-owned Chromebook to ensure equity and a seamless education for all this year. In reference to the letters sent to the state by the Vice Chair plus four, she has said her peace to all in a letter and hopes they have learned that communications sent from the Board should include the entire Board. Ms. Costa added that if one wants to send a letter as a parent then do not identify oneself as a Board of Education Vice Chair with the support of 4 additional members. Ms. Costa commented that she hopes the Board will support schools by providing the necessary supplies

to allow schools to be a continued safe experience for all. Everyone wants a full return to school when it can be done completely safely for teachers, staff, administration, and students.

E. CORRESPONDENCE – tabled (Mr. Holt not in attendance)

F. POINTS OF INFORMATION

- Ms. Lundgren spoke in regard to the letter. She noted that Ms. Howard-Bender asked that she inquire about the legal ramifications and the protocol. Ms. Lundgren reached out to Attorney Jessica Ritter and read the following:  
 Per our Attorney Jessica Ritter I will quote the following "Based on our conversation, it appears a caucus of the Republican party discussed sending a letter to the State related to the reopening models. A caucus of the members of a single political party falls outside the definition of a "meeting," *even if those members would otherwise constitute a quorum of the board of education. Conn. Gen. Stat. § 1-200(3).* If a caucus does constitute a quorum of the board of education, the exclusion from the definition of "meeting" under the FOIA may be lost if persons other than the board members themselves attend the caucus, such as the superintendent or even the local party chairman. *Betts v. Wilson*, Docket #FIC 1995-29 (November 8, 1995). The members of the proposed caucus, however, must register with the town clerk, and they may not be members of more than one caucus or realign into a different caucus during the remainder of their term of office. Conn. Gen. Stat. § 1-200(3). Assuming these conditions have been met, it is not a violation of FOIA for a party caucus to meet and sign their names to a letter. "  
 The letter clearly states it is from individual Board members and it does not speak for the entire board. It does not speak to not trusting Walt's decision. That was twisted and turned into something that was not stated by this letter. Instead, it does ask questions to the state, which we were elected to do. Some might not feel comfortable doing so and that's ok. However, I know that I will continue to ask the important questions. Therefore, this letter is legal and appropriate to send. The constant allegations of nefarious wrong doings need to stop. Meetings should be efficient and effective bringing what matters most to the forefront...Our Students and Their Education.
- Ms. Howard Bender thanked Ms. Lundgren for getting the legal opinion. She asked if this could be put in layman's terms for people just tuning in.
- Ms. Howard-Bender congratulated the Tolland Public Schools family. They did an amazing job reopening and she thanked then as a parent, a fellow educator, and as a Board member for all of the energy and love that was put into the schools. It is a work of heart.
- Ms. Howard-Bender commented on the last meeting. Instead of spending the majority of the time talking about what schools needed to open they "wasted" a lot of time hashing out what Ms. Howard-Bender deemed to be an incomplete civility policy. She believes the entire Board undermined all of the serious and important work of the Tolland Public Schools. For wasting the community's time she would like to apologize. They should have been focused on the students and staff and how to welcome students back safely and with love. Ms. Howard-Bender clarified her standing on the civility policy. She does not support it because there is no accountability, no bipartisanship, and no mention of a social media policy. Until it has these it does not have her support.
- Ms. Howard-Bender commented on some of the correspondence that has been received. There was a letter asking about an ethics commission or possibly speaking to Shipman & Goodwin about the ethical commitment and rights toward the community. Perhaps Shipman & Goodwin can help them carry out their Board duties. Ms. Howard-

Bender added that though some may say this is a volunteer elected position it does require that homework is done and members are prepared so they can appropriately conduct the business of schools.

- Ms. Howard-Bender commented that she sent a letter to the Chair and Vice Chair asking for information about upcoming items. She was told to read the packet and Ms. Plourd provided a little information. Ms. Howard-Bender said that this was disappointing because it could have been an opportunity for the Board to work together but the minority is left out.
- Ms. Howard-Bender commented that she would like to know how they are doing with Chromebooks and how the schools are doing.
- Ms. Philbin thanked everyone involved in opening schools. It has been a turbulent time leading up to this. It has been smooth for some and turbulent for others. It will take time to adjust to the new environment and she is appreciative for the ppe provided to students and thanked TEPTO for the generous donations of lanyards and masks for staff and faculty. Ms. Philbin asked people with concerns, ideas, or suggestions for improvement to reach out to the educators and try to find a positive solution. She thanked the TRAC team, Dr. Willett, and the staff. She is proud of what the Tolland Public Schools has implemented and looks forward to progressing through this partial in-person time and following proper decisions and protocols in whatever the next step may be.
- Ms. Plourd read the following:
  - For those of you that don't know me, I have a molecular biology degree and a registered nursing degree. I've taken virology classes, and I've worked in a nursing home. I am a working mom of two children (5 & 1).
  - I feel the need to address last weeks meeting with a few points of information since my ethics have been questioned. This truly breaks my heart, because outside of this crazy, divisive, political town I've always had the ability to talk to anyone and find common ground. I have always felt since 2017, any time I voiced an opinion that wasn't popular or didn't fit the prescribed narrative, a rallying cry for something trying to silence me would occur. Some examples would be demanding a social media policy or spending money on lawyers. This isn't the first time this has happened. Now my ethics are being questioned because I wrote two letters to our state government. Letters I didn't even have to tell anyone about, but I felt the need to. I posted a New England Journal of Medicine Article and I wrote letters to the commissioner of education. I didn't abuse my power, I used my power. It's why I ran for local office. I will ask everyone watching to try and recognize what happens when you question the status quo. For anyone that wrote in about "illegal caucusing", I would ask you to identify who provided you with that terminology, and you will have the source of the divide that happens on this board.
  - In regards to the letters, I will say this. I wrote them, and I stand by them. I knew it was not illegal or unethical to ask my political caucus for their opinion. It would have been illegal or unethical to send them to the minority caucus. It would have been illegal or unethical of me to add multiple board members on correspondence between board members which is why I didn't respond to some emails sent to leadership earlier today. Admittedly, I could have asked the communications committee to put my letters on their agenda, but I felt a sense of urgency. And truthfully, I don't think they would have gone anywhere from there. None of my ideas do. I wanted the 39% of parents that "preferred" their kids to be in school full time to have that option. This "agenda" as its been called is not a secret, nor is it personal. Guess what, my Kindergarten gets to go to school everyday. Do other children outside of Kindergarten have that luxury? My opinion is, going to school, should not be a luxury. It's a necessity. I'm advocating for the minority voice here, and by minority I'm talking about the

39% who wanted their children in school full time. Ask yourself, why would 39% of parents want their kids in school? Do they want them to have a learning environment because they aren't home to implement the curriculum? Would they have to quit their jobs because 4 kids in daycare is too much? Perhaps the parent of a teenager is worried about drugs or suicide while they are home alone. In my heart of hearts, I believe the benefits of this model do not outweigh the risks, and do our children a disservice in the long run. This should not be taken as disrespect for Dr. Willett or his plan. The state put an undo pressure on him. If you look at the next phase of his plan, it is where I think we should be. I would like to say to everyone on this call who disagrees with me that its ok to disagree, I just ask that you dislike the idea and not the person.

- We've also received a few emails about what we are doing to combat racism. I think this is a much larger discussion beyond this meeting, and requires work in our subcommittees. I made a promise to myself. to stand up to injustice and in support of humanity. Here is a quote from my second letter: "I believe a system that ties education to property taxes will never serve our students of Connecticut. It divides rich from poor, and exacerbates the racial divide in our state. Do you know what will further drive that socioeconomic and achievement gap between students? Remote and Hybrid learning. It is a disservice to any student whose parents cannot implement the curriculum."

- Now lets talk civility code. This code of conduct was not designed to be punitive. It came out of committee as a bipartisan agreement for a second reading. The behavior at last weeks meeting is the perfect example of why we need one. I can read everything on there, and put myself in check for the mistakes I've made. I'll just leave it at that. I agree with a public comment from last week that we need to finish our goals. My hope is we do this in person, and truly realize that each of us is human. We are all volunteers that have different ideas on how to save the world. My hope is we can move forward and focus on what's important, our students and their education.

- Dr. Willett addressed Ms. Vallo's question regarding how someone's survey submission may change if the model changes. He explained that an in-person model may have the result of some people wishing to participate remotely. At this time in-person or partial-in-person will generate a group of about 300 plus people who would want to participate remotely in such scenarios. Anecdotally, in conversations with parents and guardians it has been suggested that that number could increase if they increase the number of in-person days. Ms. Vallo's assessment reflects what he has heard in the community. This is something that they will need to see how it plays out in the next few weeks.
- Dr. Willett commented that he sent information about the Chromebooks this week. In general terms, they are requiring that the district Chromebooks that have been distributed in grades 6-12 come in daily to the greatest extent possible so students can use them in the classroom. They are encouraging those families which indicated that they have devices the students and families own to have them brought to school particularly in grades 6-12. Dr. Willett explained that the Chromebooks open up more opportunities for classes but does not mean that a student's educational experience will not be good if they are unable to do so. It just means that when doing grouping in classes, students may be able to use shared documents while another group does a differentiated task that does not require a device. The more devices available the more options that are available. In grades K-5 there are some devices that can be used in school. In about 30-60 days they optimistically expect to receive a large number of devices so they can be provided to students in grades 3-8 and possibly students through grade 12. These would be district devices and in turn a parent/guardian would not need to send a personal device. Dr. Willett explained that the equipment from the grant is

still in process and not yet in the district. The equipment that was ordered early in the summer has not yet arrived due to things which have happened trade-wise.

- Ms. Philbin commented that she would like two letters to be included in the minutes. She commented she hears what people are saying and the Board needs to move forward, represent all of Tolland and work together to care for students, staff, and faculty. It is paramount to be aware of what some people in Tolland are seeing, saying, and hearing and reflect on what the Board can do to impact this.

Ms. Philbin read the following letter into the minutes:

To the Tolland Board of Education:

I felt it important to reach out to our current Tolland Board of Education as a deeply concerned resident and parent. I have been watching the BOE meetings diligently as a parent of young children entering Tolland Public Schools. I have also been paying attention, with growing alarm, as members of the current Board of Education aired personal views and agendas on social media forums while our Superintendent and Administrators prepared for what is the most difficult school opening many educators have ever experienced.

Community stakeholders utilize social media to express concerns and share viewpoints. At times, this can create an uncomfortable and hostile back and forth discord. It is my expectation as a resident and parent that I will not see the same behavior exhibited by Board of Education members. I feel strongly that it is your responsibility as an elected official to serve your duty to the public and the children of Tolland in a manner as outlined in board operations. This includes working with the public to identify community concerns, needs and suggestions, and being responsive to the community through the board's actions. It is my belief that this should be an example set for all stakeholders and upheld in both professional AND personal capacities.

The BOE meeting on 8/26/2020 cemented my alarm with the conduct of this Board of Education. In a meeting that lasted nearly three hours, very little time was spent outside of the Superintendent's Report addressing anything other than how this Board is unable to function as a whole. As a parent sending my child back to school in the very real and potentially dangerous Covid-19 environment, it astounds me that so little of the discussion was actually regarding the reopening of schools for ALL students and grade levels. Many minutes were spent on the topic of the letter sent by Ms. Plourd and the importance of a Civility Policy.

In regard to the letter sent by Ms. Plourd and signed by three additional BOE members to Commissioner Cardona, I feel that "we" best fits what occurred. When you sign a document, you are acknowledging that you have read and agree to the contents of the document. By signing the letter sent to the State, you were in agreement of the message being delivered and should take responsibility for your decision and the fact you represented the Tolland Board of Education.

Before taking the important step of improving the Civility Policy, I ask that our BOE considers making the Connecticut Association of Boards of Education's Board Member Academy a requirement for BOE members. Topics that are mandated as part of the 20 credits required to become a certificated board member include:

Board Relations with the superintendent, with the community and with each other  
Policy  
Curriculum  
School  
Finance  
School Law

Labor Relations  
Board Operations

Thank you for your time and consideration.

- Ms. Lundgren inquired as to where the Board stood about having correspondence read into the minutes. She believes it is a "slippery slope" and if they are going to read one they might as well read all of them. Dr. Willett responded that they should come to a resolution on this but believes it was leaning in the direction of a consolidation. He would want to confer with Mr. Holt before making a final statement on this. Ms. Philbin believes that the result was that not every letter had to be read into the minutes but there was not an actual resolution. She added that a form letter was sent from 8-10 community members who are active in the schools that spoke about the civility clause and an ethics committee and other items. She believes it is important to look at these letters and move on from Ms. Plourd's e-mail and go forward and do the hard work to get students in school. Several people worked on a wonderfully written letter on their passion about the schools, system, faculty, and staff and Ms. Philbin believes it is paramount that it be acknowledged and put efforts toward what the community is craving from them as the Board. The following letter was submitted for inclusion in the minutes:

Dear Members of the BOE,

This letter is in response to the recent actions of the Tolland Board of Education regarding the misrepresentation of the Tolland Public School community and the lack of civility of BOE members.

The general responsibilities of a Board of Education are to represent the voting public in making decisions regarding schools, school policies and education and to help establish the goals and objectives of the state's educational program. Tolland Superintendent Willett submitted his decision on a plan for partial-in-person start for the 20/21 school year on 8/12/20. This decision reflected data compiled from a survey sent to parents of pre-kindergarten through high school age students showing that 60.9% did not support an all-in model. At this point, the Board of Education should have begun working to uphold the educational program put in place in support of the Superintendent's decision. Instead, several board members who have been vocal of their personal preference for an all-in plan, sent a letter to CT Commissioner of Education Cardona and Governor Lamont which questioned and undermined the Superintendent's decision and educational program. This letter, signed by four board members and supported by an additional member during the 8/27/20 BOE meeting (as well as an additional member and chairperson sending a letter with undisclosed contents), was done without the remainder of the board's knowledge and contradicted the voice of the majority of the voting public, while also narrowly skirted an illegal quorum or caucus. The letter also intimated the Superintendent was not scientifically competent in making this decision, even though it was clearly stated it was done so with significant guidance from the Eastern Highlands Health District.

In addition, I would like to further request a higher standard of civility from our elected Board of Education members. As elected officials, you represent the voting public, and by such, we are holding you accountable for your actions lacking civility to date and insist on an immediate improvement in both verbal and non-verbal communications. The discussions and behaviors witnessed in Board of Education Meetings since our last election have been consistently negative, divisive and dismissive. Communication by several Board Members on social media platforms, on personal as well as on Tolland and School group pages, have been

derisive and contentious. Given the nature of the upcoming school year as we battle an ongoing international pandemic and worry about the safety of our children and families, it is unacceptable that our elected officials demean each other and those in the community both in person and on social media.

In the 8/27/20 meeting, a civility clause was discussed and voted on to address these issues, however despite being asked for by more than one member a social media clause was not added. As a member of the Tolland community, I find it disappointing that a vote was pushed without reviewing this important component. Social media has become a powerful tool for both bringing people together and pushing discourse in today's society. At this time, when it is less likely we can discuss items of such importance in person, many are dependent on social media platforms for information and discussion. Although Chairperson Lundgren expressed that she is not responsible for the personal actions of others, both in person and on social media, it is my belief that there should be a level of expectation always asserting upstanding and respectful behavior, upheld by both leader and peers.

It is also my belief that a civility clause cannot be upheld without including clear accountability measures. If the Board of Education only views accountability in terms of punitive actions, which was the exhaustive debate during the 8/27 meeting, and other forms of accountability cannot be decided on and implemented, I would like to propose the creation of an ethics committee. This committee should consist of impartial Tolland citizens looking to oversee the creation and compliance of a rules of conduct, standards and policies that guide the Board of Education's policies and members. The civility of our elected officials, which includes how they treat each other and community members, should be paramount always, but especially when dealing with matters that focus on our children, even moreso in this already trying and complicated time.

I look forward to hearing from you and hope that these issues, including a proposed ethics committee, will be discussed at the 9/9/20 Board of Education Meeting.

- Ms. Lundgren put the response received from Attorney Ritter in layman's terms. The letter was not an illegal meeting and no rules were broken. A quorum does not apply to the letter because all signers were part of the same political party. If Democrats signed the letter it would have been an issue.
- Ms. Lundgren spoke in regard to Ms. Howard-Bender's e-mail. Dr. Willett posted the information on August 20<sup>th</sup> for the Board dashboard and on September 6<sup>th</sup> that was all of the information that was available. She added that there were multiple members on e-mails and this should not be taking place.

G. STUDENT REPRESENTATIVES' REPORT – Alexandra Costa & Simar Grewal

- Students in A group returned to school yesterday and today. Teachers reviewed policies and rules that applied to COVID. It was beneficial for the students and teachers are working hard to review syllabi and ensure students are comfortable in the environment.
- Clubs will hopefully start soon.
- Student Council officers are having meetings and are trying to get Mental Health Week going earlier this year – possibly in October. They are also focusing on mental health services throughout the entire school year.

H. SUPERINTENDENT'S REPORT

H.1 EOY June 30, 2020

Dr. Willett reviewed attachment H.1.

The ending balance was \$708,772 which was close to the target discussed in the phase documents. The balance was divided 30/40/30: 30% to the ERF (request in process), 40% to a potential COVID fund (communication took place today), 30% transferred to the town to help with the budget process.

Dr. Willett noted that the strategy was to have end of year funds so the options would be available that they now have and is due to the hard work of the Board.

Ms. Griffin asked for clarification on the \$387,346 that was approved and if it is included on the encumbrance line. Dr. Willett responded that what was specified in the phase documents should match and he has no reason not to believe it occurred.

Ms. Moran asked about the COVID fund. Dr. Willett responded that the Council brought this up in June and it was desired by the Board as well. There was communication today on this item and he expects to see this moving forward shortly.

## H.2 Monthly Financial Report - August

Dr. Willett reviewed attachment H.2.

The attached August 2020 financial report shows an available balance of \$7,836,644 or 19.58% of the BOE's current budget. This will be converted to expenses and encumbrances over the next couple of months. He added that most of the items that were set aside for FEMA were not reimbursed but the Board put the district in a good position at the end of last year so he is not terribly concerned at this point. The Board budget started at \$40,017,290 and will be expended as expected.

Ms. Griffin asked if any of the COVID expenses are included in the year-to-date numbers. Dr. Willett responded that some items were able to be purchased last year and the district may not have to pay for others. Further, there is some promise of money coming but they have not yet seen it. Thus, the numbers could fluctuate as money comes back from the COVID fund or the state. At this time he does not know what will be actualized but is hopeful. The 40% that was set aside for COVID will be important and there are items that logically match what the fund covers.

Ms. Plourd inquired about salaries and positions that were not filled. If they go toward full in-person is the district is looking to hire temporary personnel that would allow for more distancing and using unconventional spaces? Dr. Willett responded that they are trying to do what Ms. Plourd suggested but are running into the obstacle of a fixed workforce – a population willing to work in the pandemic situation. Everyone is seeking this population and it is a challenge but the district is committed to making it work and will make it work.

Ms. Lundgren asked if the district has paras that are willing to work online with the online students. Do the 100% remote students have the needed support staff? Dr. Willett responded that right now 80-90% of students are attending partial in-person. Individuals who cannot work in person may be offered an accommodation to be able to work in a remote capacity provided there is a sufficient reason for them to do so. Dr. Willett explained that they are not in a position right now to allocate additional people to a remote status and this is not necessarily something that is needed at this time. If school went all remote then the entire staff would also go all remote as well. Currently,



they need people in the positions they are in. The district is maintaining a quality education program and will continue to do so but it would be disingenuous to say it is not taking a lot of work to maintain it.

Mr. Marie asked if the increase in stipends is related to COVID. Dr. Willett responded that he expects there will be some fluctuations in this line this year.

### H.3 2021 Budget Comparison

Dr. Willett reviewed attachment H.3 including the Budget Comparison FY21 BOE request to TC allocation.

The Budget Comparison provides the adjusted FY21 budget. It demonstrates the difference between the 1.54 % budget increase requested by the Board of Education through its budget adoption process on or around February 12, 2020 and the 0.1% Town Council budget allocation of late June.

### H.4 BOE TPS COVID 19 Representatives

Dr. Willett reviewed attachment H.4.

As per the Tolland Public Schools Pandemic Continuity of Learning Plan and state requirements, a TPS COVID19 team has been formed. This team will help advise the Superintendent on COVID related matters, and offer perspectives on the school status with respect to remote, partial in person, or in-person option determinations for each Pandemic Response Evaluation Period. Please see the plan for more details by going to: [http://www.tolland.k12.ct.us/DistrictOffices/superintendent/superintendent\\_willett\\_s\\_page](http://www.tolland.k12.ct.us/DistrictOffices/superintendent/superintendent_willett_s_page) and selecting the left menu option for the Tolland Pandemic Continuity of Learning Plan.

Dr. Willett requested that 2 Board members join this team.

Ms. Besaw commented that she would like to be a member of the team. Ms. Philbin expressed interest as well. Mr. Marie noted that he too is interested but thinks it would make the most sense to have the Board members on TRAC continue with this. He asked about the meetings. Dr. Willett noted that the meetings will be regularly scheduled but are not open to the public. Ms. Howard-Bender commented that she will not put her name in because the meetings will take place during the day and will interfere with her job. She supports having Ms. Philbin on the Committee so there is Democratic representation. Ms. Plourd noted that Dr. Willett sent an e-mail on August 20<sup>th</sup> noting the first 3 meeting dates: September 18<sup>th</sup>, October 16<sup>th</sup>, and November 20<sup>th</sup>. All 3 meetings are scheduled for 10:30 a.m.

*Mr. Marie motioned to add Ms. Plourd and Ms. Philbin to the TPS COVID19 team.*

*Ms. Howard-Bender seconded the motion.*

*A roll call vote was taken. Motion passed unanimously.*

### H.5. BOE Goal Meeting

Dr. Willett reviewed attachment H.5.

A discussion regarding holding the meeting in-person and a date took place.

Ms. Moran commented that she is fine with an in-person meeting and assumes they will find an appropriate space for distancing. Dr. Willett noted that it would likely be in the THS library. Everyone would be distanced but only a certain number of the public could be allowed in. Another area for viewing could be made available where the public could ask questions. Ms. Moran commented that she believes goal-setting should be a separate meeting and not part of a Board meeting. Dr. Willett responded that they can do so but they may not be able to meet in October based on people's availability. It is often easier to schedule on a date that people already have in their calendars. Ms. Moran noted that she understands and while she does not want to add a meeting, goal-setting is more of a workshop where they need to have authentic discussion and may feel rushed during a regular meeting when other items need to be addressed.

Ms. Lundgren commented that she wants this to be more of a workshop.

Mr. Marie commented that he can see doing goal-setting during a scheduled Board meeting if there is a light agenda; otherwise, he would not want to combine them. Dr. Willett recommended October 28<sup>th</sup> and noted that it could be formatted in a more relaxed fashion than a typical BOE meeting. Mr. Marie would like to see the goal-setting take place earlier in the month and if there is a date that works for everyone. He is onboard with holding the meeting in-person contingent on conditions being favorable.

Ms. Griffin commented that she would like the meeting to be in-person and believes it should be held sooner rather than later. The calendar has two Wednesdays without Board meetings: September 30<sup>th</sup> and October 7<sup>th</sup>.

Ms. Plourd supports an in-person meeting and is available any Wednesday in October.

Dr. Willett noted that a Community Workshop is scheduled for October 7<sup>th</sup> but it could be rescheduled. Ms. Lundgren noted that other possible dates are September 30<sup>th</sup> and October 21<sup>st</sup>.

Ms. Besaw noted that she is fine with an in-person session and would do her best to make any Wednesday.

Ms. Philbin noted that she is unavailable on October 28<sup>th</sup> but believes the meeting should be held sooner rather than later. She would attend the meeting remotely.

Ms. Howard-Bender commented that she would rather attend remotely. She is worried about infecting members given her job. Ms. Howard-Bender added that she would not want to move the Community Workshop on October 7<sup>th</sup>.

At the Chair's request, Dr. Willett will reach out to Mr. Caruso to learn his availability on the following dates: September 16<sup>th</sup>, September 30<sup>th</sup>, and October 21<sup>st</sup>.

#### H.6. Mental Health Initiative (no attachment)

Dr. Willett explained that the Town Council has been working on a mental health substance use advisory task force and has a draft mission statement that was shared with the Board.

Both Town Council Chair Tammy Nuccio and Councilman John Reagan are in attendance this evening.

Ms. Nuccio reviewed the initiative including its history.

Ms. Nuccio read the following:

The mission of the Tolland Mental Health and Substance Use Advisory Task Force is to create a multi-disciplinary team to evaluate the Town and community response to, and resources available to, address the topics of mental health, substance use, and related behaviors in Tolland, and make recommendations to the Town Council based on their evaluation.

The Task Force goals are to:

1. Understand the range of mental health conditions and types of substance use that are impacting our community, and the demographics that are impacted by each.
2. Determine the resources locally and regionally that are currently available to residents to prevent and/or address mental health conditions and substance use disorders.
3. Open a dialogue with a board cross-section of community residents, educators, and area professionals/service providers to further understand the most effective ways of reaching individuals, youth, and families impacted by mental health conditions and substance use disorders, and apply preventative measures to reduce incidences. Sample methods to hold this dialogue may include focus groups, stakeholder interviews, surveys, and community conversations/charrettes.
4. Make recommendations to the Town Council regarding further action to be taken to address these topics.

The Mental Health and Substance Use Advisory Task Force will be comprised of 11 members, and 2 alternates, including a combination of currently elected officials and additional electors of the Town of Tolland. Up to 3 members may be selected from each the Town Council and the Board of Education, for a total of up to 6 elected officials on the Task Force. Preferably, the non-elected members will be made up of interested residents and professionals in the field of substance use and related behaviors. There is also a strong preference that at least one member be a leader of the faith community.

Ms. Nuccio explained that they want to learn what is being done, what can be done, and available resources. The Council would like this to be a close "marriage" with the Board on this item. The Board has the first opportunity to integrate this in the schools and then they need to see what happens outside of the schools and the respective resources such as the LPC (Local Prevention Council). They would like to evaluate what is going on in all of the different areas so they can begin to wrap their arms around the community on this. Ms. Nuccio explained the structure and that it will be a "heavy lift" and require possibly 2 meetings per month but believes it is worthwhile. She asked for feedback and a commitment from the Board.

Ms. Moran commented that this sounds like the same people who are on the Local Prevention Council. She asked if this is building on that Council, an addition, and/or utilizing the work that has already been done. Human Services people are part of this as well as the River of Life Church. There are already 11 people around the table and they could be telling the Town Council recommendations for the community. In regard to Human Services, Ms. Moran believes they report out to the Town Council. She is unsure why they would have 3 Town Council members as part of the task force if it is to be making recommendations to the Town Council. It seems to be a conflict where the Council should want to remain neutral and let the task force make its recommendations. She assumes Dr. Willett would be part of this as well and the town staff would be a small portion of this as well.

Ms. Nuccio responded that none of the people, with the exception of possibly the leader of the faith community, are on the task force. The task force will evaluate and talk to the staff. Ms. Bellody was part of developing the mission statement and Human Services is on board with this. The task force would not include Dr. Willett, Mr. Rosen, or other staff.

In regard to the mission statement, Ms. Moran asked how the task force would determine the available resources if the staff is not present. Ms. Nuccio responded that staff will be interviewed and will work with the task force which will be made up of individuals of the town and elected officials. Ms. Moran commented that it sounds like conversations in a bubble and if Dr. Willett, Mr. Rosen, Ms. Dunn or others who are doing the work will not be there she does not understand this at all. Ms. Nuccio responded that they will be talked to but will not be on the task force. Ms. Moran commented that they will be talked "to" and not talked "with". She questions this because they need to have the experts in the room who are dealing with this on a daily basis – especially the schools. She does not know how they are going to ask about resources if the right people are not in the room. Ms. Nuccio responded that Ms. Moran is assuming that they will not be in the room. They will be in the room but not in a leadership role or on the task force. They will look at the range of issues, local resources, and other items. Ms. Moran commented that public safety will not be there. Public safety is made up of the front line people. Ms. Nuccio responded that public safety would be there but will not be on the task force. The task force cannot find out information without getting their input. Ms. Moran commented that there will be many questions that these people will need to answer in the room. Ms. Nuccio responded that this is possible as this is the point of the task force – to figure out what needs to be done. Ms. Moran clarified that they are going to interview Dr. Willett who will present data but does not understand what the task force will do without the people in the room who can give them the needed information. These people are the professionals and experts and will not be in the room. Ms. Nuccio responded that they will be in the room and part of the task force but will not run the task force. Ms. Moran explained that she is not talking about running the task force – she is talking about providing input. Ms. Nuccio responded that they will provide input.

Dr. Willett explained that perhaps the question is why not have the staff run the task force if they are looking for feedback from the experts and people who may be able to survey the community and understand privacy issues. If this is a public session

committee it is a very delicate area to traipse into. Ms. Moran commented that one reason may be that the resources are not available. These people have enough on their plates and the Council is adding another task force to their lives. Ms. Nuccio commented that they want this. Ms. Moran explained that she can be in the room as a Board member. She has historical information and institutional knowledge. She has talked about strategic prevention framework and been involved with the LPC. That said, if she is in the room she may be asked about things in the schools that she cannot answer. Information that has to do with psychology, social work, social emotional learning, Portrait of a Graduate, etc. needs to come from Dr. Willett. Dr. Willett commented that Ms. Nuccio is saying that the task force would access those people. The question is if it is staff driven or a political / elected entity. He is not saying that there is a single way to do it but he guesses that the concerns will be about how to control privacy in a situation when a committee such as this with elected officials will have to be public, have minutes, and perhaps be televised. How will people be comfortable sharing and speaking truth to power in a public environment? This may be difficult to do. People may be well-meaning but the privacy issue will always be there. If there are questions to be answered they would be how will people's privacy be protected. If there is local prevention with staff that are professionally trained then why have elected people do this in such a manner? If an entity such as public safety is not at a meeting and something is brought up then they will not be able to speak to what is on the floor. Will their voice be able to be heard in such a situation? Dr. Willett noted that it is not that the intention is not a good one but privacy and the ability to speak truth to power in a situation like this are worth considering in the final planning. It is an environment that may make some of this difficult.

Ms. Moran commented that at the root of this is good stuff and it is needed in the community but they need to have the right people in the room to ensure it is done authentically and efficiently.

Mr. Marie commented that he believes this is a good opportunity to focus on an important issue that the town is facing especially in the midst of all of the drama in the world. Mental health is an even bigger issue now than when the Council was elected and put this on its list of goals. He believes it is an opportunity for unity between the Council and the Board and to work together on this issue. As far as experts are concerned, he understands that there will be an effort to get experts from the community on the task force and if not it can be done as it is in other meeting where they have experts sit in. He likes that it is community-led and is interested in being involved.

Ms. Plourd commented that she believes it is a good idea and while she is unsure if she has the time to be on it she would like to see it come to fruition. She added that she often says that if one does not know what they have then one cannot use it. She sees that the task force will look at what is available in the community to ensure that things can be used and if things are being underutilized or if there are duplicate efforts. Are more resources needed? She sees this as a gathering of information and a coming together as a community. She fully supports it and hopes to see volunteers from the Board on it.

Ms. Howard-Bender commented that she wants to ensure that they are thinking about doing a retrospective on all of the different social emotional plans and curriculum that have gone by the wayside over the years in Tolland. This is related to potential mental health issues and the substance abuse. This could also work nicely with concerns of an LGBTQ+ population and also with systemic racism. She challenges the task force to implement this because there are some serious mental health issues associated with those demographics. When there is a task force like this it is a good thing because they uncover what they need. She added that if they are going to have a task force and find out what is wrong then they also need to have the political willingness to pay for what is needed to fix it. She requested that they look into what has been done already and what has reduced from and eliminated from the schools in support of mental health and substance use avoidance throughout the years. She added that anything that supports kids is a good idea.

Ms. Lundgren commented that she believes the task force is a good idea. Will they get the history from local prevention and find out how they got to this point? As long as the task force talks to the experts who have the information she likes that it is coming from a different perspective and is community-led. She understands that the task force is to gather information to come up with a plan. Ms. Nuccio reviewed the 4 goals of the task force. It is information gathering and making a recommendation to the Council.

Ms. Philbin commented that she believes it is important that they are cognizant of mental health and substance abuse. It is not just rampant in Tolland but also nationwide. Ms. Philbin supports the vision and the 4 goals. Although she appreciates that they want to get members of the community and the boards involved, she asked if perhaps they could have members of the Board or the Town Council be members of the established Prevention Council. She is worried about having such a large committee and having it public when it is a sensitive topic for many people. People may not speak as candidly in a public forum. They should look at the current resources in town and how the Board and Council can work together with the Prevention Council to expand on those.

Ms. Griffin commented that she is concerned about mental health and substance abuse especially for teens and kids. It is important and a task force is a good start. She understands that they have prevention items as well but this is a good way to hear from residents and have them involved so they can work together. In terms of information gathering, they can learn where people are coming from. She asked if Dr. Willett could follow up on the ERASE survey and if it can be shared with the task force. Ms. Moran commented that they do not do the ERASE survey. The survey Dr. Willett was working on was supposed to happen in the spring but due to COVID they could not implement it. Ms. Griffin asked if the new survey is anonymous and if the data could be shared with the task force. She added that there can never be too many ways to figure out how to help kids.

Dr. Willett explained that they are putting together an instrument in cooperation with UConn to replace the ERASE survey. The plan is to implement it this year. They do not ask for students to identify themselves but it does provide data that could be presented to the committee. Any focus on mental health is a great idea. He explained that overall

the task force will need to select who it speaks with in order to get a comprehensive perspective vs. a niche perspective. The other piece is in regard to privacy given the nature of a public session.

Ms. Philbin reiterated that she is behind finding a way to continue to impact the mental health and substance use in the community. She would like to continue with conversation with the Board and the Town Council. They need to look at the LPC information to get the background and be cognizant of confidentiality. They need do their homework and do the right thing and not inadvertently violate anything. She is excited to have an opportunity to impact people of all ages. It is important that conversation is at the forefront and it is not embarrassing to have the conversation. They need to be cognizant of privacy etc. There are resources in town that can assist them.

#### I. COMMITTEE & LIAISON REPORTS

- Curriculum Committee – Ms. Howard-Bender provided an update. The following includes discussion topics: the impact of COVID on assessment and learning; the State Board of Education not addressing testing requirements; U.S. History – African American and Puerto Rican History; math pilot programs at TMS; rewriting of curriculum to accommodate the remote and hybrid situations; Understanding by Design; social emotional learning  
*Ms. Moran motioned to extend the meeting past 10 p.m.*  
*Ms. Philbin seconded the motion.*  
*A roll call vote was taken. Motion passed unanimously.*
- Birch Grove Building Committee – Ms. Philbin provided an update and noted that discussions took place regarding the following: the project is on schedule and going well; the new playground opened today; reimbursement for the unsuitable soils; change orders; construction contingency
- Communications – Ms. Moran noted that they will schedule a special meeting.

#### J. CHAIRPERSON'S REPORT

Ms. Lundgren commented that she hopes the opening of school has been a positive experience. It was different. Tomorrow cohort B will attend in-person and cohort A will attend online. During this time she asked that people give themselves an adjustment period. She was listening in on her daughter's classroom and heard the teacher going back and forth with students both in-person and online. This is already providing a great sense of community. Being back and seeing smiling faces does wonders for one's mental stability. Her daughter enjoyed having lunch online with her friends. Ms. Lundgren wished good luck to cohort B who will go on the new adventure tomorrow.

#### K. BOARD ACTION - none

#### L. PUBLIC PARTICIPATION

Bethany Lescoe, 26 Deer Meadow, thanked Dr. Willett, the teachers, and staff for getting kids back to school with a strategy and clear goal moving forward. Her two children in grades 3 and 4 had excellent distant learning days. Their 2 days surpassed their experience in the spring and Ms. Lescoe's heartfelt thanks goes out to the teachers for working through the changes and making distance learning take off on a positive note. It is amazing to see all of the smiling faces

waving to each other and feeling a slight sense of normalcy. Her students are excited to go into school tomorrow – perhaps even more than she is to see the bus come down the road. She sent a letter expressing her dissatisfaction with Board member interactions during meetings and wanted to reiterate that the Board needs to move forward and figure out a way to put personal issues aside and meet the goals that it started out to complete and stated would do upon election to the Board position. She added that everyone has individual thoughts and opinions and will not agree all the time but there does need to be some accountability to civility and professionalism. That said Ms. Lundgren did not allow Ms. Philbin to share the community's thoughts and concerns tonight clearly demonstrates and only perpetuates the discord within the Board. She added that Ms. Philbin reported that a group of 8-10 community members expressed concern in the same letter then how is it acceptable to not allow it into minutes while in previous meetings Ms. Plourd has been allowed to read all of her personal e-mails to the Governor. In her role if Ms. Philbin finds information, whether it be her own opinion or a voice for community members to be important then Ms. Lescoe feels it should be allowed. To hush the community voice and push it under the table does not instill her vote of confidence in the Board to fulfill and meet the needs of children when voices are not given respect and the ability to be heard. As a licensed mental health provider she supports the task force that was presented tonight to identify where Tolland stands in terms of what it has and needs. Many mental health professionals have a lot on their plate and it can be difficult to look at the whole picture of what can be done differently and needs to be done. Gathering data and identifying holes can be beneficial. She added that it seems contradictory to have members of the Town Council on the task force when it will present the findings and potentially ask for resources.

Jeffrey McCutchen, 119 Lawlor Road, thanked everyone on the Board and Dr. Willett for handling a pretty complicated and complex situation. He engaged in some of the office hours online and some of the social media to discuss issues pertaining to reopening plans and metrics required prior to school reopening and showing state guidelines; all data suggests the schools can reopen safely with a full time reopening. He explained that they have met all of those guidelines set by the state as well as CDC guidelines for both testing and caseload. He continues to monitor the data closely especially as they approach the twenty day mark to make the decision of what to do next. It is important to clearly define metrics and provide all public data that is being used to drive decision making for policy. That data has to be somewhat agreed upon to understand exactly how data is being used to drive policy. Mr. McCutchen added that it is great to hear that a lot of people's kids are having a positive experience with the online modality but he cannot say that his 6 year old had that same experience. They had 2 very difficult days with the online modality whether it was technical hiccups or the fact that 6 year olds do not necessarily know how to use Zoom. It is frustrating to see one's child frustrated and be unable to do pretty much nothing about it because of a situation that is understandably less ideal than in-person. This modality works better for those who are more computer literate and can type, read, and are older and more mature. It is painful to watch one's child suffer through that. He added that he knows it is the first day of the first week but it is important to understand that not everyone is having the same positive experience.

Colleen Yudichak, 12 Blueberry Hill, thanked everyone involved in the reopening of schools. Some kids have had a harder time than others but she said it is better than what happened in the spring and they will get through the tough moments together. She was glad to hear that the mental health item will be a joint venture between the Town Council and the Board. It is important during these times. A lot of teenagers are struggling with mental illness. She added



that she has watched the entire Board over the past couple of months and it has been painful at times. She offered as a solution or something to discuss would be not a change in leadership but possible a way for the minority to have a liaison at some of the leadership meetings when something big comes up or even submit letters to offer input. This might bridge the gap and make the minority feel more valued. Lastly, she thanked TEPTO for donating the clear masks and lanyards to students. This supported the Booster Club at the same time so it was a win-win. She thanked everyone for their hard work. She knows how difficult it is especially in a leadership role.

M. POINTS OF INFORMATION

August 25, 2020 – Town Council Special Meeting

August 25, 2020 – Town Council Meeting

N. FUTURE

Dr. Willett will set up:

- School rounds/tours (briefings/tours/debriefings)
- Mental Health Services Initiatives (presentation and discussion)
- School Bus Stop Safety (presentation)
- Portrait of a Graduation / Visioning (presentation and discussion of initiatives)
- Pathways and Lighthouse Programs
- Understanding by Design (presentation and discussion)
- Regionalization (presentation and discussion)
- Board of Education Goal Setting (working session and establishment of goals)
- Update on CRE efforts, Equity Efforts
- Ongoing effort for culturally responsive education

O. NEW BUSINESS - none

P. ADJOURNMENT

Ms. Plourd motioned to adjourn the meeting 10:11 p.m.

Mr. Marie seconded the motion.

A roll call vote was taken. Motion passed unanimously.

Respectfully submitted,

Lisa Pascuzzi

Clerk

**SUPERINTENDENT'S AGENDA ITEM BACKGROUND**

**ITEM:** Covid19 Update

**ITEM SUBMITTED BY:** Walter Willett, Ph.D., Superintendent

**FOR BOE MEETING:** September 23, 2020

**ITEM SUMMARY:**

**Update on TPS COVID-19 Information and efforts as of 9-18-2020**

17 Family quarantines/isolations\* (school system)

2 Staff quarantines/isolations\* (school system)

2 COVID Cases (EHHD reports – Town side) EHHD report

(\*for up to 14 days depending on situation)

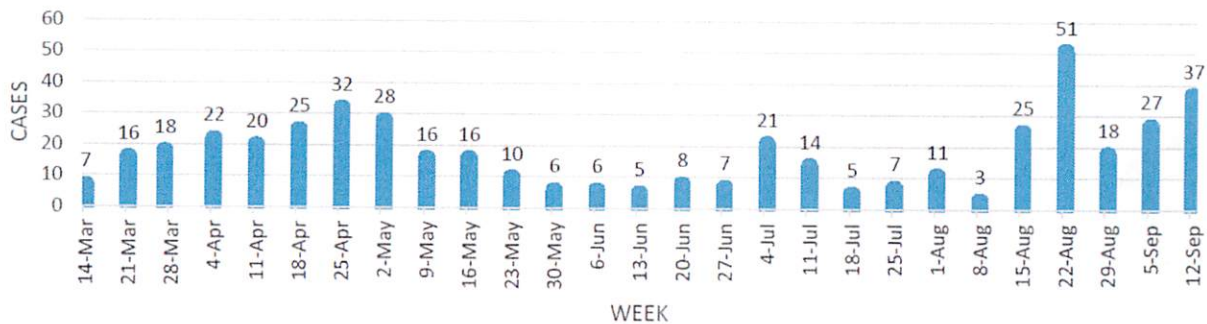
EHHD information (9-15-2020):

*Have not seen any material change in the risk of community spread over the past four to six weeks for the Tolland Community. The increase in the seven day rolling average per 100k is in part attributable to University students on and off campus. Hybrid learning environment is a lower risk than the all-in learning environment.*

TOWN	CASES	HOSPITALIZATIONS	DEATHS	TOWN	CASES	HOSPITALIZATIONS	DEATHS
Andover	9	1	0	Coventry	62	3	1
Ashford	23	4	0	Mansfield	215	3	3
Bolton	29	5	3	Scotland	0	0	0
Chaplin	6	1	0	Tolland	61	14	3
Columbia	30	5	1	Willington	21	1	0

NOTE: All counts by town are cumulative and include confirmed and probable cases; also, counts can go down from previous weeks due to the state reassigning a case to a different town once further information is gathered on the case.

**EHHD Confirmed and Probable Weekly Case Totals**



**FINANCIAL SUMMARY:**

**COVID Financial Impacts:** Estimated at \$104,000 to date

Composition (about 90% of cost is): Face masks/shields, hand sanitizers, cleaning products, plexi-glass barriers, touchless water dispensers, Zoono (Bus) disinfection

**BOARD ATTORNEY REVIEW:** N/A

**BOE ACTION DESIRED:** Review

**SUPPORTING MATERIALS ATTACHED:** None

**SUPERINTENDENT'S AGENDA ITEM BACKGROUND**

**ITEM:** BOE Goal Setting-September 30, 2020

**ITEM SUBMITTED BY:** Walter Willett, Ph.D., Superintendent

**FOR BOE MEETING:** September 23, 2020

**ITEM SUMMARY:**

Board of Education goal setting session three is scheduled for **September 30, 2020 @ 7 PM** to take place in person in the **Tolland Public School Library**. Mr. Caruso is scheduled and depending on conditions and circumstances at the time of September 30 may or may not be able to attend in person.

This workshop would be the culminating of three sessions. The first was a background presentation, followed by a goal building activity. The purpose of this workshop would be to come to consensus on some BOE goals for the 2020-2021 year.

BOE Special Goal Setting Session Zoom Information for those attending virtually:

Join Zoom Meeting

<https://us02web.zoom.us/j/86442784471?pwd=SVhPMXdISWkyV2hZTTRWa1ZFQGNyUT09>

Meeting ID: 864 4278 4471

Passcode: 0KtadK

One tap mobile

+19294362866,,86442784471#,,,,,0#,,872754# US (New York)

+13017158592,,86442784471#,,,,,0#,,872754# US (Germantown)

Dial by your location

+1 929 436 2866 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 864 4278 4471

Passcode: 872754

Find your local number: <https://us02web.zoom.us/j/86442784471?pwd=SVhPMXdISWkyV2hZTTRWa1ZFQGNyUT09>

**FINANCIAL SUMMARY:**

N/A

**BOARD ATTORNEY REVIEW:**

N/A

**BOE ACTION DESIRED:**

Review of information and attendance.

**SUPPORTING MATERIALS ATTACHED:**

None

**SUPERINTENDENT'S AGENDA ITEM BACKGROUND**

**ITEM:** BOE Capital Budget Request

**ITEM SUBMITTED BY:** Walter Willett, Ph.D., Superintendent

**FOR BOE MEETING:** September 23, 2020

**ITEM SUMMARY:**

The Capital Budget is due from departments of the Town on October 8<sup>th</sup>, 2020. I have requested that given the BOE has different parameters than a typical town department (more complexity and scope, elected sub-committee that reviews information first – Finance and Facilities, and a separately elected Board that also needs to review it in public session – the Board of Education – that the timeline of an October 14<sup>th</sup> presentation to the Board of Education with an October 15<sup>th</sup> submission is needed. This is especially true due to Birch Grove Primary and COVID efforts.

The information is currently in the process of being updated. Attached is a review of the Capital Budget request information through 2026 as **presented on October 10, 2019.**

- The yellow represents BOE Capital Requests through FY2026.
- The brown represents the Town Council allocation following the BOE request for FY17-18 remaining funds for BOE Capital Projects (see L.Hancock Agenda Item 5-14-2019 Capital Improvement Funds included in October 18th list).
- The green represents the Town Bonded Project status FY18-20.
- The purples represents WOA (or When the Opportunity Arises) items. Currently this is where many technology projects are funded. Please see attachments for greater detail.

**FINANCIAL SUMMARY:**

Items referenced in request as well as an overview spreadsheet can be found under the Superintendent's page "Capital Improvement Plan" link, or at:

<http://www.tolland.k12.ct.us/cms/One.aspx?portalId=891651&pageId=24377114>

Direct link to overview:

[https://drive.google.com/file/d/1EO9p9FIzmGOqL4U-VL28S\\_y8s-23DFT/view](https://drive.google.com/file/d/1EO9p9FIzmGOqL4U-VL28S_y8s-23DFT/view)

**BOARD ATTORNEY REVIEW:**

N/A

**BOE ACTION DESIRED:**

Review in preparation for 10-14-2020 update and Capital Request through 2027.

**SUPPORTING MATERIALS ATTACHED:**

2019-11-6 Capital Request Overview



**Town of Tolland**  
**Departmental Capital Projects Update As of 11/5/2019**

Page 1

Department: Board of Education

Division: Central Office

Prepared By: Walter Willett Superintendent

Date Prepared: November 5, 2019 to tie to LH numbers

**\*\* BOE Proj/Town Capital Funds Carried from FY18**  
**Town Bonded Projects FY19-20**  
**BOE Capital Requests FY19-26**

When Opportunity Arises

Dept. Priority	Project Title	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	TOTAL	WOA
HIGH	TMS Paving of parking lot (exclud access Rd & e	259,310								259,310	
HIGH	TMS New concrete front sidewalk	45,000								45,000	
HIGH	TMS Gym floor	35,000								35,000	
HIGH	TMS Gym floor	25,000								25,000	
HIGH	Dist Wide IT School Surveillance & Access Control	35,000								35,000	
MEDIUM	TMS & TMS Computer 1 to 1 Initiative Grd 6-12			108,431						108,431	
MEDIUM	TMS VCT Tile replacements Multi-areas	10,000		10,000	10,000					30,000	
MEDIUM	Dist Wide BOE office Window replacement		8,400							8,400	
MEDIUM	TIS Sidewalk Connection to front of School			35,000						35,000	
MEDIUM	TMS & TMS Computer 1 to 1 Initiative Grd 6-12					108,431				108,431	
MEDIUM	Dist Wide BOE Parking lot repavement			90,000						90,000	
MEDIUM	TMS & TMS Computer 1 to 1 Initiative Grd 6-12						108,431			108,431	
MEDIUM	TMS Boiler Water Filtration System			85,000						85,000	
MEDIUM	TMS and TIS Geothermal Purge Cart		4,000							4,000	
MEDIUM	TMS CO2 Sensor Replacements		14,000							14,000	
MEDIUM	TMS and TIS Spare Geothermal CXM Units		9,000							9,000	
MEDIUM	TMS Security Panel/Burglar system				15,000					15,000	
MEDIUM	TMS Library and Main Office carpet				26,950					26,950	
MEDIUM	TMS & TMS Computer 1 to 1 Initiative Grd 6-12				108,431					108,431	
MEDIUM	TIS Window Glass Replacements				16,850					16,850	
MEDIUM	TMS,TMS,TIS Interior Lighting LED Upgrades		343,000							343,000	
HIGH	Dist Wide Wireless Access Point Upgrades					130,800				130,800	
MEDIUM	TMS & TMS Computer 1 to 1 Initiative Grd 6-12						108,431			108,431	
MEDIUM	TIS Modular Roof Replacement						45,000			45,000	
MEDIUM	TMS & TMS Computer 1 to 1 Initiative Grd 6-12							108,431		108,431	
MEDIUM	TIS Hobart HighTemp Conveyor Dishwasher & Sink Station			444,539						444,539	
HIGH	TMS Roof Replacement							5,500,000		5,500,000	
HIGH	TMS Classroom Tech Upgrades										126,122
MEDIUM	TMS STEM/Math Enhancement										50,000
HIGH	TMS Business Lab Upgrade										16,125
HIGH	TMS Music & Art Lab Upgrade										52,964
HIGH	TMS Classroom Tech Upgrades										93,000
HIGH	TMS Science Lab Tech Upgrades										56,761
MEDIUM	TMS STEM/Math Enhancement										30,000
MEDIUM	TIS Carpet for Library and Main Office			15,000						15,000	
MEDIUM	TIS Replacement Ceiling Tile (Building wide)		318,000							318,000	
CRITICAL	TMS Roof Replacement Section A-S		2,352,000							2,352,000	
HIGH	TIS Asbestos removal & replacement of floor tiles		452,180							452,180	
MEDIUM	TMS Replacement Ceiling Tile (Building wide)		318,000							318,000	
HIGH	Dist Wide School Bldg Security Upgrades	500,000								500,000	
HIGH	TMS Window, Exterior Doors & PCB Removal		880,000							880,000	
HIGH	TIS Classroom Tech Upgrades										107,590
HIGH	TIS Science Lab Tech Upgrades										34,071
MEDIUM	TMS Graphics Lab Upgrade										29,200
MEDIUM	TMS Computer Ed Labs Upgrade										75,450
MEDIUM	TMS World Language Lab Upgrade										23,640
MEDIUM	TMS Art & Music Labs Upgrade										35,173
MEDIUM	TMS Replacement Science Lab Furniture										36,380
MEDIUM	TMS Renovation of 6 Science Labs										1,060,000
MEDIUM	TMS Technology Ed Labs Upgrade										26,240
MEDIUM	TIS Computer Ed Lab Upgrade										14,818
MEDIUM	TIS Keyboarding Lab Upgrade										38,853
MEDIUM	TIS Library Lab Upgrade										24,308
MEDIUM	TMS CADD Lab Upgrade										22,728
CRITICAL	DW Cloud Native Network Project (secure&fast)										49,135
HIGH	DR Server Upgrades										15,413

<b>BOE TOTAL CAPITAL PROJECTS w/o WOA</b>	<b>\$909,310</b>	<b>\$4,698,580</b>	<b>\$387,970</b>	<b>\$177,231</b>	<b>\$239,231</b>	<b>\$153,431</b>	<b>\$108,431</b>	<b>\$5,608,431</b>	<b>\$12,282,615</b>	<b>\$2,017,971</b>
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<b>BOE CAPITAL PROJECTS REQUESTED</b>	<b>\$10,000</b>	<b>\$378,400</b>	<b>\$372,970</b>	<b>\$177,231</b>	<b>\$239,231</b>	<b>\$153,431</b>	<b>\$108,431</b>	<b>\$5,608,431</b>	<b>\$7,048,125</b>
<b>BOE CAPITAL PROJECTS BONDED BY TOWN</b>	<b>\$500,000</b>	<b>\$4,320,180</b>	<b>\$15,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$4,835,180</b>
<b>BOE CAPITAL PROJECTS "WOA"</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,017,971</b>
<b>** BOE Proj/Town Capital Funds Carried from FY18</b>	<b>\$399,310</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$399,310</b>

<b>ALL CAPITAL PROJECTS</b>	<b>\$909,310</b>	<b>\$4,698,580</b>	<b>\$387,970</b>	<b>\$177,231</b>	<b>\$239,231</b>	<b>\$153,431</b>	<b>\$108,431</b>	<b>\$5,608,431</b>	<b>\$14,300,586</b>
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Note: \*\* BOE Proj/Town Capital Funds Carried from FY18  
 Projects Funded Per L Hancock TC agenda item of 5.14.19

**SUPERINTENDENT'S AGENDA ITEM BACKGROUND**

**ITEM:** TEPTO Donation

**ITEM SUBMITTED BY:** Walter Willett, Ph.D., Superintendent

**FOR BOE MEETING:** September 23, 2020

**ITEM SUMMARY:**

The Tolland Elementary Parent Teacher Organization (TEPTO) has generously donated funds to the Tolland Public Schools. This donation is in the amount of \$30,000. These funds will be utilized for the educational benefit of students and conforms to Policy and Regulation 3050. The Tolland Public Schools extend their deep appreciation to the hardworking TEPTO membership for this generous donation.

**FINANCIAL SUMMARY:**

**\$30, 000**

**BOARD ATTORNEY REVIEW:**

N/A

**BOE ACTION DESIRED:**

Official Board Recognition of the donation, no action necessary as there are no restrictions.

**SUPPORTING MATERIALS ATTACHED:**

None

**SUPERINTENDENT'S AGENDA ITEM BACKGROUND**

**ITEM:** Student Technology/Devices and ERF Request

**ITEM SUBMITTED BY:** Walter Willett, Ph.D., Superintendent

**FOR BOE MEETING:** September 23, 2020

**ITEM SUMMARY:**

This item is a brief update with respect to student devices. We are in the process of working to determine the student devices necessary to provide adequate device coverage grades 3 through 12 for each student during the global pandemic and beyond. This information will be updated in the October 14, 2020 meeting. The majority of new devices will likely be covered by a state grant. We will receive (251 Chromebooks, 562 laptops) under the grant. In addition to this TEPTO has provided additional funding for this educational purpose.

**FINANCIAL SUMMARY:**

The funding needed beyond the aforementioned sources will equate to about \$78,192 for Chromebooks and \$138,060 for laptops for a total estimated amount of up to \$216,252 that may be needed from the Educational Reserve Fund (ERF). As a result, the October 14<sup>th</sup>, 2020 meeting may include a request to use some of the ERF for this purpose. Technology purchases are a qualifying category for the use of this fund. A replacement cycle would begin in 2024 calculated by a review of the longevity of the devices (grades 3, 6, and 9). Parent/guardians will be able to opt into an insurance plan for the devices their children use, or will have to pay an accountability if a device requires repair or replacement (similar to other equipment used by students).

**BOARD ATTORNEY REVIEW:** N / A

**BOE ACTION DESIRED:**

Review in anticipation of ERF request on October 14, 2020.

**SUPPORTING MATERIALS ATTACHED:**

None

**SUPERINTENDENT'S AGENDA ITEM BACKGROUND**

**ITEM:** Fields and Grounds Maintenance Agreement

**ITEM SUBMITTED BY:** Walter Willett, Ph.D., Superintendent

**For BOE meeting:** September 23, 2020

**ITEM SUMMARY:**

The Fields and Grounds Maintenance Agreement is renewed annually. The document has been reviewed and revised where necessary by Peter Sztaba, and was reviewed by the Finance and Facilities Committee. A meeting occurred with Town staff to review this document and answer questions. There is no anticipation of issues on either the Town or BOE side, and this document is expected to be accepted by the TC.

**FINANCIAL SUMMARY:**

N/A

**BOARD ATTORNEY REVIEW:**

N/A

**BOE ACTION DESIRED:**

**Motion:** *Motion to approve the Fields and Grounds Agreement as presented.*

**SUPPORTING MATERIALS ATTACHED:**

Fields and Grounds Maintenance Agreement



## **FIELDS AND GROUNDS MAINTENANCE AGREEMENT**

This Agreement made and entered into as of this 16 day of September 2020, by and between the Town of Tolland (hereinafter called the "Town") and the Town of Tolland Board of Education (hereinafter called the "Board").

**WHEREAS**, the Board desires to enter into a contract with the Town for the maintenance of playfields and certain school grounds; and

**WHEREAS**, the Town desires to provide the Board with these services; and

**WHEREAS**, it is the desire of the Town and Board to have services performed without financial profit to either party and that the cost to the Board be at a minimum consistent with efficient administration of the services by the Town; and

**WHEREAS**, accurate and segregated cost figures are not available for such services, the Town and Board have agreed to continue the past practice of accounting for said services.

**NOW THEREFORE**, in consideration of the covenants contained herein and for other good and valuable considerations, it is agreed as follows:

### **ADMINISTRATIVE ISSUES:**

1. This Agreement shall commence and shall be effective July 1, 2020 and shall remain in effect until June 30, 2021 unless sooner terminated by mutual written agreement between the Town and the Board.
2. The Town agrees to instruct its employees to use their best efforts to maintain the fields and grounds around the school building, consistent with the revenue and manpower available for this purpose. Routine maintenance to be performed by the Town includes: mowing, weed-wacking/line trimming, top dressing, lining, edging, seeding, fertilizing, soil sampling, maintaining artificial turf field, long jump, shot put, and oval track areas (as needed according to industry standards), and related maintenance in those areas identified in Appendix I.
3. The Town will provide the Board with a year-end total cost for maintaining the school playfields and grounds which is associated with school use of the fields and grounds by July 15<sup>th</sup> of every year. This cost will include but is not limited to personnel costs, supplies, materials, and depreciation of equipment and will be submitted to the State Department of Education as an in-kind service.
4. The Board of Education will give the Town, at least a year's advance notice of the intent to add programs or facilities that will create a need for additional resources in the form of equipment, supplies or manpower to maintain the fields. There is no guarantee that the Town will be able to accommodate the additional programs or facilities without additional staff or other budget resources.

5. An annual meeting held on or before June 1<sup>st</sup> of each year will be convened by the Town to review progress and requirements of all community fields. Participants will be invited from the various schools, town leagues, and Parks & Recreation Advisory Board to join with representatives of the Town Council and Board of Education.
6. Regular meetings will be scheduled between the Superintendent of Schools and Town Manager to review concerns and needs. Should conflicts arise that cannot be resolved between the liaison personnel, a representative from the Board of Education, a representative from the Town Council, the Town Manager and Superintendent of Schools will be the final arbitrators.
7. The Board agrees to enter any work requests for approval through the Town's Public Works Service Request system by emailing to [publicworkstolct@tolland.org](mailto:publicworkstolct@tolland.org).
8. This Agreement shall be administered by the Town Manager.

**FIELD AND LAWN AREA ISSUES:**

9. The Board shall prepare a master schedule of its field utilization requirements at the end of each school year. This schedule will be directed to the Town for the fall by June 1<sup>st</sup> and spring schedule by February 1<sup>st</sup> for inclusion in a town-wide master schedule by the Town's Director of Recreation. From time to time it may be necessary to modify the schedule because of the need to reschedule league games. When this is necessary, first priority will be given to meeting the needs of the school. When games are scheduled or rescheduled, the field(s) will be prepared in accordance with CIAC rules.
10. The use of school fields and grounds remains under the jurisdiction and control of the Board. Priority of Board field use will rest in favor of school teams.
11. When fields are undergoing renovation work or are unusable, an alternate field, whenever possible, will be provided or the play will be rescheduled.
12. The Town will have access to Board fields and related facilities when school use is not required for games or practices. Such use shall be subject to reasonable rules and regulations as established by the Town's Director of Recreation in concert with the Board's Athletic Director. Every effort will be made to schedule the use of the field by the children in order to ensure that maintenance activities required by this Agreement may be executed in an efficient and timely manner.
13. The Public Works Supervisor and the High School Athletic Director will communicate each week to update team schedules and clarify issues. In the event of conflicts which cannot be resolved between the Public Works Supervisor and the Athletic Director, the matter will be addressed by the Public Works Director, and then by the Town Manager and Superintendent of Schools to review the issues at hand and develop a compromise solution.
14. The Board will transfer funds to the Parks & Facilities line account (16106172-733600) for field maintenance on or before August 1<sup>st</sup> as provided for in the adopted Board budget. Prior to November 1<sup>st</sup> of each year, the Town will submit budget items with associated dollar amounts for field maintenance to the Board's Facilities Director to be included in the projected Board's budget for the following fiscal year. The Board will

include in their own budget the one-time spring (usually April) disinfecting/grooming of the Tolland High School artificial turf field starting the 2021-2022 budget cycle.

15. The schools will provide a minimum four hour period each day when Town personnel and equipment may perform the necessary work and freely enter and exit the work area without restriction which includes mowing/overseeding, top dressing ball fields etc. The Town reserves the right to restrict access to fields when major repairs are needed. Prior notice will be given.
16. When other than normal maintenance is planned for the high school fields, the Athletic Director will be involved in the planning and discussions.
17. Every effort should be made to keep students, coaches, spectators, and other personnel from parking their motor vehicles on the grass areas.
18. The Town will line all fields once a week for games. Minor touch up marking prior to a weekend game shall be the responsibility of the Board of Education. Baseball/Softball fields will be lined, dragged, and scarified the day of a game on weekdays, weather depending.
19. The Tolland High School turf field painting (red) is to be budgeted and scheduled by the Board of Education.
20. The purchase, maintenance, and upkeep of field accessory items such as bats, balls, scoreboards, benches, batting cages, fencing and goals on fields related to school activities are the responsibility of the Board of Education. This also includes filling, monitoring, and draining the new heat stroke tank. The light pole and light fixtures, out of bounds markers/foul poles at Tolland Middle School and Tolland High School fields are also the responsibility of the Board of Education.
21. Major capital improvement requirements for field reconstruction will be identified in the respective Capital Improvement Program of each party evaluated along with other Town priorities. The Board shall put track resurfacing in their Capital Budget request at least once every ten years. The Board of Education and Town of Tolland will work collaboratively to come up with a funding method for the turf field replacement.
22. The cost for operating the irrigation system at the Tolland High School will be in the Board of Education Budget. The Boards Facilities Manager shall do any operation adjustments.
23. Normal grass clippings will be left on the field. The Town will make every effort to eliminate large windrows that would damage the grass. The Town will also make all attempts to remove any grass clippings accumulating on the oval tracks at the Middle School and High School.
24. The Town will not assist in the put-out/setup of soccer goals. The individual teams will be responsible for the put-up and take-down of nets and benches. The Town will not move goals from field to field or school to school. Large tires used for drills and workouts must be removed from playing field for mowing and painting fields, the Town will not move.

25. The Board of Education shall arrange to have the area around all bases, pitcher's mound and catcher's area lightly raked to ensure optimum playing conditions.
26. The fields will be watered by the Board when they become dry as long as there is a source of water available. Under no circumstances should potable, Tolland Water Fund or Connecticut Water Company water be used for any irrigation purpose at any school without prior written consent by the Town Manager/Superintendent of Schools, or his/her designee.
27. The Town will paint the lines on the shot/disc slab and javelin approach at Tolland High School. The Town will also conduct minor repairs to the artificial surfaces to the High School and Middle School track and the long jump and shot-put box at Tolland High School, as necessary. Major repairs will fall under the Capital Improvement Program for both parties.
28. If the Board elects to use infield tarps on baseball/softball fields, they are responsible for making sure the tarps are removed and stored so they do not interfere with field grooming or mowing by the Town.
29. All mulched islands shall be maintained by the Board. This includes mulching, pruning, trimming of trees.
30. The Board is responsible for the access gate for the two new handicap parking spots at the Tolland High School near the softball field.

#### **TRASH/RUBBISH ISSUES:**

31. School personnel shall be responsible for emptying field barrels at the high school within the turf field areas. The Town will be responsible for removing the trash on the lower level baseball, softball and soccer field areas. The Town shall be responsible for emptying the field barrels at all other school fields as part of their weekly lawn maintenance activities. Private clubs utilizing school fields on the weekend shall be asked to take full bags of garbage to site dumpsters and to replace the plastic bag. Cleaning bleachers and garbage pickup and removal will be the responsibility of the Board for Board sponsored events including weekend events.

#### **BOARD OF EDUCATION RESPONSIBILITIES AS IDENTIFIED IN APPENDIX I:**

32. The Board of Education shall engage a contractor or use school personnel to perform the tasks identified in Appendix I.

#### **BOARD OF EDUCATION AND TOWN OF TOLLAND RESPONSIBILITIES AS IDENTIFIED IN APPENDIX II:**

33. The outline of duties and responsibilities related to the weeding and trimming of school grounds is identified in Appendix II.

And it is mutually understood and agreed that, this agreement shall be binding upon the parties hereto and upon their respective successors.

SIGNED in Tolland, Connecticut on this \_\_\_\_\_ day of September 16, 2020.

By: \_\_\_\_\_  
Michael Rosen  
Town Manager

By: \_\_\_\_\_  
Walter Willett, PhD  
Superintendent of Schools

## **APPENDIX I**

The Town will be responsible for cutting the grass at all schools with the following areas being excluded:

### **Tolland Intermediate School**

1. The southeast corner by the rear parking lot and Old Post Road, i.e., lawn between rear parking lot and custodial lot/delivery area and long island separating the bus lane from the parent drop of parking lot in the front of the school.
2. Lawn adjacent to school in rear of building inside parking area.
3. Pine grove to north of rear parking lot adjacent to music and computer classrooms.
4. The front lawn inside the pavement (down to Old Post Road).
5. The large island along Old Post Road and west of incoming front driveway.
6. Lawn on north and east sides of school inside the sidewalk including the area just outside the garden area between the senior housing project (old Parker school) and to fence (property boundary).

### **Tolland Middle School**

1. Traffic islands.
2. Twenty-four-inch border around school.
3. Lawn area in front of school between school and sidewalk excluding large lawn areas next to the auditorium, band room, grassy hill between front patio and main entrance stairs and behind new art wing.
4. Lawn area directly in front of auditorium main entrance between sidewalks.

### **Birch Grove Primary School**

1. The narrow island in front of the main entrance extending from the handicapped parking areas to the shed.
2. The narrow grass area along the fence and adjacent to Rhodes Road from the emergency access gate to the emergency access road to Cross Farms.

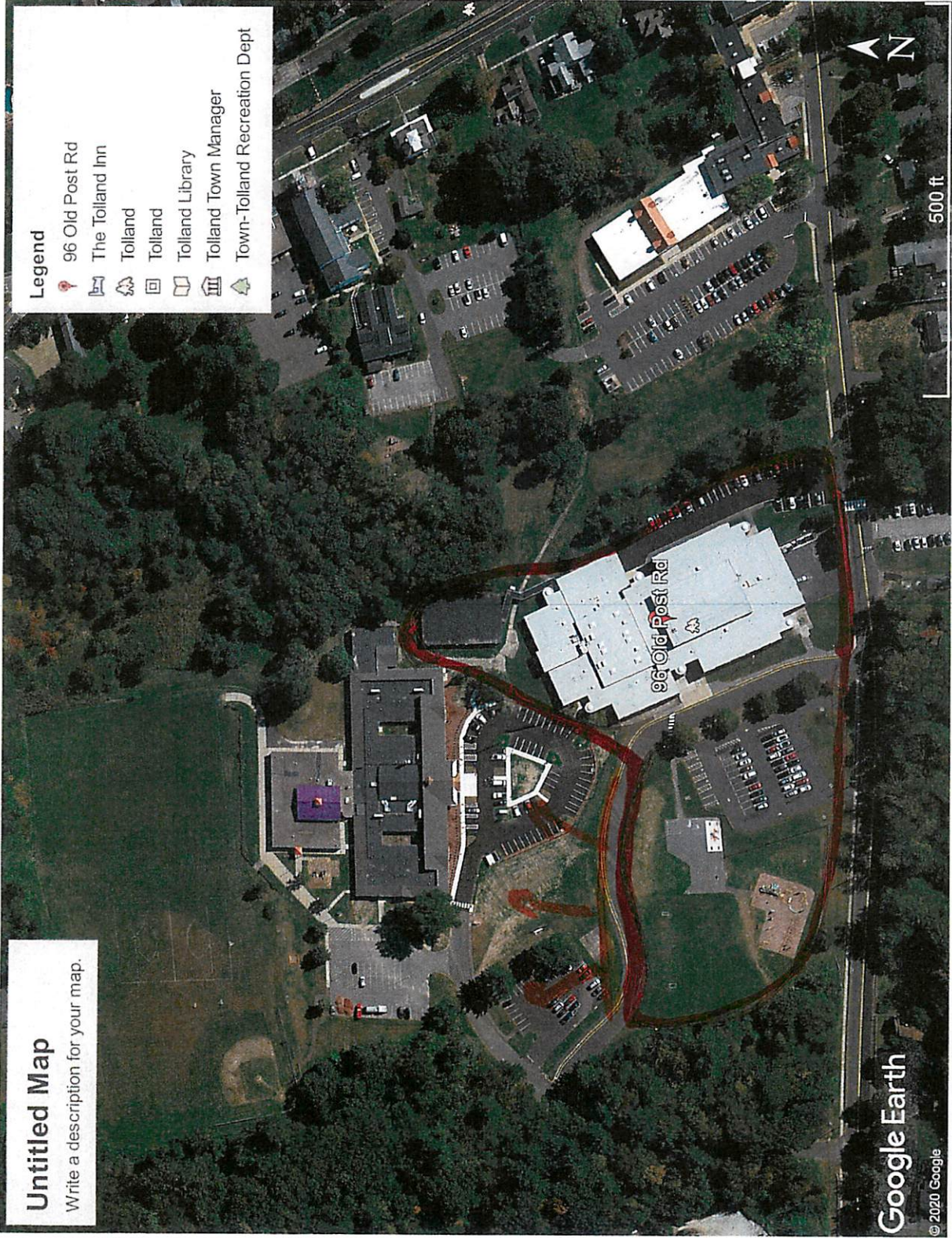
### **Tolland High School**

1. Traffic islands.
2. Three-foot border surrounding building.
3. The Town will be responsible for maintaining the artificial turf field with the exception of the one-time annual spring maintenance starting in 2021-2022. Expenses related to maintenance should first be paid from any revenue generated from the rental of the facility or the sale of advertising signs.

## **APPENDIX II**

The Town of Tolland and the Tolland Board of Education shall be responsible for the weeding and trimming of their designated areas as outlined in the maps of the four schools. The Board of Education shall be responsible for all the areas outlined and enclosed in red. The Town of Tolland shall be responsible for all areas enclosed and outlined in yellow/orange. At a minimum, both parties agree to trim such areas from April 15<sup>th</sup> thru October 15<sup>th</sup> on every other week basis. On average this would result in trimming these designated areas (12) times per calendar year.





## Untitled Map

Write a description for your map.

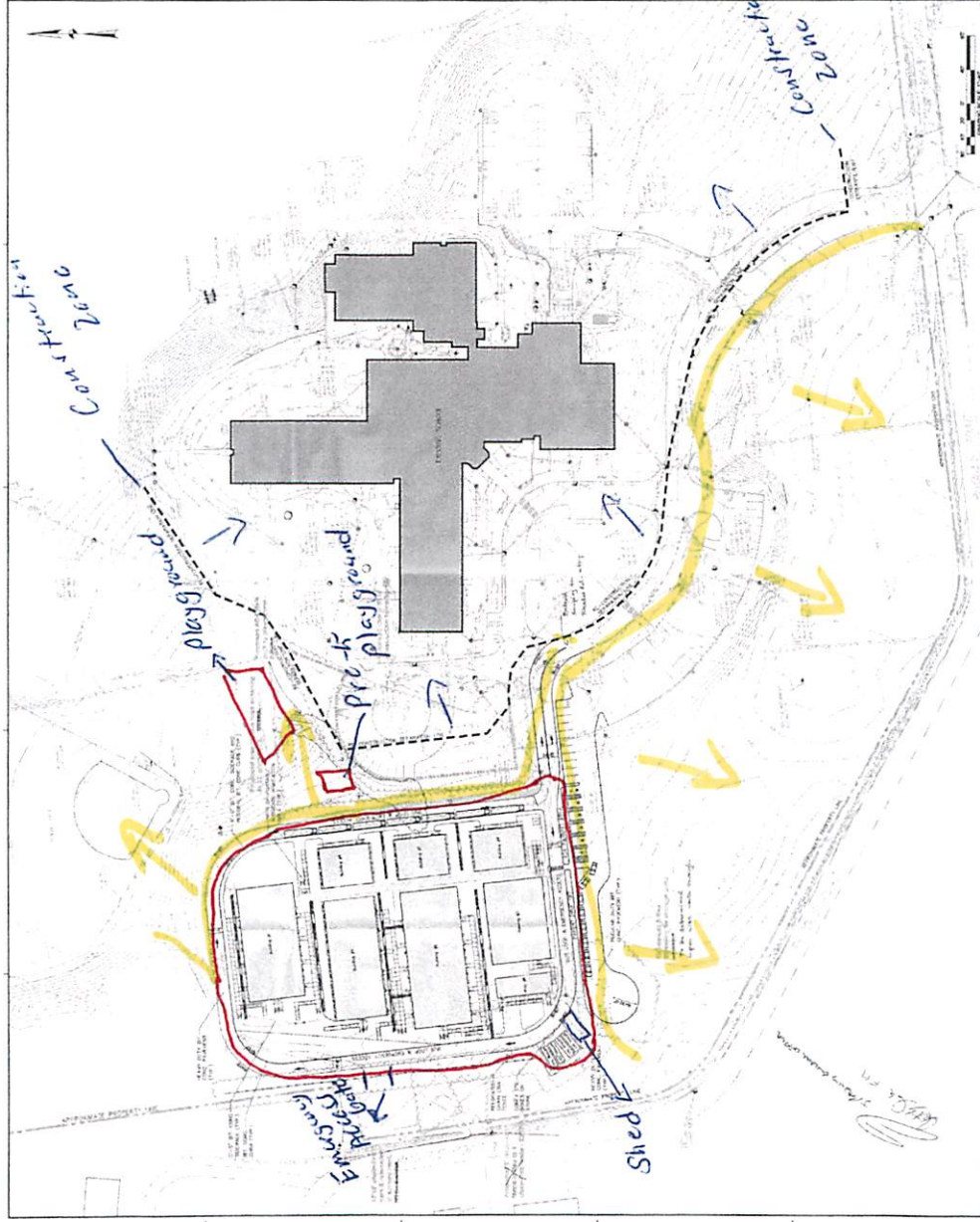
### Legend

- 96 Old Post Rd
- The Tolland Inn
- Tolland
- Tolland
- Tolland Library
- Tolland Town Manager
- Town-Tolland Recreation Dept

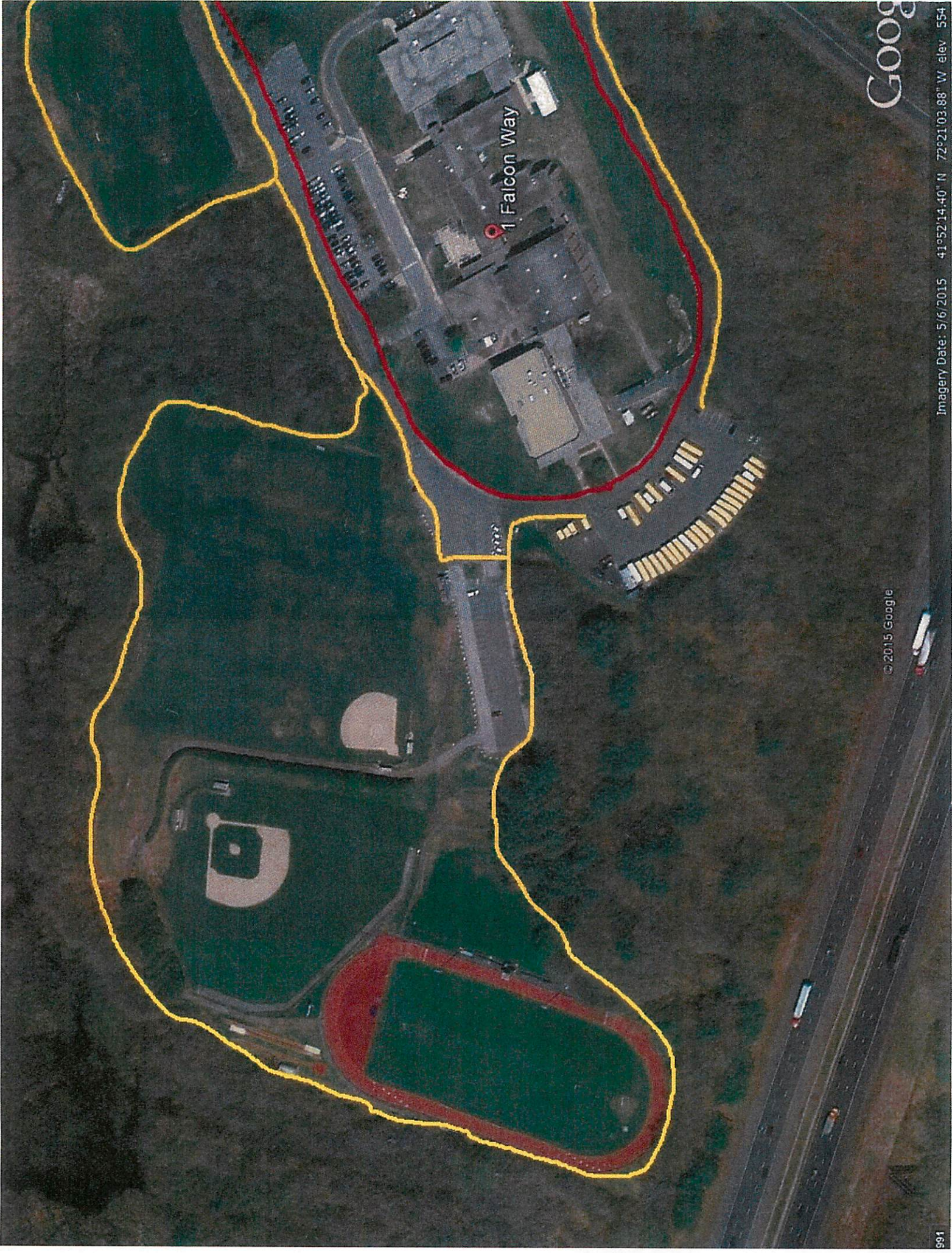
Google Earth

© 2020 Google







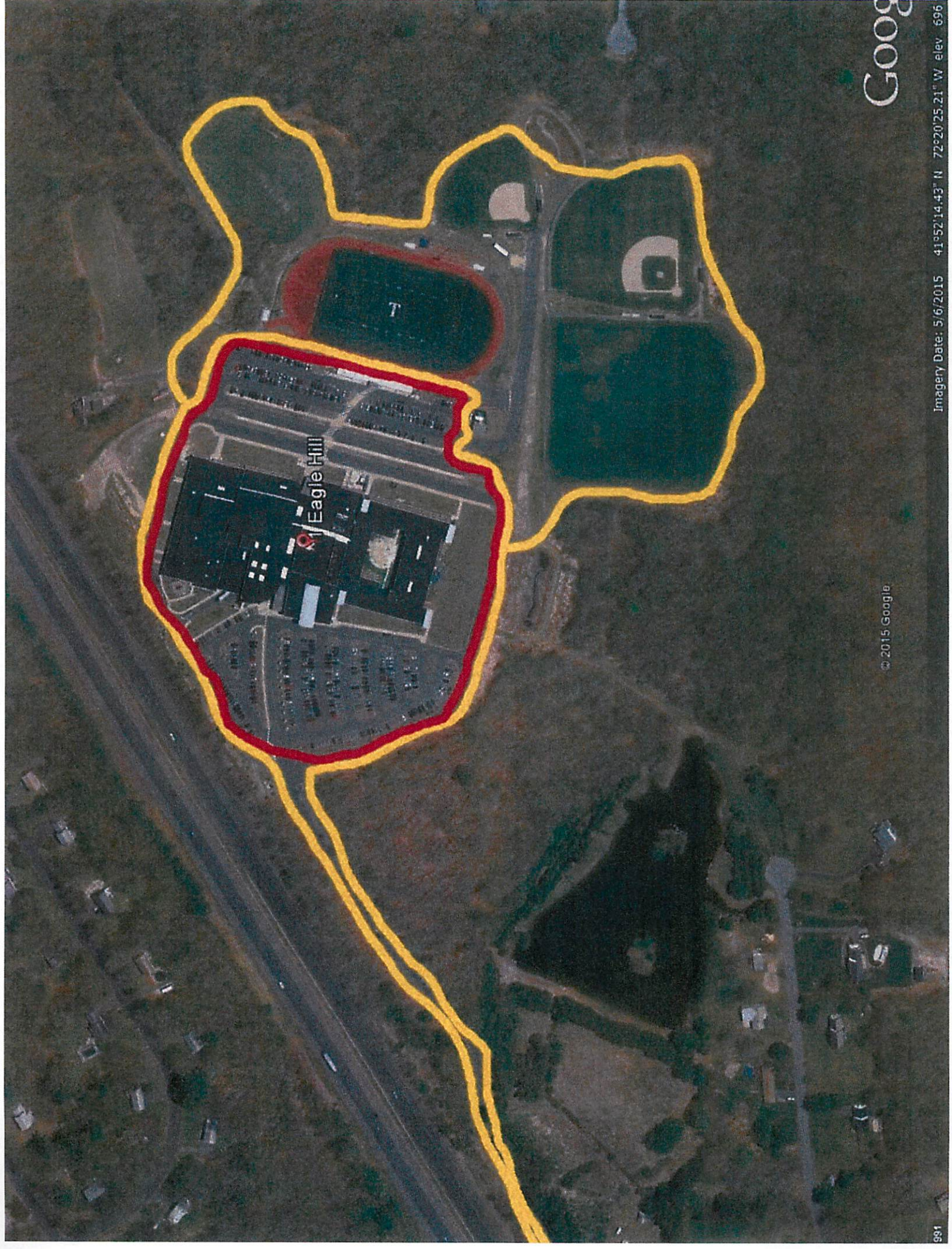


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Imagery Date: 5/6/2015 41°52'14.40" N 72°21'03.88" W elev 554





Eagle Hill

© 2015 Google

Google



**SPECIAL MEETING MINUTES**  
**TOLLAND TOWN COUNCIL**  
**ZOOM REMOTE MEETING**  
**SEPTEMBER 8, 2020 – 6:30 PM**

**Council Members Present:** Tammy Nuccio, Kurt Schenher, Cassandra York, John Reagan, Brenda Falusi

**Council Members Absent:** Lou Luba, Steven Jones

**Others Present:** Michael Rosen, Town Manager

- 1) **Call to Order:** The meeting was called to order at 6:30 PM.
- 2) **New Business:**
  - a. K. Schenher motioned, seconded by B. Falusi, to go into Executive Session to discuss a Personnel Matter and Pending Litigation at 6:32 PM. The Executive Session concluded at 6:47 PM.
- 3) **Adjournment:** B. Falusi motioned, seconded by K. Schenher, to adjourn at 6:47 PM.

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Tammy Nuccio, Chairman

**TOLLAND TOWN COUNCIL  
ZOOM REMOTE MEETING  
September 8, 2020 – 7:00 P.M.**

**MEMBERS PRESENT:** Tammy Nuccio, Chair; Brenda Falusi, Cassandra Forsythe, Lou Luba (arrived at 7:07 p.m.); John Reagan, Kurt Schenher

**MEMBERS ABSENT:** Steve Jones,

**OTHERS PRESENT:** Michael Rosen, Town Manager; Lisa Hancock, Director, Finance & Records; John Littell, Fire Chief/Director of Public Safety; Michael Wilkinson, Director of Administrative Services

1. **CALL TO ORDER:** Ms. Nuccio called the meeting to order at 7:01 p.m.
2. **PLEDGE OF ALLEGIANCE:** Recited
3. **MOMENT OF SILENCE:** Observed
4. **PROCLAMATIONS/PRESENTATIONS:** None
5. **PUBLIC PETITIONS, COMMUNICATIONS, AND PUBLIC PARTICIPATION** *(on any subject within the jurisdiction of the Town Council) (2-minute limit)*

Deb Goetz, 176 Kate Lane, noted that she is speaking as a private resident and not an elected official. Ms. Goetz asked what the plans are for reopening meetings. She has noticed that a couple of towns have started having some meetings of varying sorts such as having just members or limiting the meetings to 25 participants. When can the town go back to meetings? She noted that she is not pushing this and wants it to be safe for everyone but would like to know when it will happen.

Ms. Nuccio commented that they have been discussing returning to meetings and are looking at options. It will be on a future agenda for discussion. Town Hall is looking at options to get them back into Chambers.

Mr. Rosen noted that Mr. Luba sent him a text requesting the phone number for tonight's login. Ms. Nuccio will send him the information.

6. **PUBLIC HEARING ITEMS:**
  - 6.1 Consideration of a resolution to update §A176-15 of the Town Code, Town Green and Fire Training Center Sign Policy.

Mr. Rosen reviewed the background information on this item and noted that the current policy has anachronisms. He highlighted the major changes/updates.

*Ms. Falusi moved to open the Public Hearing.*

*Mr. Schenher seconded the motion.*

*A roll call vote was taken. Motion passed unanimously.*

*Discussion: none*

*Ms. Falusi moved to close the Public Hearing.*

*Mr. Schenher seconded the motion.*

*A roll call vote was taken. Motion passed unanimously.*

Ms. Falusi commented that she is happy they are moving forward with the recognitions. She is a little disappointed that they are restricting them to presidential proclamations because it has been said that this list is long but it is nowhere near exhaustive of being representative of the residents of Tolland. She believes there are many things residents would like to recognize and see a sign for on the Town Green. Ms. Falusi cited an example and added that it is limited by nationalities and religious affiliations. She noted that she will support this but hopes they will move forward and find a way to be representative of the entire Tolland community.

*Ms. Falusi motioned to authorize the following resolution:*

***BE IT RESOLVED, by the Tolland Town Council that it hereby approves the amendment to the attached Town Green and Fire Training Center Sign Policy in Chapter A176-15 of the Town Code originally adopted on January 23, 2001.***

*Mr. Schenher seconded the motion.*

*Discussion: none*

*A roll call vote was taken. Motion passed unanimously.*

- 6.2 Consideration of a resolution to rescind the issuance of bonds approved by resolution on July 9, 2019 for a fire rescue truck and approval to provide \$750,000 from general fund - unassigned fund balance for the financing of the fire rescue truck.

Mr. Rosen noted that the following are in attendance: Finance Director Lisa Hancock, Town Financial Consultant Barry Bernabe, Chief Littell, members of the Tolland Fire Department, members of Tolland Fire Inc., and members of Friends of Tolland Fire.

Mr. Rosen noted that this issue has been discussed a few times in public stemming back to the FY 19/20 budget. He added that the Chief will say that this has been many years in the making. Mr. Rosen noted that the merits of the truck are not at issue. The town needs the truck at this time and tonight is to present this to the policy makers so they can decide how to fund it.

*Ms. Falusi moved to open the Public Hearing.*

*Mr. Schenher seconded the motion.*

*A roll call vote was taken. Motion passed unanimously.*

*Discussion:*

Katie Murray, 8 Lisa Lane, commented that she is testifying as a private citizen and not in any of her volunteer roles with the town. She believes this fire truck is long overdue and the delay in allowing the Chief and the fire department to purchase it is "incredibly unfortunate". She believes there has been no recent concerns about the validity of needing a fire truck. Everyone is on the same page regarding this. Ms. Murray believes this issue was first voted on by the previous Council in July 2019. It is now September 2020 and from what she understands the bonding money has been sitting in a fund available and ready for the Chief to purchase the item and this Council has held up the purchase of this fire truck. She would like to know how long the funding has been available for the Chief to use to purchase the truck so everyone can put this into perspective. The previous Council was well-advised by Town Manager Werbner as to the funding of the truck. The Council held a public hearing, listened to public comment, and Ms. Murray believes the vote was unanimous to fund the truck out of bonding. The bonding then went

forward and is available for the Chief to use to buy the truck but due to actions of the Council – “you guys have decided as the policymakers of this town to hold that up” and Ms. Murray wished to express her “discontent and extreme disappointment”. They hope not to have to use fire trucks but they are needed in emergency situations and it is unfortunate that the Council, as the policymakers for the town, have decided to hold this up. Ms. Murray commented, “that is very disappointing” and she asked the Council to consider how long the money has been sitting waiting to be used by the Chief and the Council has “decided to just push pause on it.” Ms. Murray commented that it is unfortunate.

Deb Goetz, 176 Kate Lane, noted that she is speaking as a private resident and not an elected official. She commented that she must have been watching different meetings last year because she asked specifically at the June meeting whether the unanticipated revenue the town was receiving and the anticipated unexpended funds would be available to pay for this fire rescue truck. At the time she was told that it would be considered. At the public hearing it was made clear that the Town Council and Town Manager would later evaluate how much money was available from those funds of 2018/19 after the audit was completed. Unfortunately, COVID happened, there was a shortage of meetings at times, and it is now being addressed. Ms. Goetz’s understanding is that the bonding was approved so that the Chief could do the specs, get estimates, and the Council is not holding up obtaining the rescue truck. She noted that things are different now and understands that the Council needs to look at this with “fresh eyes” and see what the best way is to go forward – either to pay cash from the fund or bond as was previously approved. She asked the Council how much was left at the end of FY 18/19 considering the unanticipated revenue and the unexpended funds.

Chief Littell commented that COVID has hit them hard and since July they have been through several different committees. It has been difficult to form committees again and look at different towns so they could purchase trucks together. They have been gridlocked since COVID hit. Some progress was made over the past couple of months and he is talking with other communities and another state. He does not want to put blame on anyone and said that he will take the blame as he will not spend town money without a purchase order or an account allowing him to go out to bid or ask for a bid waiver. He does seek bid waivers to save as much money for the town as possible. This project has been going on since 2012. They have great people on staff and are ready to aggressively move forward but they do not know what will happen over the next couple of months. He supports the project and moving forward and apologized to the taxpayers of Tolland that his assets and items are likely the greatest assets in terms of vehicles. The Chief appreciates all who have spoken this evening.

Ms. Falusi reviewed the e-mails received regarding the fire truck:

- Supports the purchase of the truck but opposes using the general fund
- Requested a review of the process but trusts the Council’s decision
- Request to strongly consider bonding
- Approves purchase of truck outright
- Practical to pay in cash
- Inquiry about the cost – it seems high; supports bonding
- No bonding for the truck

*Ms. Falusi moved to close the Public Hearing.*

*Ms. Forsythe seconded the motion.*

*A roll call vote was taken. Motion passed unanimously.*

Discussion:

Ms. Nuccio commented regarding the public comments, this issue was voted on in July of 2019. She added that it was also duly noted that the Council would revisit this once the books were closed and they knew what they had for money left which was close to \$300K and another \$300K+ this year. Regarding how long the funding has been available for the fire truck, as she stated at the last meeting, the bonding was approved in July of 2019 so the purchase could be made. The bonding was in place so the truck could be purchased. They knew it would take at least 6 months before the first invoice would be received and thus had time to review the funding. Then COVID happened which exasperated things. The Chief could not move forward with everything else that needed to be done. Two years of actuals are now available albeit the latter has not been validated. Ms. Nuccio explained that she does not believe there is any truth to the comment that the Council has held up the purchase.

Ms. Hancock agreed with Ms. Nuccio. Ms. Hancock explained that there is a misunderstanding regarding bonding. The bonding was in place. Whether the truck is paid for with cash or bonding, the Chief could still move forward. It is Ms. Hancock's problem to figure out how the check will be written. In any event the Chief could get started. Understandably with COVID it is very difficult for the Chief to get people together. There was never an issue with the Chief not having an account or approval to move forward. Ms. Hancock explained that the town did not issue the bond. The bond authorization is approved as the funding source but the bond was not issued so the cash is not sitting in an account. The authorization to move forward was always there – there was never a hold up. Regarding the Chief's statement, going back to 2012 there were a number of capital projects and times that the previous Town Manager pushed things out to balance the impact on the budget. Regarding FY 18/19, the GAAP basis had a reduction to the fund balance of \$285,305. Ms. Nuccio noted that the end year results on budgetary basis for 2019 was excess revenue of \$202,784 and expenses were \$339,894 lower than budget. This included \$85,113 that was going back to the BOE for the 1% fund. Thus, it was \$254,781 on the positive side. Ms. Hancock noted that GAAP has many adjusting entries and is usually what the bond rating agencies go by.

Mr. Luba concurred with what has been said. He reviewed the minutes from the meeting in 2019 and it was clear what the discussions were and Mr. Werbner's intention of the Council to examine the actual funding source after the closing of the books. At no point does he recall the Council ever saying not to make the purchase or not to make the order. Prior discussions were about getting the specs, looking at information, and getting everything together as well as working with other towns that may also be making purchases to try to get a lower price and save the town money. The perception of the Council saying not to purchase the truck is inaccurate. Mr. Luba believes a calamity of situations occurred that prevented the purchase from going forward within the timeframe everyone hoped it would. He does not believe there were discussions or anything on the record regarding discussions with Mr. Rosen, Chief Littell, or anyone saying that the truck should not be purchased until funding is decided. The funding was in place but they never had the chance to get the specs together or submit an order until now.

Ms. Nuccio commented that she is still in favor of using the fund to pay for the truck especially after the bond rating review and the 2 concerns that were mentioned. It would be best to make the purchase with funds that were set aside in 2019 and potential savings from 2020 to go toward the purchase price. The town has an aggressive capital plan project expense coming up in the next few years. They have tax pressure from Birch Grove for the next 5 years and they need to look at the fire station.



Ms. Falusi commented that there have been a lot of changes even in the past week. The Governor has extended the health emergency until February. As of last week, there was the possibility that this would not have gone that long. Also, after speaking with Representative Joe Courtney, the FEMA reimbursements that the town was hoping for will not be as high. She understands that the only FEMA reimbursements will be for the initial cleaning. With the 6 month continuation of the health emergency and not having the specs of the truck currently and uncertainty of what they will have to pay as they move forward during the health emergency, Ms. Falusi believes the prudent thing to do is to continue with the bonding. She added that since the specs are not available the bonding does not need to be done right away and they could wait until it is ready to be ordered. Further, the bond rating the town just received was based on where the town was last week which included bonding for the truck. The town received the highest rating while having the truck as bonding. Ms. Falusi would like to have a discussion on the 5 year capital plan and look at a number of items and see where they can make progress on reducing what the town is carrying. It would be more prudent, responsible, and responsive to do this during the health emergency.

Mr. Schenher commented that whatever the decision is it should be made this evening so town staff has a clear answer going forward. Further, he does not believe that purchasing the truck with cash versus savings is a boon for the town because of how low the interest rates are but he does see this as an opportunity for the Council to be preemptive and proactive with what is coming in regard to increased taxes due to the Birch Grove project and other items. The blow can be softened by doing this in cash and moving forward with the fire truck.

Mr. Reagan commented that his concern is the debt log they are asking the residents to carry. With the addition of Birch Grove they will have a difficult time keeping a reasonable mill rate. He is hoping Ms. Hancock or Mr. Bernabe can answer if the town's bond rating will be more susceptible to being lowered if they issue a bond.

Ms. Hancock explained that the debt of the \$750K was included in the debt management plan that was presented to the rating agency. If the town issues the debt there likely would not be as much of an impact as if the fund balance starts to drastically decrease over the next few years.

Ms. Hancock reviewed the Town of Tolland, General Fund Financial Results Estimated and Adopted Budget spreadsheet. She reviewed Committed for Education and Other Funds Use (line 62), 2019/20 estimated, \$1,002,775 which is comprised of the \$421,522 that was in the BOE 1% fund, \$85,113 was added, and they will potentially receive \$496,140 next year of which part will go to the 1% fund and part will go to the COVID fund.

Ms. Hancock explained that if one looks at Unassigned Fund Balance as a percentage of GAAP expenditures (line 75) and with the planned intention of using a little fund balance to return to a point of not using much fund balance and taking into account giving the BOE \$496K and using \$750K from fund balance for the truck, by the end of 2024/25 they are "dangerously" close to the 10%. She explained that how the fund balance is used in the future is a policy decision but if they look at Property Taxes (line 8) they will see that they are starting to substantially increase using a scenario of a 2% spending increase and a reduction in ECS money. It does not take into account if they were to lose municipal stabilization money which is over \$300K. Taking these assumptions into consideration they are looking at some impacts on taxes in the future. If they use the \$750K now there would be a little savings in debt service but the concern is that that unassigned is getting close and if there are any other emergencies they may not have the ability to respond without dipping below 10%. She noted that if there is another good year there could be savings that could go into the fund balance. Ms. Hancock asked Mr. Bernabe for his input.

Mr. Bernabe commented that he does not believe there is a right or wrong answer and sees it as a policy decision. If he had to pick one metric that the rating agencies concentrate the most on it would likely be the level of fund balance as a percent of the budget. He explained that there is nothing wrong with using fund balance to pay for a project rather than bonding but if the town loses flexibility, and there are tough budgets ahead, and the fund balance falls below the 10% it would raise more red flags than simply bonding for the truck. Fund balance is critical. Tolland has the highest bond rating possible but does not have the wealth levels of towns in lower Fairfield County. Thus, more attention is paid to the fund balance levels in Tolland than is in some of the other communities.

Ms. Nuccio commented that in the review the 2 items of concern that were mentioned were the level of debt and reduced grand list. She asked if this was weighted. Mr. Bernabe responded that this is taken into consideration and metrics for debt are considered. These metrics include debt per capita, how quickly the town's debt amortizes, and debt service as a percentage of the town's grand list. If budgets going forward are fine and fund balance grows he does not believe there is a problem taking the \$750K out of fund balance. If the budgets result in fund balance dropping in the future and it falls below 10% that would have a larger negative impact on the town's rating than bonding for the \$750K.

Mr. Luba inquired regarding the fund balance and asked Ms. Hancock if there has been a year when the town did not have money go into the fund balance at the end of the budget cycle. Ms. Hancock responded that there has been. On a GAAP basis, when looking at line 53, in 2014/15 they used \$209,456. Last year, also on GAAP basis, they used \$285,305. In previous years they did have some fairly decent funds growing the fund balance for various reasons. In looking at 2020/21 with the \$496K, \$750K for the truck, there is approximately a \$1.7M reduction to fund balance. Ms. Nuccio noted that this is if they use the \$500K. Ms. Hancock commented that the only savings she foresees right now is \$28K. They are having a lot of retirements and final benefits will need to be paid beyond what was estimated in the budget. Thus, there will be some unplanned expenses.

Mr. Luba inquired if they go out to bond now for the \$750K if it would increase the interest rate on future expenditures. He is wary about using any type of revenue for operational expenses as it is a poor fiscal decision. He would rather spend it on a piece of equipment than adding to a budget and not addressing cost overruns.

Ms. Nuccio commented on if they could split the difference and paid \$400K in cash. Ms. Hancock noted that she discussed this with Mr. Bernabe. It keeps a little more in the fund balance for emergencies. Mr. Bernabe commented that even though the total bond issue may go out over 20 years it is possible to have projects embedded in the bond issue that only go out 10 or 15 years. Thus, it is possible to have internal amortizations that go shorter than the total bond amortization.

Mr. Luba confirmed that with the money from the fund balance that was taken to offset some of the operational expenses this past year that they are already looking over the next several years of a built-in tax increase. Ms. Hancock added that they also have in the plan to use some fund balance to offset the tax increase and referenced line 68 and noted that in 2024/25 they will not be able to use anything to help offset the budget or help with taxes. Mr. Luba confirmed that when they passed the budget, they built in the declining use of the fund balance to offset expenses. By bonding the full amount, was the principal and interest going forward considered in the projection? Ms. Hancock explained that they are built into the debt management plan which

will change based on the interest rate when they sell the bonds. In the scenario the bonds are not issued until 2021/22 – Ms. Hancock pushed them out in case the Council decided to use cash. In the meantime, she would front it with cash flow if the Chief gets the truck before the bonds are issued. Mr. Luba asked if future expenses would affect the interest rate they will pay for the fire truck if it goes to bond. Mr. Bernabe explained that the interest rate the town gets tomorrow will not be any different whether \$8M or \$10M were to be issued.

Ms. Falusi inquired about process for the public hearing. The public hearing is for issuing bonds for the truck or paying cash. Can they change what they are making the decision about at this point? Also, can this be carried forward until they have a better idea of future expenses for items such as COVID-19, FEMA reimbursement, and the final cost of the truck?

Mr. Rosen commented that he believes if the resolution was to be amended tonight to use any amount other than \$750K it would be allowable. If the decision cannot be made tonight it would be added under Old Business on the next agenda. He added that he does not believe FEMA reimbursement will be as favorable as they initially hoped.

Ms. Nuccio asked Mr. Rosen about FEMA and the declaration fund. Mr. Rosen explained that they have used about \$40K from the emergency declaration fund for COVID-related expenses over the past 6 months. The balance is approximately \$100K. Ms. Nuccio confirmed that the \$45K was used on the town side and the BOE received the \$45K grant. It is expected that the BOE will receive almost \$150K from CARES money in addition to the grant for the 900 Chromebooks and laptops. Approximately \$282K is potentially available for the COVID fund. With that the ERF fund will be about \$1M in addition to the grant monies.

In regard to the declaration fund, Ms. Hancock noted that \$64,600 has been spent. She explained that FEMA will reimburse 75% of eligible costs. Initially they believed everything such as protective measures for the various offices, hand sanitizer, and other items needed to ensure safety was eligible. Now they understand that only the emergency operations center safety items are eligible. The initial cleaning of the town and board buildings would be eligible but not additional cleaning or cleaning supplies. Ms. Hancock explained that once she receives a response from FEMA she will submit the expenses to the CT Office of Policy and Management. If FEMA determines that \$20K is eligible and reimburses 75% of the \$20K, then the other 25% will be covered by the state. Ms. Hancock has already entered the expenses with a 0% reimbursement from FEMA into the state system and will submit them once she receives the denial from FEMA. She hopes to receive 100% reimbursement from the CRF. She noted that she has entered the BOE invoices as well since FEMA determined everything that was on the BOE list to be ineligible.

Ms. Nuccio proposed having a split: \$400K cash and bond \$350K.

Mr. Reagan commented that while originally he was in support of paying \$750K cash because he dislikes debt and does not want to saddle the taxpayers with more debt than is needed but after hearing what he did tonight he is in favor of the split proposed by Ms. Nuccio.

Ms. Falusi commented that looking at \$10.6M is not within her comfort level given the unknowns. It was brought up who has what money, but it is still up in the air. She feels much more comfortable bonding. Cash is needed for flexibility especially during an emergency.

Mr. Luba commented that he is in agreement with Mr. Reagan and would support the split of paying \$400K in cash and bonding the remainder.

Ms. Forsythe agreed with Mr. Reagan and Mr. Luba and supports the split.

Mr. Schenher commented that the most he could go in terms of cash would be with the proposed split and he would like to have this resolved this evening.

Ms. Hancock commented that she feels much better about using \$400K from fund balance than the full \$750K. She is conservative and wants to ensure there is flexibility and cash flow in the event of an emergency. That said, it is a policy decision to be made by the Council. Ms. Hancock explained that she provides information to help the Council in making its decisions as a group.

Mr. Reagan confirmed that doing the split will not delay the process of acquiring the needed fire truck.

Ms. Falusi motioned to move item 6.2 to item 9, Old Business.

Mr. Schenher seconded the motion.

A roll call vote was taken. Motion passed unanimously.

**7a. REPORTS OF BOARDS AND COMMITTEES RESPONSIBLE TO THE COUNCIL**

- Birch Grove Building Committee – Ms. Murray, Committee Chair, provided an update. The project is going very well, running on budget, and is on time. The building is impressive. Ms. Murray believes the steel frame is completely up and masonry walls are going up in multiple sections as well as roofing. They are hoping to seal the building in October and then all site activity will move inside. Ms. Murray noted that COVID has changed the construction schedule in terms of installation and scheduling of the project elements. This is being overseen by the construction manager. One item that was shuffled was the K-2 playground which is near the existing playground and will open tomorrow. The Committee is focusing on change orders as they come through and a process is in place. The members have been great at bringing their various expertise into discussions. One change order was put on hold and the other was approved. In regard to the unsuitable soil they are awaiting action from the Legislature and are anticipating when it goes into Special Session that the school bonding bill will be on the agenda. From what is being heard, when the Legislature comes back, they will act to approve 100% reimbursement for all of the unsuitable soil on the site. At that point the Committee can move forward with the items that were delayed due to this funding issue. Ms. Murray noted that this is not delaying the project in any way. The budget is running on budget and on time and no one sees any problem with that trend continuing. Ms. Nuccio inquired about the difference between the budget and where they are heading. Ms. Murray responded that Ms. Hancock attended a recent meeting to provide an overview of the budget from the town side and explained that the project is on the town's books for \$46M. The contracts that have been signed and the items that are under contract come to under \$46M. The remainder of the funding is in the town contingency which is spent at the discretion of the Committee. These funds can be used for items that may come up. There is also a construction contingency, which is part of the contract with D'Amato Construction, in the amount of \$430K. The first change order took funds from the construction contingency in the amount of approximately \$2,300. Ms. Murray added that D'Amato Construction believes the construction contingency will be more than enough for items that may come up during construction. Additionally, the town contingency is approximately \$108K. Ms. Falusi thanked Ms. Murray and the Committee for all they are doing. Ms. Falusi commented that she was sure the Council would hear that everything is running on time and under budget because she knows the level of commitment of Ms. Murray. Ms. Falusi asked Ms. Murray about the amenities of the school. Ms. Murray noted that the architecture provided slides illustrating the interior of the building which are online. The building was planned not only for academic use but also for community use and Ms. Murray provided an overview.

**7b. REPORTS OF TOWN COUNCIL LIAISONS**

- Economic Development Commission – Ms. Nuccio provided an update.
- Board of Education – Ms. Nuccio provided an update. She noted that today was the first day of school.

**8. NEW BUSINESS (ACTION/DISCUSSION ITEMS):**

**8.1 Consideration of a resolution to approve the revised Personnel Policies and Procedures.**

Mr. Rosen provided background information on this item.

Mr. Wilkinson reviewed the revisions and explained that most of the changes are driven by changes in law. The sick leave sections were updated to be in compliance with state law and other items were recommended by Pat McHale, the town's labor attorney.

Ms. Nuccio commented that they went from 3 days at 27 hours to 40 hours for sick leave which is a benefit enhancement. She asked what the driver was from having to use ½ a vacation day and sick time to being able to use it hourly. Also, under sick leave, how do 35 hours equate to 7 hours a day when staff only works 4 days a week? Mr. Wilkinson explained that is based on the law. State law allows for 40 hours for family sick leave. He added that because of the 4-day work week they need to do it hourly and this is in the sick leave law. Similar changes have been made to union contracts as they come up to ensure they are in compliance as well.

Ms. Falusi commented "he/she" is used in a few places and she believes this should be replaced with "they/them". Additionally, under bereavement they have "brother-in-law" and "sister-in-law" and she recommended changing it to "sibling of spouse". Both of these are in regard to gender identity and she believes are appropriate based on other changes elsewhere in state law about gender.

Ms. Nuccio asked Mr. Wilkson about the laws related to Ms. Falusi's comment. Mr. Wilkinson responded that his recommendation is to approve what is being presented tonight and he can address this with the labor attorney. If any changes need to be made the document can be brought back to the Council.

*Mr. Luba motioned to authorize the following:*

*BE IT RESOLVED by the Tolland Town Council that it hereby approves the attached revisions to the "Town of Tolland Personnel Policies and Procedures".*

*Ms. Forsythe seconded the motion.*

*A roll call vote was taken. Motion passed unanimously.*

**8.2 Appointment of Town Council Liaison to Commission on People with Disabilities.**

*Mr. Schenher motioned to appoint Tammy Nuccio as the liaison to the Commission on People with Disabilities.*

*Ms. Forsythe seconded the motion.*

*Discussion: none*

*A roll call vote was taken. Motion passed unanimously.*

**8.3 Appointments to vacancies on various municipal boards/commissions.**

**8.3. a. Appointment to Tolland Water Commission**

*Ms. Falusi motioned to appoint Daniel Tourtellotte, 26 Shanti Place, to the Tolland Water Commission for the term 09/08/20-01/31/21.*

*Mr. Schenher seconded the motion.*

*Discussion: Ms. Falusi thanked Mr. Tourtellotte for volunteering.*

*A roll call vote was taken. Motion passed unanimously.*

## **9. OLD BUSINESS (ACTION/DISCUSSION ITEMS)**

- 9.1 Consideration of a resolution to rescind the issuance of bonds approved by resolution on July 9, 2019 for a fire rescue truck and approval to provide \$750,000 from general fund - unassigned fund balance for the financing of the fire rescue truck.

Ms. Hancock commented that she spoke with the bond counsel. This evening's resolution will need to be voted down. Once this is done new language can be written for a new resolution that will allow the town to use cash and bonds. It will amend the original bonding resolution but not rescind it. She added that another public hearing will need to be set. Once the Council provides her with guidance on the desired split of cash/bonding she will have the bond counsel write the resolution.

Mr. Luba inquired if they vote down the resolution if the Chief can still move forward with the specs and putting things out to order. He asked if this would delay the purchase of the fire truck further. Ms. Nuccio responded that it would not create any delays. The original resolution still has the bonding in place. The Chief still has the same authority as in July 2019. This discussion is only about modifying the payment method. Mr. Rosen clarified that voting down the resolution presented in item 6.2 would be for the full usage of cash.

Mr. Schenher asked if this will be on the next Town Council agenda. Ms. Nuccio responded that the public hearing will need to be set at the next meeting, be noticed, and the public hearing would take place at the following meeting.

*Ms. Falusi motioned:*

*MOTION that the following resolution has been introduced and set down for a Public Hearing on September 8, 2020 at 7:00 p.m. via Zoom Remote Meeting:*

*WHEREAS, the Tolland Town Council approved by resolution a capital project Fire Rescue Truck appropriation and bonding authorization on July 9, 2019 (the "Original Resolution"); and*

*WHEREAS, the Tolland Town Council now would like to fund the purchase of this vehicle through the use of the General Fund - unassigned fund balance; and*

*WHEREAS, this resolution would approve the use of the General Fund - unassigned fund balance in the amount of \$750,000 to finance the appropriation approved under the Original Resolution for the acquisition of the Fire Rescue Truck and rescind the authorization for the issuance of bonds under the Original Resolution; and*

*WHEREAS, after the foregoing financing source changes are made, the appropriation under the Original Resolution will remain in effect in the amount of \$750,000 to be financed by the General Fund - unassigned fund balance and the resulting authorized bond amount for the Fire Rescue Truck will be zero dollars (\$0.00).*

*NOW THEREFORE, BE IT RESOLVED,*

(1) That the Tolland Town Council rescind the authorization for the issuance of bonds under the Original Resolution and authorize the \$750,000 appropriation approved under such Original Authorization to be financed with the use of the General Fund - unassigned fund balance.

(2) That all terms of the Original Resolution relating to the issuance of bonds are hereby deleted.

(3) That the appropriation approved by the Original Resolution and all other terms of the Original Resolution, except as amended hereby, shall remain in full force and effect.

Ms. Forsythe seconded the motion.

A roll call vote was taken.

	Yay	Nay	Abstain
Nuccio		x	
Falusi		x	
Forsythe		x	
Luba		x	
Reagan		x	
Schenher		x	

Motion failed.

A discussion regarding what the Council would like to see in the new resolution was held.

Straw poll: \$400K cash payment and up to \$350K in a bond

- Ms. Falusi – no, she would like to see 100% bonding
- Ms. Forsythe – yes
- Mr. Reagan – yes
- Mr. Luba – yes
- Mr. Schenher – yes
- Ms. Nuccio - yes

Thus, 5 in favor, 1 against.

Ms. Hancock will work with bond counsel on the resolution.

Mr. Rosen noted that the Chief still has the ability to have meetings, get specs, and other items.

Ms. Nuccio thanked Ms. Hancock and Mr. Rosen. This is the good work that can be done when information is provided to the Council and the data allowed the Council to address one of its goals of looking 5 years out. It is beneficial and helps the Council make a better decision.

**10. REPORT OF THE TOWN MANAGER (A WRITTEN REPORT SHALL BE PROVIDED THE 1<sup>ST</sup> MEETING OF THE MONTH ONLY)**

- Retirement – Debbie Grondin Assessor's Office, retiring in November after 35 years; Mr. Rosen wished her well and noted that they will be advertising for an Assessment Technician
- Children's Librarian position – second interviews were held and they are ready to offer the position to one of the two candidates
- Director of Planning and Development – The town has hired consultant Brian J. Miller to act as Interim Town Planner.

- Mr. Rosen noted that on Tuesday, August 25<sup>th</sup> at 6:30 a.m. he simultaneously sent an e-mail to the Chairpersons of the Democrat and Republican parties in town. Mr. Rosen read the e-mail into the record:
  - Good Morning, I was asked to forward a request to the Chairs of the two political parties in town in hopes the memberships will voluntarily comply. I am honoring the request and relaying the message which is to encourage the elected officials in town to be careful with posting misinformation or untrue statements on social media. "While elected officials are ultimately accountable to the residents of Tolland for their actions, free speech does not necessarily cover untrue information." Thank you.

Mr. Rosen read the following into the record:

This email stems from a conversation I had Monday night with a person who believed there was intentionally untrue information posted by an elected official on one of the non-Town sponsored social media pages that affected this person. First of all, I heard the person out, as that is my job to recognize and respectfully listen to what people have to say, and attempt to help out where I can and where it is permissible to do so. However, I informed the person that the Town Manager role doesn't control or police the social media of elected officials of the Town. Instead, what I agreed to do was pass along the person's message and quote in a general fashion to the two chairs to remind their members to be careful, and accurate, about what they post. I didn't use names nor specifics, and I didn't offer my personal opinion on the matter. And in the past, others have asked me or members of my office staff to pass along messages, whether it to be to the Town Council or otherwise, and we did so in the spirit of customer service.

What I have since heard is that my email was read into the record at a Board of Education meeting. While the underlying message is the same as I would tell my staff, I want to reiterate that I cannot get involved with the politics of the Town. Not only does my profession forbid it, but I cannot be effective in my job if I am pitted against one side or the other. My email was a bipartisan attempt to neutrally pass along a message. I have reconsidered this action and have learned from it. Most of our officials' email addresses are public information, and if they aren't, we can put you in touch with them directly if you'd like to speak with them. The staff has to stay out of the politics and from being unintentional arbiters of what is true and what isn't.

Ultimately, people engage on social media at their own risk and discretion. The Town Manager's responsibility over social media covers those that report to the Manager, not to those whom I report to. I am thus not going to be forwarding along messages like this in the future.

## 11. ADOPTION OF MINUTES

- 11.1 August 25, 2020 Remote Special Meeting Minutes
- 11.2 August 25, 2020 Remote Regular Meeting Minutes
- 11.3 September 1, 2020 Remote Special Meeting Minutes

*Mr. Schenher motioned to adopt the minutes of the August 25, 2020 Remote Special Meeting, August 25, 2020 Remote Regular Meeting, and the September 1, 2020 Remote Special Meeting. Ms. Forsythe seconded the motion.*

*Discussion: none*

*A roll call vote was taken. Motion passed unanimously.*

## 12. CORRESPONDENCE TO COUNCIL

- Hand-written note thanking the town, staff, and businesses for their support during this time
- E-mail from Rick Field letting the Council know the he will step down from a couple of volunteer positions.



Ms. Falusi thanked Mr. Field for his decades of service to the town. His volunteerism has been exemplary and everything that he has given is appreciated. The Council wishes him well. Ms. Nuccio agreed and added that while Mr. Field will not be on the 2 commissions, she knows he will stay involved.

**13. CHAIRPERSON'S REPORT**

- The Rec Department has offerings and the newsletter should be going out this week. Ms. Nuccio encouraged everyone to look through it. The Rec Department held 3 in-person outdoor programs in August that were a great success: Wiffle ball, tennis, and baseball. In-person yoga is being offered at Crandall Park. This week Virtual Celebrate Tolland is being held. As part of Celebrate Tolland, on September 13<sup>th</sup> a discounted yoga session is being offered and the event vendors are listed on the Rec Department's website.
- Ms. Nuccio commented that upon review of the Town Manager's Report it looked as though the absentee ballot process "wreaked havoc" on the Town Clerk's Office. Mr. Rosen responded that he would not say that. The Town Clerk's Office rose to the occasion. Ms. Nuccio responded that the Office was grace under pressure in getting everything accomplished despite the mishaps from the state. She understands that they will be hiring two clerks for the November election and asked for an update on when they would start and the process. Ms. Nuccio commented that Ms. Bailey went out of her way to thank Assistant Town Clerk, Kathy Pagan but Ms. Nuccio would like Mr. Rosen to relay to Ms. Bailey and Ms. Pagan that their work is appreciated and that the addition of two more people will smooth out the process. Mr. Rosen responded that he will pass along the message of thanks and that they did a great job rising to the occasion. Interviews for the temporary help are being held on September 14<sup>th</sup> with a position start date of September 21<sup>st</sup>. The Clerk's office was put in a position where they had to quickly file and analyze a great deal of information. They worked around the clock and did a great job. Ms. Nuccio asked if adding these two positions will make things smoother and if the same "havoc" in the primary will echo into November. Was there enough feedback provided to the state so that it does not do this to the towns? Ms. Hancock commented the Ms. Bailey is concerned about many issues in a short period of time and is expecting there to be some stress. Ms. Nuccio requested an overview from Ms. Bailey of the process to learn if there is anything the Council can do to help facilitate and smooth the process. Ms. Hancock and/or Mr. Rosen will ask Ms. Bailey to write something up for the Council.

**14. COMMUNICATIONS AND PETITIONS FROM COUNCILPERSONS**

- Ms. Falusi commented that she received a lot of calls regarding concern about construction on Old Cathole Road on the first day of school when the traffic patterns and drop off times were changed. Perhaps 3 lane closures were not needed on the first day of school and is something to think about logistically going forward.
- Ms. Falusi commented on the voting information. Some people were concerned that they could not get to the ballot box from their car. Those with mobility issues needed to get out of their car and walk across the sidewalk to get to the box. A number of other towns have moved the ballot box close to the side of the road or to the parking lot so someone with mobility issues would be able to reach the box. If this is not something Tolland can do, is there a way someone could call the Town Clerk or Registrar of Voters to come out and take the ballot or application and put it in the box for them? Ms. Falusi added that that potentially 5,500 people may vote absentee and reviewed the data.
- Ms. Falusi commented that the town is receiving a grant from the state to assist with the voting process. It is expected that the grant will be in the amount of \$8,507. Will this be enough to cover the expenses of the 2 part timers, poll workers, etc. and what is the plan to cover the additional expenses for voting? Mr. Rosen responded that it is expected that there will be some kind of offset from the state. If there are expenses above and beyond the grant, he and Ms. Hancock will review the salary account to determine how to fund it. In regard to accessibility, they are discussing installing a second box near the State Trooper's Office and they can speak with the Registrar of

Voters. Ms. Hancock commented that they did not have anyone complaining to them about being unable to access the box. There are 2 handicapped spots that they made sure were available. The box cannot be moved. Ms. Falusi responded that she is unsure if the people she spoke to participated in the primary but the Independent and Unaffiliated voters will vote in November. Mr. Rosen added that the boxes also need to be under video surveillance. Mr. Hancock noted that \$2,800 came in today for the Registrar's and Town Clerk's offices.

- Mr. Luba offered an apology to the Town Council and people there today for not being in attendance more visibly virtually. He is on his way to attend the funeral of his best friend and college roommate Kevin Talty. Mr. Luba is recognizing him today because although Mr. Talty was not a resident of Tolland, he had an impact in that he encouraged Mr. Luba to attend law school and get involved in local government and politics. Mr. Talty instilled in Mr. Luba that the best way to make a change in one's community is to start locally where one can help family, friends, and the community. Mr. Luba wished to recognize Mr. Talty and all he has done without knowing to help shape Tolland by helping Mr. Luba get involved. Ms. Nuccio thanked Mr. Luba for taking the time to join this evening.

**15. PUBLIC LISTED PARTICIPATION** *(on any subject within the jurisdiction of the Town Council)*  
*(3 minute limit)*

Deb Goetz, 176 Kate Lane speaking as a private resident and not in her elected official position, thanked everyone for their thorough discussion. This is what was promised a year ago when the bonding was approved – that later the Council would review and decide on the best course based on the available resources. Splitting it makes the most sense right now. They do not want to be cash poor and go below the 10% but also do not need to bond for the full amount if some money is available. Ms. Goetz added that she hopes the discussion of the fund balance this evening will show everyone who is listening the necessity of maintaining a healthy balance and when budget season comes up again. Every year it is said that there is so much money in the fund so they can increase the budgets. Tonight, people heard that it probably would not be a good idea. Ms. Goetz thanked Ms. Hancock for explaining the information.

**16. ADJOURNMENT**

Mr. Schenher motioned to adjourn the meeting at 9:44 p.m.  
Ms. Falusi seconded the motion.  
A roll call vote was taken. Motion passed unanimously.

---

Tammy Nuccio, Council Chair

**TOLLAND TOWN COUNCIL**

**Special Meeting**

**53 Merrow Road Site Walk**

**September 12, 2020 – 10:00 A.M.**

RECEIVED FOR RECORD  
TOLLAND, CT

2020 SEP 14 PM 3: 03

*Shaila M Bailey*

**MEMBERS PRESENT:** Tammy Nuccio, Chair; Steven Jones, Vice Chair; Brenda Falusi, John Reagan, Kurt Schenher

**MEMBERS ABSENT:** Cassandra York and Lou Luba

**OTHERS PRESENT:** Michael Rosen, Town Manager; Stephen Williams, Linda Byam, Mike Byam, Stan Tetrault, Wendy Johnson, Matt Sexton

1. **CALL TO ORDER:** Ms. Nuccio called the meeting to order at 10:08 a.m.
2. **SITE WALK at 53 Merrow Road:** A site tour was taken of the property. Mr. Williams toured the Town Council and attendees around.
3. **ADJOURNMENT:**  
Mr. Jones motioned to adjourn the meeting at 11:05 a.m.  
Ms. Falusi seconded the motion.  
Motion passed unanimously.

**From:** Steve Werbner

**Sent:** Tuesday, April 30, 2019 2:27 PM

**To:** 'Amy.Martinez@ct.gov'

**Cc:** 'Steve'; Heidi Samokar; 'Richard S. Conti' (rconti@dctlaw.com)

**Subject:** Commuter parking lot property in Tolland/Steve Williams property

Amy, Steve Williams provided me with your contact information in regard to possible discussions about relocating the current commuter parking lot in the vicinity of exit 68 in Tolland. Steve has a desire to maximize the potential of his property which is in the vicinity of the commuter lot property and there may be ways to relocate the lot and use the current site for economic development purposes either as a separate parcel or in conjunction with development plans that Steve Williams may have. We would like the opportunity to discuss options with you along with Steve and his attorney. Please provide me with several dates and times for meetings and I will see what is best for us all. Thanks Steve Werbner, Town Manager, Tolland

---

**FW: Commuter parking lot property in Tolland/Steve Williams property**

1 message

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**Steve Werbner** <swerbner@tolland.org>

Wed, May 29, 2019 at 10:12 AM

To: Steve &lt;sdwhomes@gmail.com&gt;, "Richard S. Conti" (rconti@dcclaw.com)" &lt;rconti@dcclaw.com&gt;, Heidi Samokar &lt;hsamokar@tolland.org&gt;

Please see below. Some dates have been provided for next week. I could do the 4<sup>th</sup> or 6<sup>th</sup>. Let me know if you can do either of those dates and what times are best. I would imagine we would have to go to the DOT offices. Steve

**From:** Martinez, Amy N. [mailto:Amy.Martinez@ct.gov]**Sent:** Wednesday, May 29, 2019 10:07 AM**To:** Steve Werbner**Cc:** Fadoir, Melanie A.**Subject:** RE: Commuter parking lot property in Tolland/Steve Williams property

Steve,

My apologies, this email slipped through the cracks. I have availability 6/4, 6/6, 6/7 and am fairly flexible with the time.

*Amy N. Martinez**Assistant Director**Division of Rights of Way**Department of Transportation**2800 Berlin Turnpike**Newington, CT**06131-7546**Email: Amy.Martinez@ct.gov**Phone: 860-594-2391**Cell: 860-212-8575**Fax: 860-594-2494***From:** Steve Werbner <swerbner@tolland.org>**Sent:** Wednesday, May 29, 2019 9:16 AM**To:** Martinez, Amy N. <Amy.Martinez@ct.gov>**Cc:** 'Steve' <sdwhomes@gmail.com>**Subject:** FW: Commuter parking lot property in Tolland/Steve Williams property

---

**RE: Tolland**

1 message

---

**Steve Werbner** <swerbner@tolland.org>  
**To:** Steve <sdwhomes@gmail.com>  
**Cc:** Heidi Samokar <hsamokar@tolland.org>

Tue, Apr 30, 2019 at 1:46 PM

Steve, thanks for stopping in today. We have asked our attorney to adjust the agreement along the lines you have suggested. In terms of meeting with DOT we are happy to ask for a meeting but at any meeting it would be important for both you and your attorney to be present. We will request several dates and times for meeting and see what is best for us all. Steve Werbner

**From:** Steve [mailto:sdwhomes@gmail.com]  
**Sent:** Tuesday, April 30, 2019 11:09 AM  
**To:** Steve Werbner  
**Subject:** Fwd: Tolland

Sent from my iPhone

Begin forwarded message:

**From:** "Martinez, Amy N." <Amy.Martinez@ct.gov>  
**Date:** April 26, 2019 at 4:45:06 PM EDT  
**To:** "sdwhomes@gmail.com" <sdwhomes@gmail.com>  
**Cc:** "Fadoir, Melanie A." <Melanie.Fadoir@ct.gov>  
**Subject:** Tolland

Steve,

Sorry for the delayed response, please find attached links to the Special Acts in Tolland that we discussed. I have also attached a couple of maps for reference. The municipality needs to start the dialogue on this issue and about moving forward. I have copied Melanie Fadoir of my staff on this as well in case I am unavailable.

Special Act 13-23 Sec 2

<https://www.cga.ct.gov/2013/ACT/SA/2013SA-00023-R00HB-06672-SA.htm>

Special Act 11-16 Sec 6

<https://www.cga.ct.gov/2011/ACT/SA/2011SA-00016-R00SB-01196-SA.htm>

Thank you,

Amy

*Amy N. Martinez*

*Assistant Director*

***Division of Rights of Way***

***Department of Transportation***

***2800 Berlin Turnpike***

***Newington, CT***

***06131-7546***

***Email: Amy.Martinez@ct.gov***

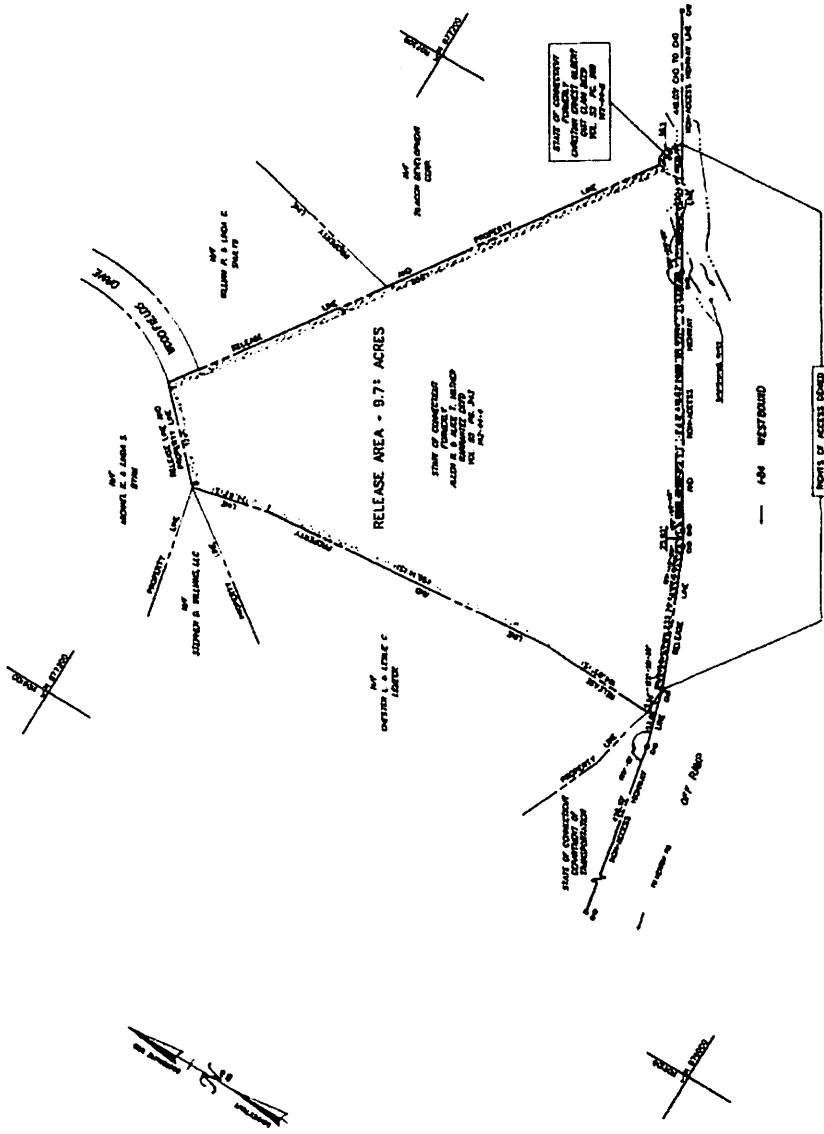
***Phone: 860-594-2391***

***Cell: 860-212-8575***

***Fax: 860-594-2494***



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• 2020

DECLASSIFICATION PLAN

TOWN OF TOLLAND  
WAP SHORING LAND RELEASED TO  
TOWN OF TOLLAND

THE STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION  
INTERSTATE 84 - SECURITY MEADOW ROAD

SEAL: F-07      APPROX. 9, 25000 P/L      Q15. 3003

WILSON STOPS BY 812000  
A TRUCK-DRIVER IS FOR THE 812000 AND INTERVIEW AT 81

Shirley D. Davis P.A. 97-  
OFF. MAIL ROOM, 1145 W. 10TH ST. & CORNER 25TH AVE.

DATE NO. 432  
ON TO NO. 43-44  
POSTED A BUREAU P.L.S.

DATE	9/27/03	TIME	1:00 PM
BY	WILLIAM J. WILSON	FOR	WILLIAM J. WILSON

**LEADS IN FILE**

DATE	10/10/1964
TIME	10:00
LOCATION	1000
REMARKS	1000
BY	1000





**Substitute House Bill No. 6672**

**Special Act No. 13-23**

**AN ACT CONCERNING THE CONVEYANCE OF CERTAIN PARCELS OF STATE LAND, THE BOUNDARIES OF FENWICK, THE VALIDATION OF CERTAIN TOWN ACTIONS, THE CITY POINT YACHT CLUB AND WHEELER LIBRARY.**

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

Section 1. Section 2 of special act 11-16 is amended to read as follows (*Effective from passage*):

(a) Notwithstanding any provision of the general statutes, the Commissioner of Transportation shall convey to the town of Wethersfield two parcels of land located in the town of Wethersfield, at a cost equal to the administrative costs of making such conveyance. Said parcels of land have an area of approximately .36 acre and .0006 acre respectively, and are identified on the following maps "Compilation Plan Town of Wethersfield, Map showing land released to the Town of Wethersfield by the State of Connecticut Department of Transportation, Maple Street (Route 3) at Spring Street and Middletown Avenue, January 2010, Town 159, Project No. 159-17, Serial No. 4A" and "Town of Wethersfield, Map showing land acquired from Morningside Village Association by State of Connecticut Department of Transportation for Spring Street Relocation, July 1998, Town 159, Project No. 159-176, Serial No. 1". The conveyance shall be subject to the approval of the State Properties Review Board.

[(b) The town of Wethersfield shall use said parcels of land for municipal purposes. If the town of Wethersfield, in the case of either parcel:

- (1) Does not use said parcel for said purposes;
- (2) Does not retain ownership of all of said parcel; or
- (3) Leases all or any portion of said parcel,

the parcel shall revert to the state of Connecticut. ]

[(c)] (b) The State Properties Review Board shall complete its review of the conveyance of said parcels of land not later than thirty days after it receives a proposed agreement from the Department of Transportation. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section. [ which deed or instrument shall include provisions to carry out the purposes of subsection (b) of this section. ] The Commissioner of Transportation shall have the sole responsibility for all other incidents of such conveyance.

Sec. 2. Section 149 of public act 12-2 of the June 12 special session is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Notwithstanding any provision of the general statutes, the Commissioner of Transportation shall convey to the town of Tolland a parcel of land located in the town of Tolland, at a cost equal to the administrative costs of making such conveyance. Said parcel of land has an area of approximately 3.2 acres, is identified as a portion of Lot 142-61-5 on a map entitled "Connecticut Department of Transportation Right of Way Map Town of Tolland Interstate 84 From the Vernon Town Line Easterly to Cathole Road, Map No. 142-07, sheet No. 9 of 11, dated February 4, 1994", and surrounds the parcel required to be conveyed by the state pursuant to section 6 of special act 11-16. The conveyance shall be subject to the approval of the State Properties Review Board.



(b) The town of Tolland shall use said parcel of land for economic development purposes. If the town of Tolland [ ]

[(1) Does not use said parcel for said purposes;

(2) Does not retain ownership of all of said parcel; or

(3) Leases all or any portion of said parcel,] does not use said parcel for said purposes,

the parcel shall revert to the state of Connecticut.

(c) The State Properties Review Board shall complete its review of the conveyance of said parcel of land not later than thirty days after it receives a proposed agreement from the Department of Transportation. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section which deed or instrument shall include provisions to carry out the purposes of subsection (b) of this section. The Commissioner of Transportation shall have the sole responsibility for all other incidents of such conveyance.

Sec. 3. Section 9 of special act 08-8, as amended by section 148 of public act 12-2 of the June 12 special session, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Notwithstanding any provision of the general statutes, the Commissioner of Transportation shall convey to Regional Refuse Disposal District One parcels of land located in the towns of Barkhamsted and New Hartford, at a cost equal to the administrative costs of making such conveyance. Said parcels of land have an area of approximately 3.2 acres and are identified as See Assessor in Block 18 of town of Barkhamsted Tax Assessor's Map 49 and Lot 41 in Block 41 of town of New Hartford Tax Assessor's Map 32. The conveyance shall be subject to the approval of the State Properties Review Board.

(b) Regional Refuse Disposal District One shall use said parcels of land for economic development purposes. If the Regional Refuse Disposal District One:

(1) Does not use said parcels for said purposes;

(2) Does not retain ownership of all of said parcels; [ other than an exchange as described in subsection (c) of this section; ] or

(3) Leases all or any portion of said parcels,

the parcels shall revert to the state of Connecticut.

[(c) Regional Refuse Disposal District One may exchange a portion of said parcels with property owned by abutting property owners for purposes of constructing a water well line on such abutting property. Such exchange shall not be deemed to violate the restriction on ownership of said parcels described in subsection (b) of this section. ]

[[d)] (c) The State Properties Review Board shall complete its review of the conveyance of said parcels of land not later than thirty days after it receives a proposed agreement from the Department of Transportation. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of subsection (b) of this section. The Commissioner of Transportation shall have the sole responsibility for all other incidents of such conveyance.

Sec. 4. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, the Commissioner of Transportation shall convey to the city of New Britain a parcel of land consisting of approximately 15.5 acres located in the town of Newington in exchange for (1) a parcel of land totaling approximately 68 acres located in the town of Newington, (2) approximately 23 acres of a conservation easement to the Commissioner of Transportation, and (3) the administrative costs incurred by the state in making such exchange. The exchange of said parcels of land and easement shall be made simultaneously and each in consideration of the other. The parcel of land to be conveyed by the Commissioner of Transportation in said exchange is identified as follows: All of that parcel of land situated in the town of Newington, county of Hartford, containing 675,118 square feet or 15.498 acres, and more particularly depicted on a plan entitled "Property/Boundary Survey, A Portion of Land of the State of Connecticut between the Iwo Jima Memorial

Expressway and the Newington/New Britain Town line, Newington, Connecticut, Scale 1"= 80'; Dated December 13, 2012", prepared by BL Companies, Meriden, CT and further described as follows:

Beginning at an iron pipe at the corner of land now or formerly city of New Britain Parks Department and land now or formerly NB-BTMC LLC, said pipe being on the division line of city of New Britain and town of Newington, thence running through land now or formerly state of Connecticut North 82°-15'-31" East a distance of 51. 10 feet to the westerly highway line of the Iwo Jima Memorial Expressway, also known as State Route 9.

Thence along said highway line the following three courses and distances: South 41°-34'-16" East a distance of 226. 60 feet to a point; South 37°-12'-37" East a distance of 577. 07 feet to a CHD Monument; along a curve to the right having a radius of 2790. 03 feet, Arc length of 463. 78 feet, included angle of 9°-31'-27", chord bearing of South 20°-32'-47" East a distance of 463. 25 feet to a point.

Thence running through land now or formerly state of Connecticut the following three courses and distances: South 18°-26'-07" West a distance of 420. 92 feet to a point; South 24°-47'-49" West a distance of 293. 20 feet to a point; South 82°-31'-01" West a distance of 228. 37 feet to a point on the division line of city of New Britain and town of Newington, and land now or formerly city of New Britain Parks Department.

Thence along said division line and land now or formerly city of New Britain Parks Department the following two courses and distances: North 7°-28'-59" West a distance of 655. 01 feet to a town line monument; North 7°-29'-03" West a distance 1111. 29 feet to an iron pipe and the point and place of beginning.

The parcel of land to be conveyed by the city of New Britain in said exchange is identified as follows: "N/F Heirs of Jeanette R. Koczera Map 14 Lot 2 Volume 2038 Page 311 Area=67. 21 ± Acres" on a map entitled "Land of Heirs of Jeanette R. Koczera, Cedar Road Newington, CT, BL Companies 355 Research Parkway, Meriden, CT 06450, Scale 1"= 100', dated 4/1/2013, Title Property Survey Plan, Sheet No. BS-5, drawn by surveyor Michael J. Garon".

The city of New Britain shall grant a permanent conservation easement to the Commissioner of Transportation to preserve the following parcels in perpetuity in their natural, scenic and open condition for the protection of natural resources while allowing for recreation consistent with such protection. The parcels that shall be subject to such conservation easement in said exchange are described as follows:

(A) "N/F City of New Britain Parks Department, 131 Barbour Road, Vol. 285 Pg. 285, Area =4. 15± Acres or 181,000± Sq. Ft. " on a map entitled "Land of City of New Britain Parks Department, 131 Barbour Road, New Britain, Connecticut, BL Companies 355 Research Parkway, Meriden, CT 06450, Scale 1"= 50', dated 12/12/2012, Title Compilation Plan, Sheet No. BS-6, drawn by surveyor Robert H. Roper".

(B) "N/F City of New Britain, 159 Sunnyslope Drive, Vol. 1297 Pg. 1015, Area=6. 34± Acres or 275,000± Sq. Ft" on a map entitled "Land of City of New Britain, 159 Sunnyslope Drive, New Britain, Connecticut, BL Companies 355 Research Parkway, Meriden, CT 06450, Scale 1"= 50', dated 12/12/2012, Title Compilation Plan, Sheet No. BS-7, drawn by surveyor Robert H. Roper".

(C) "N/F City of New Britain Parks Department, A Portion of Stanley Park Golf Course, Vol. 214 Pg. 473, Area=7. 15± Acres and 312,000± Sq. Ft" on a map entitled "Land of City of New Britain Parks Department, Stanley Golf Course, New Britain, Connecticut, BL Companies 355 Research Parkway, Meriden, CT 06450, Scale 1"= 50', dated 12/14/2012, Title Compilation Plan, Sheet No. BS-8, drawn by surveyor Robert H. Roper".

(D) "N/F City of New Britain Parks Department, A Portion of Stanley Park Golf Course, Area=2. 47± Acres or 107,000± Sq. Ft" on a map entitled "Land of City of New Britain Parks Department, Stanley Golf Course, New Britain, Connecticut, BL Companies 355 Research Parkway, Meriden, CT 06450, Scale 1"= 40', dated 12/06/2012, Title Compilation Plan, Sheet No. BS-9, drawn by surveyor Robert H. Roper".

(E) "N/F City of New Britain Parks Department, A Portion of Stanley Park Golf Course, Area=3. 46± Acres or 151,000± Sq. Ft" on a map entitled "Land of City of New Britain Parks Department, Stanley Golf Course, New Britain, Connecticut, BL Companies 355 Research Parkway, Meriden, CT 06450, Scale 1"= 40', dated 12/06/2012, Title Compilation Plan, Sheet No. BS-10, drawn by surveyor Robert H. Roper".

The exchange of said parcels of land and easement shall be subject to the approval of the State Properties Review Board.

(b) The State Properties Review Board shall complete its review of the exchange of said parcels of land and easement not later than thirty days after it receives a proposed agreement from the Department of Transportation. The state land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance of state land under this section. The Commissioner of Transportation shall have the sole responsibility for all other incidents of such conveyance.

Sec. 5. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, not earlier than October 1, 2014, the Commissioner of Administrative Services, on behalf of the Commissioner of Developmental Services, upon certification of the Commissioner of Developmental Services that the parcel is no longer needed for residential purposes, shall convey to the town of Southbury a parcel of land located in the town of Southbury, at a cost equal to the administrative costs of making such conveyance. Said parcel of land has an area of approximately 45 acres and is identified as a portion of the parcel of land containing the Southbury Training School Personnel Village east of South Britain Road. The Commissioner of Developmental Services shall identify said parcel upon completion of a Class A-2 horizontal survey paid for and completed by the town of Southbury. The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The town of Southbury shall use said parcel of land for housing purposes. If the town of Southbury:

(1) Does not use said parcel for said purposes;

(2) Does not retain ownership of all of said parcel;

(3) Leases all or any portion of said parcel, provided this restriction shall not apply to a lease to a nonprofit organization for senior housing purposes,

the parcel shall revert to the state of Connecticut.

(c) One hundred and twenty days prior to the transfer, the town of Southbury shall conduct an environmental impact evaluation in accordance with part I of chapter 439 of the general statutes of said parcel. The town shall pay all costs and fees associated with conducting such evaluation. Prior to the transfer of the property, the town shall submit such evaluation to the Secretary of the Office of Policy and Management. Based upon a review of the environmental impact evaluation by the secretary, additional terms and conditions or adjustment to the deed or other instrument may be required by the secretary or the secretary, in the secretary's sole discretion, may terminate the proposed transfer.

(d) The State Properties Review Board shall complete its review of the conveyance of said parcel of land not later than thirty days after it receives a proposed agreement from the Department of Administrative Services. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of subsections (b) and (c) of this section. The Commissioner of Administrative Services shall have the sole responsibility for all other incidents of such conveyance.

Sec. 6. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, the Commissioner of Energy and Environmental Protection shall convey to the town of Canton a parcel of land located in the town of Canton, at a cost equal to the administrative costs of making such conveyance. Said parcel of land has an area of approximately 1.5 acres and is identified as a portion of the parcel described in a deed recorded in Volume 232 at pages 1040 and 1041 of the town of Canton Land Records, and a portion of Lot 34700040 on Canton Tax Assessor's Map 32. The conveyance shall be subject to the approval of the State Properties Review Board.

(b) Said parcel of land shall be conveyed subject to a pole and guy easement in favor of the American Telephone and Telegraph Company recorded December 10, 1902, in Volume 67 at page 714 of the town of Canton Land Records.

(c) The town of Canton shall use said parcel of land for municipal purposes, including to relocate Lawton Road to accommodate the extension of the Farmington River Rail Trail. If the town of Canton:

(1) Does not use said parcel for said purposes;

(2) Does not retain ownership of all of said parcel; or



(3) Leases all or any portion of said parcel,

the parcel shall revert to the state of Connecticut.

(d) The State Properties Review Board shall complete its review of the conveyance of said parcel of land not later than thirty days after it receives a proposed agreement from the Department of Energy and Environmental Protection. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of subsections (b) and (c) of this section. The Commissioner of Energy and Environmental shall have the sole responsibility for all other incidents of such conveyance.

Sec. 7. Section 24 of special act 07-11 is amended to read as follows (*Effective from passage*):

(a) Notwithstanding any provision of the general statutes, the Commissioner of Correction shall convey to the town of East Lyme a parcel of land located in the town of East Lyme, at a cost equal to the administrative costs of making such conveyance. Said parcel of land has an area of approximately twenty acres and is identified as a portion of the property on Lot 2, on town of East Lyme Tax Assessor's Map 10 on Roxbury Road. The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The town of East Lyme shall use said parcel of land for agricultural, open space and recreational purposes. If the town of East Lyme:

- (1) Does not use said parcel for said purposes;
- (2) Does not retain ownership of all of said parcel; or
- (3) Leases all or any portion of said parcel,

the parcel shall revert to the state of Connecticut.

(c) The State Properties Review Board shall complete its review of the conveyance of said parcel of land not later than thirty days after it receives a proposed agreement from the Department of Correction. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of subsection (b) of this section. The Commissioner of Correction shall have the sole responsibility for all other incidents of such conveyance.

Sec. 8. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, the Commissioner of Energy and Environmental Protection shall convey to the town of Madison two parcels of land located in the town of Madison, at a cost equal to the administrative costs of making such conveyance. The first parcel of land has an area of approximately 2.73 acres and is identified as Lot 41 on Madison Tax Assessor's Map 31. The second parcel has an area of approximately 5.45 acres and is identified as Lot 13 on Madison Tax Assessor's Map 32. The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The town of Madison shall use said parcels of land for open space and directly associated recreational purposes. If the town of Madison:

- (1) Does not use said parcels for said purposes;
- (2) Does not retain ownership of all of said parcels;
- (3) Leases all or any portion of said parcels;
- (4) Restricts access to said parcels differentially on the basis of municipal residency; or
- (5) Does not undertake all reasonable and prudent efforts, as reasonably determined by the Commissioner of Energy and Environmental Protection, to protect established natural habitat and does not use low impact storm water management techniques on said parcels,



the parcels shall revert to the state of Connecticut.

In order to permanently preserve said parcels for open space and directly associated recreational purposes, the Commissioner of Energy and Environmental Protection may permanently assign to a nonprofit organization, as defined in Section 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as amended from time to time and from the town of Madison, a portion of the right of reverter, to create a tenancy in common and concurrently retain a portion of the rights established by this section. The mission of any such nonprofit organization shall include, but need not be limited to, the protection of open space. Such permanent transfer of the concurrent right of reverter shall be subject to the review and approval of the State Properties Review Board. The State Properties Review Board shall complete a review of such permanent transfer of the right of reverter not later than thirty days after receipt of a proposed permanent conservation easement from the Commissioner of Energy and Environmental Protection.

(c) The State Properties Review Board shall complete its review of the conveyance of said parcels of land not later than thirty days after it receives a proposed agreement from the Department of Energy and Environmental Protection. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of subsection (b) of this section. The Commissioner of Energy and Environmental Protection shall have the sole responsibility for all other incidents of such conveyance.

Sec. 9. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, the Commissioner of Transportation shall convey to the city of Bridgeport a parcel of land located in the city of Bridgeport, at a cost equal to the administrative costs of making such conveyance. Said parcel of land has an area of approximately .22 acre and is identified as follows:

Beginning at the point of intersection of the western street line of Kossuth Street and the southern property line now or formerly of the Bridgeport Hi Alai Associates; thence southerly along the curvature of the western street line of Kossuth Street approximately 96 feet +/- to a point; thence southwesterly approximately 103 feet +/- to the eastern property line of the city of Bridgeport parcel at 173 Stratford Avenue; thence northerly approximately 147 feet +/- along the eastern property line of the city of Bridgeport property at 173 Stratford Avenue to the southern property line of Bridgeport Hi Alai Associates; and thence easterly along the southern property line of the Bridgeport Hi Alai Associates approximately 92 feet +/- back to the beginning.

The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The city of Bridgeport shall use said parcel of land for economic development purposes. If the city of Bridgeport:

- (1) Does not use said parcel for said purposes;
- (2) Does not retain ownership of all of said parcel; or
- (3) Leases all or any portion of said parcel,

the parcel shall revert to the state of Connecticut.

(c) The State Properties Review Board shall complete its review of the conveyance of said parcel of land not later than thirty days after it receives a proposed agreement from the Department of Transportation. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of subsection (b) of this section. The Commissioner of Transportation shall have the sole responsibility for all other incidents of such conveyance.

Sec. 10. (*Effective from passage*) Notwithstanding the provisions of sections 2-14 and 7-163e of the general statutes, the vote of the town of Litchfield board of selectmen at the meeting held on January 15, 2008, approving the transfer of 12.66 acres on Torrington Road to the Litchfield Housing Trust, Inc., otherwise valid except for the failure of said board of selectmen to conduct a public hearing on such transfer and to publish and post notice of the public hearing, is validated. All acts, votes and proceedings of the officers of the town of Litchfield pertaining to or taken in reliance on said transfer are validated and effective as of the date taken.

Sec. 11. Section 1 of number 271 of the special acts of 1899 is amended to read as follows (*Effective from passage*):

That all of the electors of this state, who own real estate located in and who have been domiciled for two months during the year last past in the town of Old Saybrook and within the territory included within the following limits, to wit: Bounded north by the South Cove, so called; east by Connecticut River; ~~[and land belonging to the United States; ]~~ south by Long Island sound; and west by the east line of land of Daniel C. Spencer, said east line running about south from said South Cove to Long Island sound, the territory comprised within said boundaries being situated on the peninsula of Lynde's Point, and known as New Saybrook and so designated on a map thereof on file in the office of the town clerk of Old Saybrook; are hereby declared to be, and shall forever continue to be, a body politic and corporate within said town of Old Saybrook, by the name of the borough of Fenwick; and by that name they and their successors shall have perpetual succession, and shall be a person in law, capable of suing and being sued, pleading and being impleaded in all courts of whatsoever nature; and also of purchasing, holding, and conveying any estate, real or personal; and shall have a common seal and may change and alter the same at pleasure.

Sec. 12. Number 494 of the special acts of 1955 is amended to read as follows (*Effective from passage*):

The City Point Yacht Club, incorporated under the provisions of number 101 of the special acts of 1899, is authorized to hold real and personal ~~[estate, but the value of the real estate so had shall not exceed at any time one hundred thousand dollars]~~ property.

Sec. 13. (*Effective from passage*) Notwithstanding any provision of the general statutes or any special act, charter or ordinance, the vote cast by the electors and voters of the town of Monroe, at the referendum held on April 23, 2013, relating to the approval of an appropriation of three million eight hundred three thousand two hundred four dollars to pay for equipment for the town's schools and the authorization of an equipment lease purchase agreement to finance such appropriation, otherwise valid except for the failure of the town of Monroe to convene a town meeting for discussion purposes prior to hold the referendum, is validated. All acts, votes and proceedings of the officers and officials of the town of Monroe pertaining to or taken in reliance on said referendum, otherwise valid except for the failure of the town of Monroe to properly convene a town meeting for discussion purposes prior to holding the referendum are validated and effective as of the date taken.

Sec. 14. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, the Commissioner of Transportation shall convey to the town of Stratford a parcel of land located in the town of Stratford, at a cost equal to the administrative costs of making such conveyance. Said parcel of land has an area of approximately 2.4 acres and is identified as a parcel on Stratford Tax Assessor's Maps 70.18 and 70.19. The parcel was originally taken by the state for the Merritt Parkway. The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The town of Stratford shall use said parcel of land for open space and recreational purposes. If the town of Stratford:

- (1) Does not use said parcel for said purposes;
- (2) Does not retain ownership of all of said parcel; or
- (3) Leases all or any portion of said parcel,

the parcel shall revert to the state of Connecticut.

(c) The State Properties Review Board shall complete its review of the conveyance of said parcel of land not later than thirty days after it receives a proposed agreement from the Department of Transportation. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of subsection (b) of this section. The Commissioner of Transportation shall have the sole responsibility for all other incidents of such conveyance.

Sec. 15. Section 142 of public act 12-2 of the June 12 special session is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Notwithstanding any provision of the general statutes, the Commissioner of Transportation shall convey to the town of East Haven a parcel of land located in the town of East Haven at a cost equal to the fair market value of the property, as determined by the average of the appraisals of two independent appraisers selected by the commissioner, plus the



administrative costs of making such conveyance. Said parcel of land has an area of approximately .49 acre, is identified as Lot 3, Block 3211 on East Haven's Tax Assessor's Map No. 260 and is designated by the Department of Transportation as File No. 92-533-1B. Said parcel shall be used for economic development purposes, at the discretion of the town. The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The State Properties Review Board shall complete its review of the conveyance of said parcel of land not later than thirty days after it receives a proposed agreement from the Department of Transportation. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section. The Commissioner of Transportation shall have the sole responsibility for all other incidents of such conveyance.

Sec. 16. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, the Commissioner of Transportation shall convey to the town of East Haven a parcel of land located in the town of East Haven, at a cost equal to the administrative costs of making such conveyance. Said parcel of land has an area of approximately two thousand four hundred and two square feet and is identified as the parcel of land located on the southerly side of CT Route 80 - Foxon Road, designated by the Department of Transportation as File No. 43-000-52B and shown on a map entitled "Town of East Haven Map Showing Land Released to by The State of Connecticut, Department of Transportation, CT Route 80 - Foxon Road, Scale 1"=40', March 2012, Thomas A. Harley, P. E. , Chief Engineer - Bureau of Engineering and Construction. The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The town of East Haven shall use said parcel of land for municipal purposes. If the town of East Haven:

- (1) Does not use said parcel for said purposes;
- (2) Does not retain ownership of all of said parcel; or
- (3) Leases all or any portion of said parcel,

the parcel shall revert to the state of Connecticut.

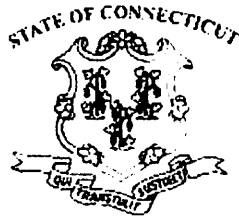
(c) The State Properties Review Board shall complete its review of the conveyance of said parcel of land not later than thirty days after it receives a proposed agreement from the Department of Transportation. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of subsection (b) of this section. The Commissioner of Transportation shall have the sole responsibility for all other incidents of such conveyance.

Sec. 17. Section 3 of number 231 of the special acts of 1899, as amended by section 21 of special act 90-36, is amended to read as follows (*Effective July 1, 2013*):

The business, property and affairs of the corporation shall be managed by a board of directors. The number of the directors of the corporation shall be six persons, unless and until otherwise determined by vote of a two-thirds majority of the entire board of directors, provided the number of directors shall not be less than six persons. Membership shall continue for [life] a term or terms whose length shall be established by the board of directors in the by-laws, subject, however, to the right of resignation, and subject to any power of removal under the by-laws. Vacancies occasioned by death, resignation, or otherwise, shall be filled from time to time as they occur by the remaining members of the board.

Sec. 18. Section 8 of special act 11-16 is repealed. (*Effective from passage*)

Approved July 12, 2013



**Substitute Senate Bill No. 1196**

**Special Act No. 11-16**

**AN ACT CONCERNING THE CONVEYANCE OF CERTAIN PARCELS OF STATE LAND AND THE REMOVAL OF CERTAIN TRAFFIC SIGNS.**

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

Section 1. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, the Commissioner of Correction shall convey to the town of Cheshire a parcel of land located in the town of Cheshire, at a cost equal to the administrative costs of making such conveyance. Said parcel of land shall be selected by the commissioner and shall have an area of five acres or less. The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The town of Cheshire shall use said parcel of land for parking purposes. If the town of Cheshire:

- (1) Does not use said parcel for said purposes;
- (2) Does not retain ownership of all of said parcel; or
- (3) Leases all or any portion of said parcel,

the parcel shall revert to the state of Connecticut.

(c) The State Properties Review Board shall complete its review of the conveyance of said parcel of land not later than thirty days after it receives a proposed agreement from the Department of Correction. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of subsection (b) of this section. The Commissioner of Correction shall have the sole responsibility for all other incidents of such conveyance.

Sec. 2. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, the Commissioner of Transportation shall convey to the town of Wethersfield two parcels of land located in the town of Wethersfield, at a cost equal to the administrative costs of making such conveyance. Said parcels of land have an area of approximately .36 acre and .0006 acre respectively, and are identified on the following maps "Compilation Plan Town of Wethersfield, Map showing land released to the Town of Wethersfield by the State of Connecticut Department of Transportation, Maple Street (Route 3) at Spring Street and Middletown Avenue, January 2010, Town 159, Project No. 159-17, Serial No. 4A" and "Town of Wethersfield, Map showing land acquired from Morningside Village Association by State of Connecticut Department of Transportation for Spring Street Relocation, July 1998, Town 159, Project No. 159-176, Serial No. 1". The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The town of Wethersfield shall use said parcels of land for municipal purposes. If the town of Wethersfield, in the case of either parcel:

- (1) Does not use said parcel for said purposes;
- (2) Does not retain ownership of all of said parcel; or
- (3) Leases all or any portion of said parcel,

the parcel shall revert to the state of Connecticut.



(c) The State Properties Review Board shall complete its review of the conveyance of said parcels of land not later than thirty days after it receives a proposed agreement from the Department of Transportation. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of subsection (b) of this section. The Commissioner of Transportation shall have the sole responsibility for all other incidents of such conveyance.

Sec. 3. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, the Commissioner of Transportation shall convey to the town of Fairfield a parcel of land located in the town of Fairfield, at a cost equal to the administrative costs of making such conveyance. Said parcel of land has an area of approximately 1.19 acres, is designated by the Department of Transportation as File No. 180-56-12B, is located at 2021 Cross Highway and is adjacent to the Merritt Parkway. The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The town of Fairfield shall use said parcel of land for open space purposes. If the state requires said parcel for transportation purposes, or if the town of Fairfield:

- (1) Does not use said parcel for said purposes;
- (2) Does not retain ownership of all of said parcel; or
- (3) Leases all or any portion of said parcel,

the parcel shall revert to the state of Connecticut.

(c) The State Properties Review Board shall complete its review of the conveyance of said parcel of land not later than thirty days after it receives a proposed agreement from the Department of Transportation. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of subsection (b) of this section. The Commissioner of Transportation shall have the sole responsibility for all other incidents of such conveyance.

Sec. 4. Number 365 of the special acts of 1963 is amended to read as follows (*Effective from passage*):

(a) The state park and forest commission shall sell a building owned by the state and located in the town of Coventry east of the Nathan Hale birthplace, to the Coventry Historical Society, Inc., for one dollar. [ to be used as a museum and meeting place. ]

(b) Notwithstanding a certain condition contained in a deed from the State of Connecticut to the Coventry Historical Society, Inc., dated September 11, 1963, and recorded in the Coventry land records at volume 111, page 273 and in a quit-claim deed from the State of Connecticut to the Coventry Historical Society, Inc., dated August 2, 1965, and recorded on August 2, 1965, in the Coventry land records at volume 172, pages 62 and 63, the Coventry Historical Society, Inc. is authorized to sell, free of any restriction that the property be used for museum and meeting place purposes, the building described in this section and land described in number 365 of the special acts of 1963 and said deeds recorded in the Coventry land records, subject to the approval of the State Properties Review Board. The net proceeds from any such sale shall be used for maintenance or related costs of the other properties owned by the Coventry Historical Society, Inc.

Sec. 5. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, the Commissioner of Transportation shall convey to the town of Farmington a parcel of land located in the town of Farmington, at a cost equal to the administrative costs of making such conveyance. Said parcel of land has an area of approximately 1.6 acres and is identified as "Release Area = 1.60 acres" on a map entitled "Compilation Plan, Town of Farmington, Map Showing Land Released to by the State of Connecticut, Department of Transportation, CT Route 9 at Goodrich Road, Thomas A. Harley, P. E., May 2010". The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The town of Farmington shall use said parcel of land for open space and recreational purposes. If the state requires said parcel for transportation purposes, or if the town of Farmington:

- (1) Does not use said parcel for said purposes;

(2) Does not retain ownership of all of said parcel; or

(3) Leases all or any portion of said parcel,

the parcel shall revert to the state of Connecticut.

(c) The State Properties Review Board shall complete its review of the conveyance of said parcel of land not later than thirty days after it receives a proposed agreement from the Department of Transportation. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of subsection (b) of this section. The Commissioner of Transportation shall have the sole responsibility for all other incidents of such conveyance.

Sec. 6. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, the Commissioner of Transportation shall convey to the town of Tolland a parcel of land consisting of approximately 1.3 acres located in the town of Tolland in exchange for a parcel of land totaling approximately 2.2 acres located in the town of Tolland, provided the parcel conveyed by said town, at the time of conveyance, contains improvements that are comparable to those contained on the parcel conveyed by the department, as determined by the commissioner, and further provided the commissioner approves the design and construction of the commuter lot on the parcel conveyed by the town of Tolland. Said improvements shall include, but not be limited to, a commuter parking lot of equal or greater size, a bus shelter and energy-efficient lighting. The exchange of said parcels of land shall be made simultaneously and each in consideration of the other. The parcel of land to be conveyed by the Commissioner of Transportation in said exchange is identified as the portion of Lot 142-61-5 containing a commuter lot on "Connecticut Department of Transportation Right of Way Map, Town of Tolland, Interstate 84, from the Vernon town line easterly to Cathole Road, Number 142-07, Sheet No. 9 of 11, dated February 4, 1994". The parcel of land to be conveyed by Tolland in said exchange is identified as Lot 1, Block L, on Tolland Tax Assessor's Map 28. The exchange of said parcels of land shall be subject to the approval of the State Properties Review Board.

(b) The State Properties Review Board shall complete its review of the exchange of said parcels of land not later than thirty days after it receives a proposed agreement from the Department of Transportation. The state land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance of state land under this section. The Commissioner of Transportation shall have the sole responsibility for all other incidents of such conveyance.

Sec. 7. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, the Commissioner of Transportation shall convey to the town of Bristol a parcel of land located in the town of Bristol, at a cost equal to the fair market value of the property, as determined by the average of the appraisals of two independent appraisers selected by the commissioner, plus the administrative costs of making such conveyance. Said parcel of land has an area of approximately .11 acre and is identified as 308 Pine Street, located on the corner of Pine Street and Poplar Street. The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The State Properties Review Board shall complete its review of the conveyance of said parcel of land not later than thirty days after it receives a proposed agreement from the Department of Transportation. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section. The Commissioner of Transportation shall have the sole responsibility for all other incidents of such conveyance.

Sec. 8. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, a public hearing having been held on the matter on March 21, 2011, by the joint standing committee of the General Assembly having cognizance of matters relating to government administration, the Commissioner of Environmental Protection shall enter into an agreement with Riverhouse Properties, LLC to exchange lands or other consideration of approximately equal value. If land is exchanged, the fair market value of said parcel or parcels of land shall be determined by the average of the appraisals of two independent appraisers selected by the commissioner. Riverhouse Properties, LLC shall pay the administrative costs of any conveyance of land under this section.

(1) The parcel of land to be conveyed by the state is approximately 17.40 acres and is identified as Haddam Assessor's Lot 22-2 Bridge Road, Haddam, CT. Said parcel is further identified as Lot 1 and Lot 2 on a map prepared by William B.



Bergan, dated February 11, 2003, with revisions dated March 12, 2009, and with such revisions titled "Division of Former Eagle Land Corp. Prop. - 2 Lots". Said parcel shall not include any land with frontage along the Connecticut River. Notwithstanding certain restrictions contained in a warranty deed from Eagle Land Corp. to the State of Connecticut, Department of Environmental Protection, recorded in Volume 263 at Page 319 of the Haddam land records that such land be retained in its natural scenic or open condition as park or public open space, said parcel may be used for economic development purposes and said restrictions are released and relinquished and shall have no further force and effect.

(2) The parcel of land or other consideration to be conveyed by Riverhouse Properties, LLC shall include an approximately 87.70 acre parcel of land on the east side of High Street in the Higganum section of Haddam, CT. Said parcel is further identified as Parcels #42-1, 43 and 44 on Haddam Assessor's Map 24 and Parcel 92 on Map 14, and is further identified as land conveyed from Walkley Heights Associates via a deed dated May 26, 2004, as recorded in Volume 278 at Page 287 of the Haddam land records. Said parcel shall be held in fee ownership by the state and shall become a part of the Cockaponset State Forest. The Commissioner of Environmental Protection shall grant a permanent conservation easement on the entirety of said parcel to a land trust or nonprofit conservation organization selected by the department to ensure that said parcel remains undeveloped.

(3) The specific description of the parcels of land or other consideration to be conveyed between the Department of Environmental Protection and Riverhouse Properties, LLC shall be established by mutual agreement of said parties, and said parties shall make all reasonable efforts to enter into such agreement on or before December 31, 2011. Said specific description of land to be conveyed shall include an identification of the portion of the 17.40 acre parcel conveyed by the state that shall be open to the public.

Said exchange shall be subject to the approval of the State Properties Review Board.

(b) If, not later than two years after the date of the exchange of land or other consideration, Riverhouse Properties, LLC does not obtain or otherwise secure approval of the Haddam planning and zoning commission for any zone change necessary for its proposed use of the parcel to be conveyed by the state, the parcel shall revert to the state of Connecticut and if applicable, the parcel conveyed by Riverhouse Properties, LLC shall revert to Riverhouse Properties, LLC and any consideration paid by Riverhouse Properties, LLC shall be returned to Riverhouse Properties, LLC.

(c) The State Properties Review Board shall complete its review of the exchange of said parcels of land or other consideration not later than thirty days after it receives a proposed agreement from the Department of Environmental Protection. The state land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of subsections (a) and (b) of this section.

Sec. 9. (*Effective from passage*) Notwithstanding any provision of the general statutes, the Commissioners of Transportation, Environmental Protection and Motor Vehicles, in consultation with the town of Hamden, shall develop a plan to grant the town of Hamden easements of land across the state property under the custody and control of the Departments of Transportation and Motor Vehicles located at Franklin Road and State Street (Route 5) in the town of Hamden, for purposes of constructing, using and maintaining a storm drainage outfall to reduce flooding across such property. Said commissioners shall develop a plan for such easements and the design of such storm drainage outfall and, not later than January 1, 2012, shall submit such plan to the joint standing committee of the General Assembly having cognizance of matters relating to government administration. Any such easements shall be subject to the approval of the State Properties Review Board.

Sec. 10. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, the Commissioner of Transportation shall convey to Goodwin College a parcel of land located in the town of East Hartford, at a cost equal to the fair market value of the property, as determined by the average of the appraisals of two independent appraisers selected by the commissioner, plus the administrative costs of making such conveyance. Said parcel of land has an area of approximately 1.645 acres and is identified as "Release Area = 1.645 ± acre, State of Connecticut Formerly United Aircraft Corp. Certif. of Condem. , vol. 286, Pg 253, 42-105-47C" on a map entitled "Compilation Survey Town of East Hartford, Map Showing Land Released to, By the State of Connecticut Department of Transportation, Route 2 East Hartford Expressway, Scale 1"=40' Dec. 2008, Michael W. Lonergan, P. E. , Acting Chief Engineer, Bureau of Engineering and Highway Operations" and is designated by the Department of Transportation as File No. 42-105-47H. The conveyance shall be subject to the approval of the State Properties Review Board.



(b) The State Properties Review Board shall complete its review of the conveyance of said parcel of land not later than thirty days after it receives a proposed agreement from the Department of Transportation. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section. The Commissioner of Transportation shall have the sole responsibility for all other incidents of such conveyance.

Sec. 11. *(Effective from passage)* (a) Notwithstanding any provision of the general statutes, the Commissioner of Transportation shall convey to the city of Norwalk a parcel of land located in the city of Norwalk, at a cost equal to the fair market value of said parcel of land, as determined by the Department of Transportation, plus the administrative costs of making such conveyance. Said parcel of land is identified as a portion of a parcel located within the right of way of I-95 in the city of Norwalk and is depicted on a map entitled "New Fire Station Norwalk Headquarters dated 3/2/2011, scale 1"=40', prepared by Pacheco Ross Architects, P. C. " The Department of Transportation shall determine the precise location and acreage of said parcel. The conveyance shall be subject to the approval of the State Properties Review Board and of the Federal Highway Administration.

(b) The State Properties Review Board shall complete its review of the conveyance of said parcel of land not later than thirty days after it receives a proposed agreement from the Department of Transportation. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section. The Commissioner of Transportation shall have the sole responsibility for all other incidents of such conveyance.

Sec. 12. *(Effective from passage)* (a) Notwithstanding any provision of the general statutes, the Commissioner of Public Works shall convey to the city of Bridgeport a parcel of land located in the city of Bridgeport, at a cost equal to the administrative costs of making such conveyance. Said parcel of land has an area of approximately 3.1 acres and is identified as 115 Virginia Avenue, Lot 71 in Block 2860 of city of Bridgeport Tax Assessor's Map 68. The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The city of Bridgeport shall use said parcel of land for municipal purposes. If the city of Bridgeport:

- (1) Does not use said parcel for said purposes;
- (2) Does not retain ownership of all of said parcel; or
- (3) Leases all or any portion of said parcel,

the parcel shall revert to the state of Connecticut.

(c) The State Properties Review Board shall complete its review of the conveyance of said parcel of land not later than thirty days after it receives a proposed agreement from the Department of Public Works. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of subsection (b) of this section. The Commissioner of Public Works shall have the sole responsibility for all other incidents of such conveyance.

Sec. 13. *(Effective from passage)* Notwithstanding the provisions of section 14-298 and 14-299 of the general statutes and the approval of the State Traffic Commission concerning the placement of signs prohibiting right turns on a red signal at the intersection of Route 3 and Route 160 New Britain Avenue in Rocky Hill, the State Traffic Commission shall cause said signs to be removed.

Sec. 14. Section 34 of special act 03-19 is amended to read as follows *(Effective from passage)*:

(a) Notwithstanding any provision of the general statutes, the Commissioner of Transportation shall convey to the town of Tolland a parcel of land located on the northerly side of Interstate Route 84 in the town of Tolland, at a cost equal to the administrative costs of making such conveyance. Said parcel of land has an area of approximately 9.70 acres and is further identified as the parcel of land designated by the Department of Transportation as File No. 142-44-4A. The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The town of Tolland shall use said parcel of land for [upon passage] economic development purposes. If the town of Tolland [ ]



[(1) Does] does not use said parcel for said purposes, [; ]

[(2). Does not retain ownership of all of said parcel; or

(3) Leases all or any portion of said parcel,]

the parcel shall revert to the state of Connecticut. If the town of Tolland sells or leases all or any portion of said parcel, any consideration received by the town of Tolland for the sale or lease of said parcel shall be transferred to the state.

(c) The State Properties Review Board shall complete its review of the conveyance of said parcel of land not later than thirty days after it receives a proposed deed from the Department of Transportation. The land shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of subsection (b) of this section. The Commissioner of Transportation shall have the sole responsibility for all other incidents of such conveyance.

(d) Notwithstanding certain restrictions contained in a quit claim deed from the state of Connecticut, Department of Transportation to the town of Tolland, that said parcel be used for open space purposes and not be sold or leased, said parcel may be used for economic development purposes and the town of Tolland may sell or lease said parcel and said restrictions are released and relinquished and shall have no further force and effect, provided the town of Tolland pays the Department of Transportation the administrative costs associated with relinquishing said restrictions.

Sec. 15. Section 18 of public act 09-4 of the September special session and sections 9 and 16 of public act 10-1 of the June special session are repealed. *(Effective from passage)*

Approved July 8, 2011

# Report from DOT

## **Relocation of Commuter Lot at Tolland Exit 68 For Proposed Tolland Village Area Development**

Lot ID: 142-01PRA  
Lot Location: Route 195, Tolland  
Size: 132  
Use: 42  
Owner: state  
Pavement: G  
Striping: G  
Lights: yes  
Shelter: yes  
Shelter condition: F  
ADA Compliant: yes

### **Issues associated with proposed relocation of lot from east side of Route 195 to west side of road:**

The size of the existing lot is 132 spaces. Annual counts show that only 42 spaces are used on a regular basis, although this utilization is below 50%, ideally, the same number of spaces (i.e. 132 spaces) should be provided by the developer to maintain the current ratio and to allow for the possibility of increased use in the future.

The same amenities should be provided with the new lot. The existing bus shelter is constructed out of wood, and is nearly 20 years old, which is at or beyond the useful service life of the structure. Experience with similar shelters has shown that even when in good condition, moving this type of shelter is problematical and may result in catastrophic failure, hence loss, of the subject shelter. Therefore, the developer should budget funds in the project for replacement of the subject shelter.

Lighting for the new commuter lot should be state-of-the-art, energy-efficient lighting. This type of lighting, in addition to saving on monthly utility costs, also directs almost all of the generated light downward onto the parking lot pavement, eliminating most complaints from abutting property owners about stray lighting.

The present lot provides 5 handicap spaces, making it A.D.A. compliant. In order to insure that the lot remains A.D.A compliant, an equivalent number of handicap spaces (i.e. 5 spaces) should be provided in the new lot.

Assuming that most commuters are accessing the lot traveling westbound towards the I-84 entrance to Hartford, the turning movement for the new lot would be a right turn, whereas at the present time, the turning movement into the existing lot is a left turn. This would be an advantage, because it would eliminate a turning movement across an active lane of traffic on Rte. 195.

Tolland GIS  
March 2011

1" = 120'



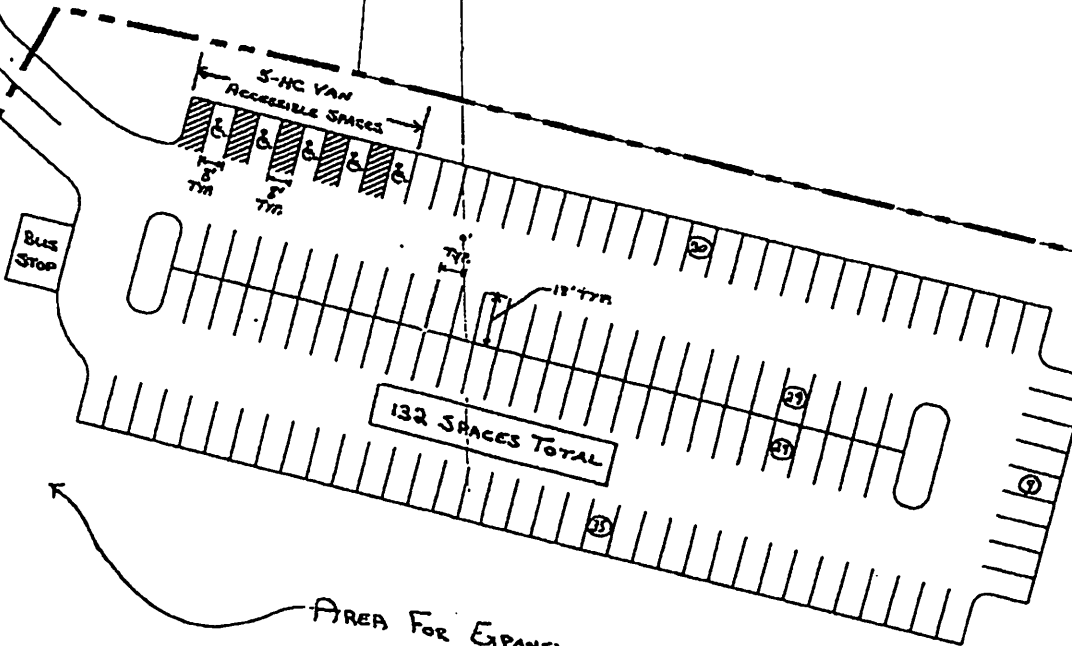
Upland Review Area  
Wetland Area

# PROPOSED COMMUTER LOT RELOCATION



SCALE: 1"=40'

RELOCATION OF COMMUTER  
LOT @ EXIT 68



At this time, it is not known whether the Tolland Village Area Development would include commercial establishments (for example, restaurant, donut shop, dry cleaner, drug store, etc.). If this is the case, adequate provision should be made for the commuters to access these establishments conveniently at the beginning and end of the day, when they are moving into and out of the commuter lot. This would provide an economic benefit, and also provide added value for commuters, raising the likelihood of obtaining an outcome of an increased level of "customer satisfaction" among the commuters using the new lot.

Bureau of Policy and Planning

Date: February 18, 2011

**APPRAISAL REPORT**

**State of Connecticut / Town of Tolland  
Commuter Parking Lot  
Marrow Road  
Tolland, Connecticut**

**BY: STEWART APPRAISAL SERVICES**

**TO:** Linda Farmer  
Director of Planning & Development  
Town of Tolland  
21 Tolland Green  
Tolland, CT 06084

**FILE NUMBER:** 14023

**DATE OF VALUATION:** May 29, 2014

**PROPERTY TYPE:** An approximately 4.2 acre Tolland Village Area Zone (commercial) parcel of land at the intersection of Marrow Road, CT-195, and the I-84 westbound exit 68. The site is presently improved with a State of Connecticut commuter parking lot.



# *Stewart Appraisal Services*

REAL ESTATE APPRAISERS & CONSULTANTS

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TOLLAND, CONNECTICUT 06084

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ROBERT G. STEWART, SRA

July 2, 2014

Linda Farmer  
Director of Planning & Development  
Town of Tolland  
21 Tolland Green  
Tolland, CT 06084

Re: State of Connecticut / Town of Tolland  
Commuter Parking Lot  
Merrow Road  
Tolland, Connecticut

Dear Mrs. Farmer,

As requested I have appraised the above noted property for the purpose of estimating its Market Value in fee simple estate. You, representing the Town of Tolland, are the primary intended user of this appraisal report. Other users on behalf of the Town include the members of Town Council, the Planning & Zoning Commission, the Economic Development Commission, and the Tolland Economic and Community Development Corporation, as well as interested residents. Additional intended users are representatives of the State of Connecticut that would be involved in the sale of the property.

The function of this appraisal is to establish the Market Value of the subject so a purchase and/or a possible land swap can be negotiated between the Town of Tolland and the State of Connecticut. The reason for this purchase is to allow redevelopment of the site and subject area following the zoned Village Area concept.

The redevelopment of the subject area as designed by Vanasse Hangen Brustlin, Inc. (VHB) shows a redesign of the multiple existing driveways creating a common driveway for four or five properties. On the subject site are two retail buildings one of which contains 9,750 square feet proposed as a pharmacy with a drive-up window and one contains 5,600 square feet. It is to be noted that these two buildings do not conform to the current Zoning Regulations and the subject, and the area, have numerous development issues. First, one story buildings are not allowed requiring 1.5 to 3 story buildings with residential on the upper floor(s) strongly encouraged. Second, mixed use buildings and the village concept has not been done locally and is a new design that may or may not be market accepted. Next the plan requires obtaining access easements for shared driveways from / with three different property owners plus the Town. These are required to develop any of the sites following the overall plan which shows a totally new entrance and exit driveway across two



properties behind three buildings. The existing Dunkin' Donuts entrance driveway will provide access to a replacement commuter lot located one-quarter mile back from Merrow Road, the two proposed buildings on the subject, the Dunkin' Donuts building and a new one behind it, plus possibly a new building(s) on the 23.5 acre parcel behind that. In addition, the concept plan states this driveway will most likely need to become right turn in and right turn out only. This traffic pattern will be very confusing to people coming in or out of the multi-building village area.

The concept plan shows 67 parking spaces for the two buildings on the subject but pharmacies of the proposed size generally require 50 to 70 parking spaces alone. Shared parking is encouraged with this design but the existing Dunkin' Donuts parking lot presently has two rows of paved plus one row of gravel parking that is used to capacity most of the time and is too little at peak times. The concept plan shows paving the existing gravel row (13 spaces) which is already used regularly by Dunkin' Donuts plus building a new 5,500 square foot retail building. This would cause a parking shortage on just that site. The new exit and entrance driveway will be behind that new building which, as noted already, will be very confusing to people driving to and from the various businesses as well as the new commuter lot. Lastly, the subject site slopes down quite steep in places in the rear as well as along its entire southern boundary. This topography requires a 670 foot long retaining wall shown as 7 to 10 feet high on the concept plan. Recognizing all these issues, the feasibility of the VHB presented concept plan is very limited, if at all possible. This concept plan shows what the Town desires but as not feasible means a potential buyer / developer must do a different plan than the Town desires. This will scare away many buyers and negatively impacts the value of the subject site.

An estimating marketing period for the subject, recognizing the current proposal and Zoning Regulations in place, is approximately 5 years.

In my opinion, the Market Value, as defined, of the subject as it presently exists, as of May 29, 2014 is:

**TWO HUNDRED TWENTY-FIVE THOUSAND DOLLARS  
(\$225,000).**

This appraisal report is offered in support of this conclusion. This report conforms to the Uniform Standards of Professional Appraisal Practice (USPAP).

Very truly yours,



Robert G. Stewart, SRA  
Certified General Appraiser RCG.581  
Expires April 30, 2015  
[14023]

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Google Earth aerial photograph of area with the subject outlined



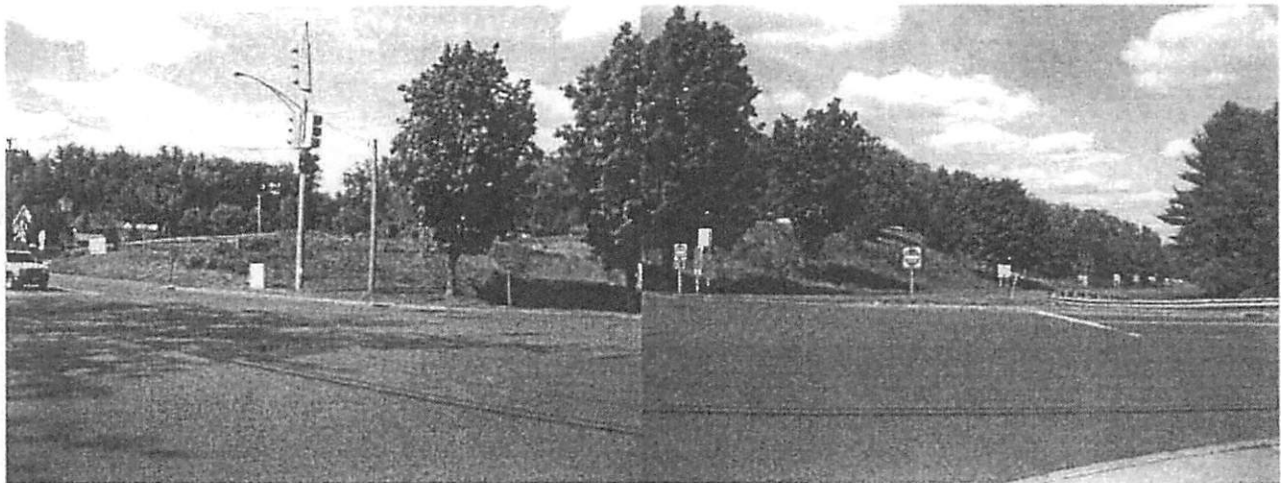
## **SUMMARY OF SALIENT FACTS AND CONCLUSIONS**

<b>LOCATION:</b>	Commuter Parking Lot Merrow Road Tolland, Connecticut
<b>PROPERTY DESCRIPTION:</b>	An approximately 4.2 acre Tolland Village Area (commercial) zoned parcel of land at the intersection of Merrow Road, CT-195, and the I-84 westbound exit 68. The site is presently improved with a State of Connecticut Commuter parking lot.
<b>OWNER OF RECORD:</b>	State of Connecticut
<b>DATE OF INSPECTION &amp; VALUATION:</b>	May 29, 2014
<b>ESTATE VALUED:</b>	Fee simple
<b>HIGHEST AND BEST USE:</b>	Continuation of its present commuter parking lot use in the short term and eventual development with one or two commercial buildings in conformance with zoning in the long term.
<b>MARKET VALUE CONCLUSION:</b>	\$225,000



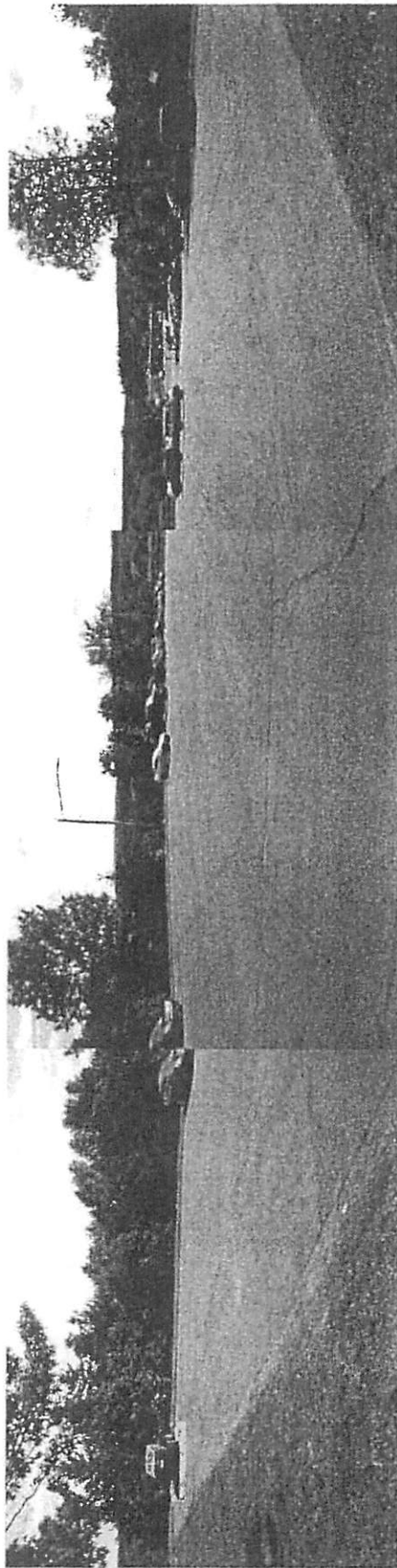
1405290016

Looking east across Route 195 at the current entrance to the commuter lot and the subject site



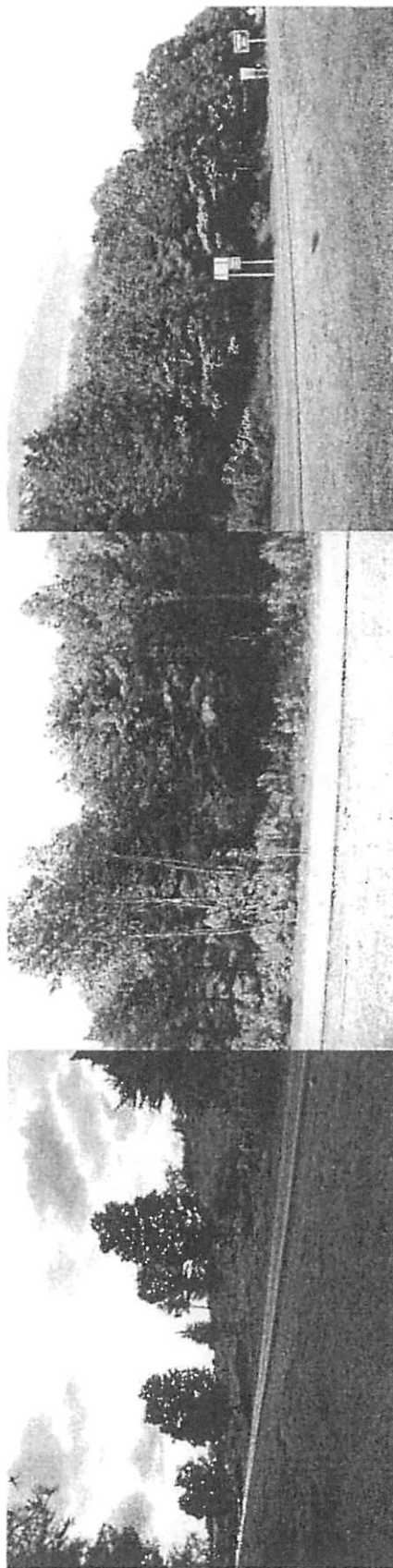
1405290018, 19

Looking northeast to east across Route 195 at the subject site and the I-84 westbound exit 68



1405290012, 13, 14

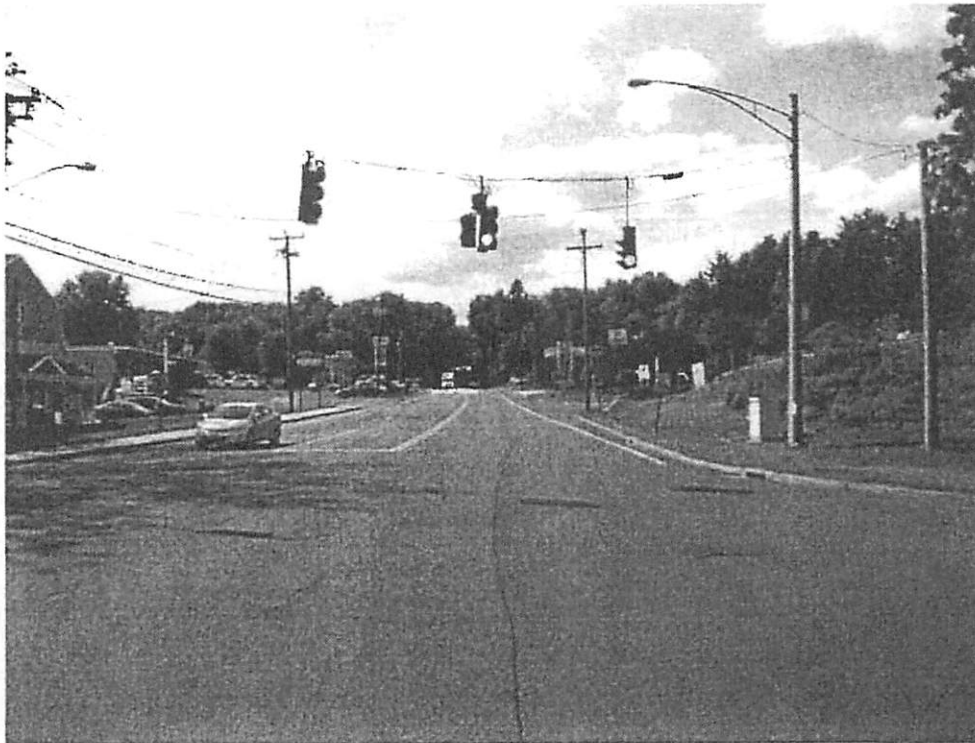
Looking southwest to west to northwest at the existing commuter parking lot from its far eastern end



1405290022, 23, 24

Looking northwest to north to northeast at the subject site from part way down the I-84 westbound exit 68





1405290020

Looking north at Route 195 with the I-84 westbound exit 68 and the subject on the right and I-84 westbound entrance on the left



1405290015

Looking south at Route 195 with the subject on the left and I-84 beyond

## **PURPOSE, FUNCTION AND USERS OF THE APPRAISAL:**

The purpose of this appraisal is to estimate the Market Value in fee simple estate of the approximately 4.2 acres owned by the State of Connecticut and improved with an existing commuter parking lot. It is accessed from CT Route 195 and abuts the I-84 westbound exit 68.

The function of this appraisal is to assist the Town of Tolland and the State of Connecticut in negotiating a purchase price. The purchase is needed to accommodate the Planning & Zoning Commission proposed redevelopment of the area. The redevelopment as proposed involves common driveways, significantly different traffic flows among four parcels and joint effort to redevelop the four properties. The topography and other issues make the current plan difficult at best.

The intended users of this appraisal report are both the Town of Tolland and the State of Connecticut. For the Town of Tolland this includes the Planning & Zoning Commission, the Economic Development Commission, the Tolland Economic & Community Development Corporation, the Town Council, Town staff, and interested residents.

## **SCOPE OF THE APPRAISAL:**

The scope of the appraisal involved Robert G. Stewart, SRA inspecting the subject by myself on May 29, 2013. The site plan as proposed by Vanasse Hangen Brustlin, Inc. (VHB) was reviewed and discussed with Linda Farmer, the Tolland Director of Planning & Development. In addition, the Zoning Regulations as they have been rezoned creating a new zone and development concept in the last few years for the immediate area including the subject site, were reviewed. Additionally the USGS Topographic Map as well as the USDA Natural Resource Conservation Service Web Soil Survey was reviewed. It is to be noted the Assessor lists the subject as part of the I-84 parcel with effectively no data on the subject including title history or any description.

Only the Sales Comparison Approach was considered applicable and developed to value the subject. Comparable sale data was obtained from the ConnComp Sales Database, the Connecticut Multiple Listing Service, various periodicals, my office files, and discussions with commercial Realtors. When possible, each sale was discussed with the buyer, seller, or Realtor. This report does not outline every specific task I completed but reports the pertinent items. Additional supporting data is being retained in my files.

The appraiser, Robert G. Stewart, SRA, is considered competent to appraise the subject based on his education and experience appraising the subject type property. Robert G. Stewart holds a Connecticut Certified General Appraiser License (RCG.581, expiration April 30, 2015). Copies of my qualifications and current Connecticut license are in the addendum of this report. This appraisal report is completed in compliance with the Uniform Standards of Professional Appraisal Practices (USPAP).

All the following definitions are from The Dictionary of Real Estate Appraisal, Fifth Edition © 2010 by the Appraisal Institute:

**DEFINITION OF MARKET VALUE:**

As used by agencies that regulate federally insured financial institutions in the United States:

“The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from a seller to buyer under conditions whereby:

- o Buyer and seller are typically motivated;
- o Both parties are well informed or well advised, and acting in what they consider their best interests;
- o A reasonable time is allowed for exposure in the open market;
- o Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- o The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.”

**DEFINITION OF FEE SIMPLE ESTATE:**

“Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.”

**DEFINITION OF EASEMENT:**

“The right to use another’s land for a stated purpose.”

### **LEGAL DESCRIPTION & 3 YEAR SALES HISTORY:**

As noted the Tolland Assessor includes the subject property with the I-84 roadway. There is no title history and as an appraiser any search of the title is beyond the scope of this appraisal. Therefore, it is assumed that title is in the name of State of Connecticut and has been for many years. When the property was purchased and the recording location of the deed is unknown.

According to Linda Farmer, the Tolland Director of Planning & Development, the subject has not been publicly offered for sale although the Town has discussed a purchase and/or land swap with the State of Connecticut.

### **ASSESSMENT & TAXES:**

As noted the Tolland Assessor includes the subject as part of the I-84 roadway. There is no specific Map, Block and Lot or assessment of the property. Further, as State owned the property, it is tax exempt.

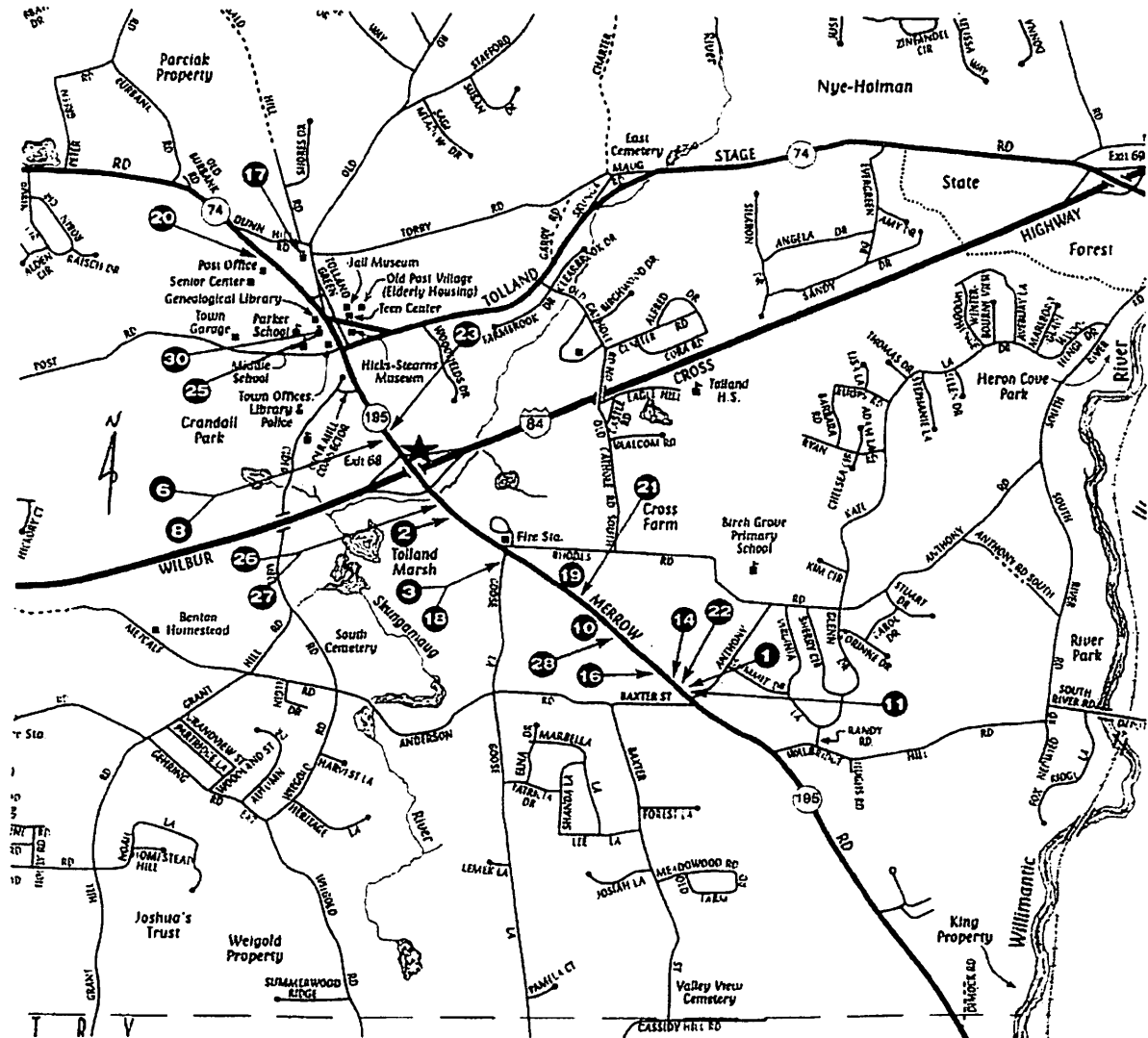
## AREA DATA AND ECONOMIC CONDITIONS:

Tolland is a rural residential community located approximately 20 miles northeast of Hartford, the State Capital and area employment center. Interstate 84 bisects the town leading into Hartford to the southwest and Massachusetts (20 miles) and Boston (90 miles) to the northeast. The Connecticut Economic Resource Center estimated the 2011 population to be 14,931 which is slightly higher than the 2010 US Census count of 14,809. Tolland is a desirable bedroom community east of the Connecticut River. Residential development was faster than surrounding communities in the 1980s and 1990s but slowed drastically in the early 2000s. This was due to high prices, a slowing economy, and zoning regulations increasing the lot sizes adding to the cost of housing. The town has a rural setting with numerous residential developments and limited commercial facilities. The historic Town Green has been preserved from when it was the County Government Center and includes both public buildings and houses. Around I-84 on Route 195 is the primary commercial area in Tolland with two shopping centers the newer of which is anchored by a chain grocery store. Additionally there are gas stations/convenience stores, bank branches, and small businesses along Route 195. Route 195 is the main route to the University of Connecticut campus 8 miles southeast of I-84. Additional local shopping is available just north of the town green and in western Tolland on Route 30. In general, residents rely on nearby Vernon and Manchester for major shopping.

The subject is located in central Tolland at the intersection of CT Route 195 and I-84 by the westbound exit and entrance. A map locating the subject is on the next page. Area properties are adequately maintained and consist of the subject State commuter parking lot as well as various local retail facilities. Specifically, next to the commuter lot is a Dunkin' Donuts which originally had a second retail building approved behind it but it was never built and the approval has expired. Next to the Dunkin Donuts is a gas station with auto repair followed by a few houses as Route 195 proceeds up to the Tolland Green. Directly across the road from the subject is a Subway restaurant with a garage door company tenant in the same building. This building shares access and some parking with the abutting retail center which has an adult entertainment bar on the lower level and a local pizza restaurant, a package store, and a Napa Auto Parts on the main level. Continuing north on Route 195 is a Mobil station followed by a 26 acre unimproved parcel which has been discussed to be developed with a mix of residential condominiums and commercial development. The Tolland Town Green is one-half mile north of the subject and is the historic center of town. The Town Green is regularly used for public activities and buildings on the Green include the Town Hall, an arts center, a museum, a couple churches and historic residential dwellings. The State of Connecticut traffic count by the subject was 12,600 vehicles per day immediately north of the west bound exit and entrance on Route 195 in July / August 2011. In comparison south of I-84, the State traffic count is 17,600 vehicles per day just south of the eastbound I-84 exit and entrance. This is 5,000 vehicles (40%) higher than the north side of the interstate.

Going south Route 195 goes over I-84 and at the east bound entrance and exit is a gas station. Going around the curve is a traffic light with the Field Stone Commons retail center, anchored by a grocery store, including a bank branch and several retail and office facilities, on the right. On the left is a house that has been converted to a real estate office plus a site

that has been approved for a bank branch but no development has taken place. Continuing on Route 195 south is the Tolland Fire Training Center as well as a fire station, two gas stations one of which has a significant size convenience store, a bank branch, and then an older neighborhood retail center. Route 195 is the route to the main campus of the University of Connecticut which is 8 miles southeast.



Real estate values increased from April 2002 to October / November 2005 when they stabilized. Buyer demand slowed during 2006 creating an over supply and single family home values began to slowly decline late that summer. Both residential and commercial land, as well as commercial building values, also stabilized in 2006 and then started to decline. Sales of land, particularly commercial, effectively stopped with no demand for new space. The Country and the State went through a recession that recovered in 2010 although Connecticut has had minimal recovery and little improvement. House buyer activity increased in early 2012 and, although the over supply still existed, all real estate values stabilized around September of 2012. Buyer activity continued to increase during 2013 but slowed again in 2014 and house values have remained stable. With



the stable and uncertain economy and the house activity businesses have not expanded or relocated. The general feeling at this time is that the market has bottomed out but businesses will continue to hold their own for a couple years. Hopefully, the State economy and local real estate activity will increase in a year or two. Real estate values should remain stable but may see some pockets of decreases and/or increases in the next couple years.

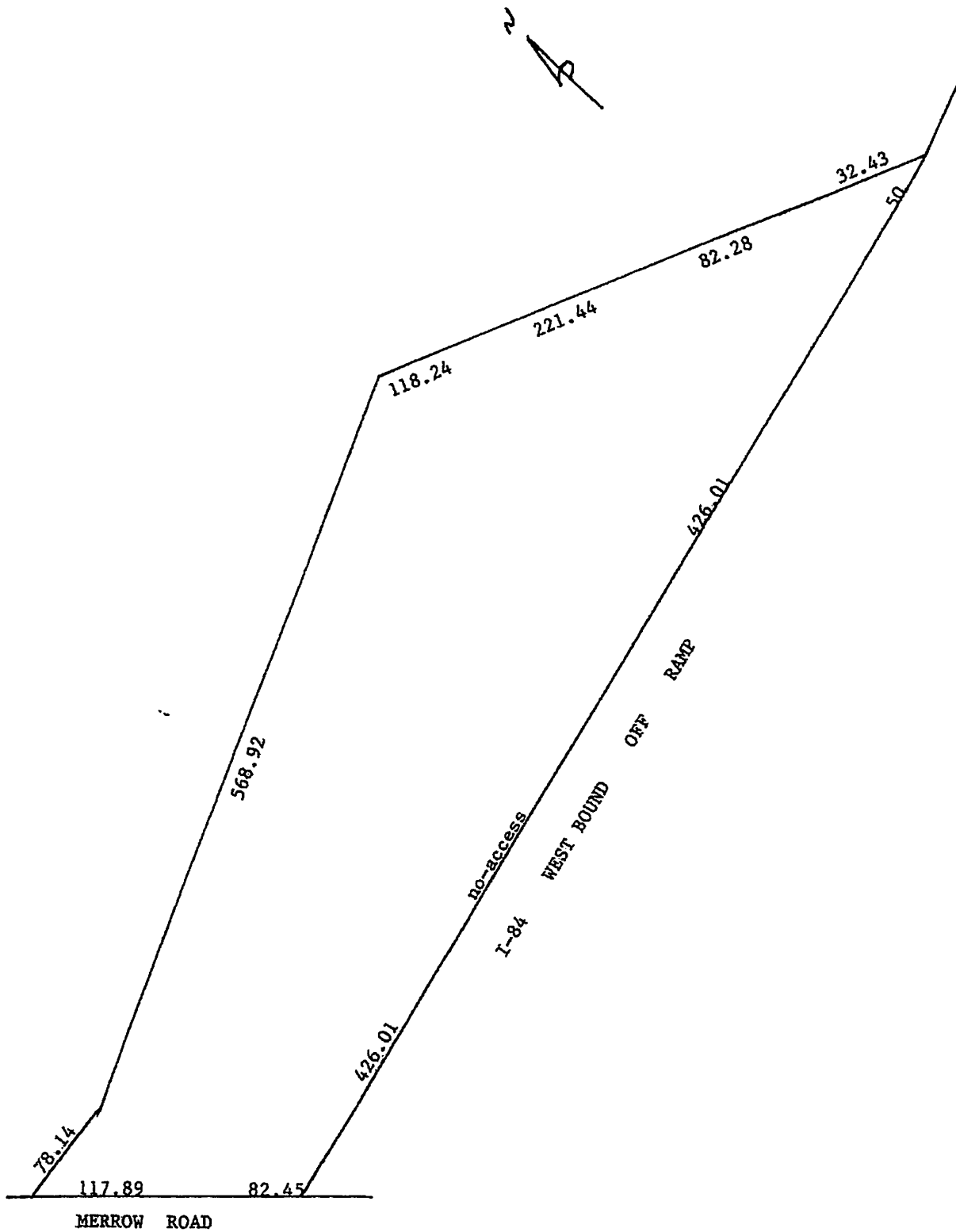
## **SITE DESCRIPTION:**

The subject site as appraised consists of approximately 4.2 acres with 200.34 feet of road frontage. It is to be noted that as the site is being created the exact boundaries and size are unknown. In fact, the VHB analysis indicates the site contains approximately 4.75 acres while the Town GIS using the aerial photos and approximate boundaries calculates to 3.75 acres. The 4.2 acres considered is based on my calculating the size of the sketch of the site on the next page. The northern and eastern dimensions listed are from surveys of those properties.

As can be seen on the site sketch, the basically rectangular shaped lot has an average depth of 750 feet and widens to the rear from approximately 175 feet wide to 265 feet wide before narrowing to a point. The site is presently improved with a State commuter parking lot that is basically 425 feet deep and 150 feet wide at the front of the site. The parking lot is accessed by a two lane wide driveway that goes back 25 to 30 feet and then widens out with a row of parking on the north side containing 5 handicap spaces plus 26 lined parking spaces. In the middle of the parking lot is a double row of 32 parking spaces and there are 38 along the south side for a total of 133 spaces on approximately 1.4 acres of pavement. The pavement is curb lined on the sides and the road with some storm water drainage.

The driveway going into the site is basically level but starts to rise immediately in the parking lot which continues to rise to the rear about 15 feet while sloping down to the south side 3 to 5 feet. Beyond the south side of the parking lot the land slopes down very quickly to the I-84 west bound exit. The southern boundary line is quite close to the parking lot by Merrow Road and extends away from the parking lot as you go further from Merrow Road. This open area has recently been effectively clear cut and is grass with just a few trees. Beyond the parking lot the entire site is wooded throughout.

The specific topography of the site is the gentle, but continual, rise of the parking lot on the northern half. As Merrow Road is sloping down to the south, along the southern road frontage, the lot rises up very quickly 10 to 12 feet from Merrow Road to the parking lot. Along the front of the parking lot, as well as the entire south side, is a steel guard rail. The site also rises very quickly from the west bound I-84 access strip on both the State highway land and the subject up to the commuter lot portion of the site. The total rise is generally 30 feet increasing from 8 to 10 feet closest to Merrow Road. The grade is the same as the boundary moves away from the lot. The rear wooded 380 feet on average first rises up from the parking lot an additional 8 to 10 feet and then slopes down to the southeast a total of 50 feet in 425 feet. The average 12% grade is actually much steeper in some places particularly closer to the end of the parking lot. The down slope is not continual rather it steps down over its full length.



According to the USDA Natural Resources Conservation Service Web Soil Survey, soils on the subject are Udorthents-Urban Land Complex in the front and mostly Canton and Charlton soils, 8 to 15% slopes, very stony, in the back. The Udorthents-Urban Land Complex is soils that have been modified and as in the subject case, paved. Walking the back portion of the site agrees with the very stony land with sections of exposed large rock and most likely ledge. As noted, there are grades that are less than 8% and sections that are more than 15%. The back portion of the site will be expensive to develop as it does need to be modified due to the slopes and digging in the rocky soils will most likely hit ledge which may require blasting which is costly.

Public utilities available to the subject consist of water, sewer, electricity, telephone and cable television with internet access along Merrow Road. At present there is electricity on the site servicing on-site lighting but otherwise there are no other utilities connected to the site. It is to be noted that the public sewer line in Merrow Road is a forced main line and any on-site development will need a grinder pump to connect into the force feed main which pumps up to the Tolland Green.

## **ZONING:**

The subject is in the Tolland Village Area Zone. The Tolland Zoning Regulations state that "the Tolland Village Area (TVA) zone is a gateway to Tolland's historic town center." [Section 7-1] The zone was created in July of 2011 to enhance the gateway and recognize there should be more intensive development closer to I-84. The Zoning Regulations are intended to encourage property owners to coordinate development and provide flexibility and design placement and layout of site. It is to be noted that since the creation of the zone, no applications or plans have been sought.

The subject is part of the mixed use area which permits stores or shops for retail and personal service businesses, banks and financial institutions, restaurants, retail foods, offices, hotels, pharmacy with drive thru service, multi-family dwellings, parking lots or parking garages.

A copy of the specific Zoning regulations is on the following twelve pages. As noted the Regulations call for flexible development and use of common driveways / roads. There is no minimum lot size or road frontage requirement. Commercial buildings must be in a village design with the front yard being a maximum of 10 feet from the edge of the sidewalk along the public way closest to the building although that can be increased to 20 feet. For commercial buildings one story buildings are not permitted with one and half and two stories permitted and 2.5 stories preferred up to a maximum of 3. In commercial buildings mixed use is encouraged with most likely residential on the upper floors.

This village concept design is new to Tolland which generally has large parcels and open space. Being a spread out town and attempting to capitalize any development on the I-84 traffic means there will be car traffic. Plus the existing commuter lot needs to be relocated and will most likely be part of this village. The required joint development of the four owners could be very difficult especially recognizing none of the development can really happen without the new common driveways / roads. Further, the gain to each individual owner is different with one owner actually removing his car repair and gasoline sales business changing it to retail or office. In my opinion, the existing regulations negatively impact the value of the subject property as any development in agreement with the zoning regulations could take an extremely long time and the subject owner / buyer cannot control when it will start.

According to FEMA Map Number 090171 0016A, dated April 1, 1982, none of the subject is located in a flood hazard zone.



## **ARTICLE VII**

### **Tolland Village Area (TVA)**

#### **Section 7-1. Preamble.**

The Tolland Village Area (TVA) zone is a gateway to Tolland's historic town center. The development will consist of architecture and land use patterns that are based on a traditional New England village. Accordingly, the development will complement existing land uses surrounding the Tolland Green and Historic District and adjacent residential development. It will also provide for a mix of complementary land uses arranged in compact and attractive districts in order to optimize developability and create walkable neighborhoods while preserving environmentally sensitive areas and protecting natural resources.

The development vision will create and protect development patterns that are compact, walkable and mixed use and to ensure that development enhances the economic base of Town and the quality of life of residents.

These regulations provide flexibility in lot sizes, coverage, setbacks, parking, and other standards; developers can propose standards that he/she feels will work best for the site and still meet the overall design objectives for this area. In return for this flexibility, the Commission has broader discretion in approvals.

**Section 7-2. Purpose and Intent.**

- A. The purpose of the Tolland Village Area is to:
1. implement the Tolland Plan of Conservation and Development.
  2. enhance the gateway to the National Historic Register Tolland Green and preserve the character in areas near the Historic District.
  3. expand opportunities for economic development and housing within a framework where a mix of uses can coexist for the benefit of stakeholders and the community at large.
  4. plan for transitional use and density between Tolland Green and Interstate 84.
  5. plan for progressively more intensive development in the Tolland Village Area as it approaches Interstate 84.
- B. It is further intended that the TVA zone and approval process will:
1. be consistent with the Tolland Plan of Conservation and Development.
  2. encourage property owners to coordinate development.
  3. provide flexibility in design, placement and layout of sites.
  4. provide buffers to adjacent residential development.
  5. protect important natural resources (especially surface and groundwater).
  6. provide guidelines so that development is consistent with New England village architecture.
  7. provide safe streets for motorists, pedestrians and bicyclists.
  8. incorporate open space, parks and/or greenways.
  9. promote sustainable design, high performance buildings and "green" technology.

**Section 7-3. Reference Documents**

The following documents and materials provide guidance for land uses and design in the TVA:

1. Tolland Plan of Conservation and Development, 2009 and as amended
2. Tolland Village Area Concept Sketches (October 2010 and November 2010)
3. Tolland Village Area 3-D Model
4. Tolland Village Area Design Guidelines, which is an advisory document that cannot be used as denial of an application.

**Section 7-4. General.**

- A. Except as otherwise provided for in this section, no new building, structure or use shall be permitted in the TVA until:
1. an Area Development Plan has been approved pursuant to this Section and Section 22-2, Special Permits, and
  2. a Site Plan has been approved in accordance with the standards in the approved Area Development Plan and Site Plan Standards contained in this Section and in Section 22-3, Site Plans.

- B. Once an Area Development Plan has been approved, any development within the Plan area shall be subject to standards contained in the approved Plan.
- C. An Area Development Plan may be modified by submitting a revised Area Development Plan and Special Permit Application for approval, in accordance with this section.

**Section 7-5. Lots and Uses existing as of July 1, 2011.**

- A. For the purpose of the TVA zone, an existing use or structure is a use or structure in existence as of the effective date of these regulations (July 1, 2011).
- B. Existing uses and structures in the Tolland Village Area that are conforming as of June 31, 2011 (July 1, 2011) shall be considered conforming uses and structures after the effective date of this Section.
- C. Changes in use or modifications to existing structure shall be subject to Section 3-5 of these regulations.
- D. The Town Planner or Commission determines, pursuant to Section 3-5, that a Special Permit review is required for a proposed change in used or modification of a building then the following provisions shall apply:
  - 1. expansions equal to or less than 10% of the gross floor area in existence as of the effective date of this regulation shall require a Special Permit.
  - 2. expansions that result in a gross floor area that is 10% greater than the gross floor area in existence as of the effective date of this regulation shall require the submittal of an Area Development Plan and Special Permit application.
  - 3. major site or building exterior renovations to the extent that more than 10% of the site will be modified or where more than 10% of the building exterior will be structurally altered shall require the submittal of an Area Development Plan and Special permit application.

**Section 7-6. Special Permit Use.**

As shown on the Tolland Village Area Use Diagram included as part of these regulations, the following uses shall be permitted in each of the designated use areas subject to the Tolland Village Area regulations and Special Permit and Site Plan approvals in Article XXII of the Zoning Regulations:

- A. Mixed Use Areas – The purpose of this area is to allow a mixture of uses, organized in a “mainstreet” and village setting. Permitted uses are:
  - 1. stores or shops for the conduct of retail or personal service business
  - 2. banks or financial institutions

3. restaurants, including outdoor dining areas
  4. retail food / serving establishments, including outdoor dining areas
  5. offices, including general, medical and professional
  6. hotels, bed and breakfast establishments, in which all guest rooms are accessed through in internal corridor
  7. clubs, community centers, places of worship, municipal or other public and semipublic use
  8. art or music centers, museums, dance studios or other cultural activities
  9. pharmacies, including drive-through service, provided that such facility is in accordance with Section 16-7 of the Zoning Regulations and the Tolland Village Area Design Guidelines.
  10. multi-family dwelling units, except that no housing unit shall be located on the first floor on the primary mixed use travel way or street
  11. town-house dwelling units, except that no town house dwelling shall be located on the primary mixed use travel way or street
  12. parking lots or garage including a public parking lot serving off-premise uses
- B. Residential Areas – The purpose of this area to provide a range of housing opportunities. Permitted uses are:
- a. single-family dwellings, attached and detached
  - b. two-family dwellings
  - c. multi-family town house dwellings
  - d. other multi-family dwellings located on upper floors of a mixed use building
  - e. accessory dwelling units in a single-family detached dwelling
- C. Open Space Areas – The purpose of this area is to preserve natural resources and enhance the TVA by providing enjoyment of open space. Permitted uses are:
- a. open space
  - b. recreation amenities such as trails, picnic area, and wildlife viewing area
  - c. Low Impact Development facilities providing storm water management for the Tolland Village Area.

**Section 7-7. Workforce Housing Required.**

These regulations are enacted in part under the authority of Section 8-2i of the Connecticut General Statutes. The purpose is to promote the development of housing at prices that are affordable to the region's workforce, to meet local housing needs and to increase the diversity of housing in Tolland by creating mixed-income neighborhoods

**A. Requirements:**

1. At least 20% of all dwelling units shall be workforce housing units except that the Commission may reduce the required percentage to no lower than 12% if the applicant demonstrates that they are providing additional amenities that provide a community-wide benefit and are not required as part of these Tolland Village Area regulations. The provisions for open space, trails and sidewalks shall not be considered an additional benefit that allows a reduction in the percentage.
2. The workforce housing units shall be subject to a deed restriction or other mechanism acceptable to the Commission containing covenants or restrictions which shall require that, for at least 40 years after the initial occupation of the proposed development, such dwelling units shall be sold or rented at, or below, prices which will preserve the units as affordable to the workforce.
3. An Affordability Plan, prepared in accordance with Connecticut General Statutes 8-30g and RCSA (Regulations of CT State Agencies) 8-30g-7 of the State regulations, rules and guidelines shall be submitted. The Plan shall provide all of the necessary information and documentation to ensure the construction and continued operation of workforce housing, including the following:
  - a. the person or organization responsible for administering the plan, including administration of the application procedures and screening criteria to determine the income eligibility of applicants, and reporting and enforcement mechanisms;
  - b. affirmative fair marketing procedures governing the sale or rental of the workforce housing units in accordance with Connecticut General Statutes 8-30ee and regulations promulgated thereunder.
  - c. proposed sale or rental prices of the workforce housing units and the basis for determination;
  - d. identification and timetable for the completion and even distribution of the workforce housing units among the market-rate units in the development; and



- A. In addition to standards contained in the Tolland Zoning Regulations which are not in conflict with the specific standards and review criteria set forth in this Section, all Area Development Plans must meet the following standards:
1. Open space shall be provided in Residential and Mixed Use areas:
    - a. In Mixed Use areas, preferred types of open space include pocket parks, greens, gardens or small vegetated areas, public plazas or other outdoor public gathering areas. Open space shall also be designed to accommodate LID stormwater treatment systems.
    - b. In residential areas, preferred types of open space include parks and playgrounds intended to serve the residents of the neighborhood, greens, community gardens, and walking trails.
    - c. For privately owned open space, provisions shall be made for the maintenance and upkeep of such open space and amenities.
  2. At a minimum, vegetated buffers shall be provided in areas depicted on the Conceptual Use Diagram for the Tolland Village Area in the Plan of Conservation and Development.
  3. Sidewalks and pathways shall be provided to connect uses within the TVA and to existing or planned sidewalks and pathways that abut the TVA.
  4. Applicants must demonstrate vehicular connectivity within the TVA and to adjacent areas. Cul-de-sac streets are strongly discouraged.
  5. Off-premise private accessways may be used to access development in the TVA, provided:
    - a. the applicant has submitted a letter from the owner of the private accessway agreeing to its use for access and egress from the proposed development,
    - b. a draft legal agreement for use of the private accessway has been submitted for Commission review and approval, and,
    - c. the private accessway can accommodate expected traffic and emergency vehicles.

6. New private accessways proposed in an Area Development Plan shall be located and designed to facilitate future use by adjacent properties in the TVA. The Commission encourages shared access and the construction of internal links between the parking lots of adjacent properties to promote access management and lessen traffic and congestion on the public street. As part of the application process, the Commission may require an owner or applicant to file easements on the land records providing access to abutting property owners.
7. Developments shall comply with Article XIX , Parking, Loading, Driveways and Access except that the Commission may reduce the number of required parking and loading spaces.
8. Mixed use and commercial buildings shall meet the following setbacks and other dimensional requirements unless specifically approved by the Commission as part of an Area Development Plan:
  - a. setbacks: Buildings with frontage along a new public way should be no more than 10 feet from the edge of a sidewalk along that public way closest to the building . The Commission may approve up to a 20 foot setback if part of an approved Area Development Plan.
  - b. Building height:
    - i. Mixed use and commercial buildings One story buildings are not permitted, 1.5 or 2 stories are permitted, 2.5 stories are preferred, the maximum is three stories, The Commission may approve an additional story in an area where steep grades cause a large differential in building height on sides.
    - ii. Hotels not located in a Main Street setting: the façade that is visible from a Main Street shall not exceed 2.5 stories. Up to 30% of the façade may exceed 2.5 stories, but be no greater than four stories.
  - c. Building width (excluding hotels): shall not exceed 200 feet spans greater than 75 feet should provide variations through techniques identified in the Design Guidelines.
9. Residential – single-family, two-family and townhouses:
  - a. Front yard setback should be a minimum of 10 feet and a maximum of 25 feet.

- b. Garages for single and two-family houses shall be located behind the housing unit. If this is not possible due to site constraints, the garage entry shall be recessed at least 15 feet behind the front façade of the house.

10. Signs

- a. Sign lighting shall be non-glaring and comply with Section 20-C 3 of the Zoning Regulations
  - b. Each side of a building may have a total square footage of wall and over- hanging signs that is equal to that side's linear feet. For example, if a building's façade is 50 feet wide, the cumulative square footage of all wall and over-hanging signs on that wall should not exceed 50 square feet.
  - c. Temporary signs used to convey specific information, alert the public to special events or announce a new business shall be designed and placed in a manner closely related to existing sign systems, landscape improvements and building design to avoid visual clutter.
  - d. Wall signs:
    - should be located within the frieze of the cornice, on a covered transom or other flat and unadorned surface that is suitable for sign location.
    - where there are multiple storefronts in one building, wall signs should be coordinated in terms of size, placement, color and overall design.
  - e. Overhanging signs:
    - should hang perpendicular to the façade wall
    - upper story overhanging signs are not appropriate
  - f. Roof-mounted signs are not appropriate, except in limited cases where such a sign is not visible from the main street and is the only means to convey the presence of the business.
  - g. Lettering or logos painted onto windows should not exceed more than 25% of the glass area and should not block views.
11. Stormwater management shall comply with goals and standards in the Tolland Low Impact Development Design Manual.

12. All electrical, cable, telephone and other service utilities shall be placed underground.

7-10. Procedures.

A. Tolland Area Development Plan and Special Permit.

1. The applicant shall submit an Area Development Plan and Special Permit application, accompanied by an Area Development Plan.
2. The application procedure shall be the same as that contained in Special Permits.
3. The Area Development Plan shall include the following information:
  - a. A description of the proposed development, including proposed uses.
  - b. A map and preliminary plan of the area to be developed, prepared by a licensed professional engineer, a licensed land surveyor, or a licensed landscape architect or architect at a scale of not more than 100 feet to the inch. The preliminary plan shall include the following, unless an item is waived by the Commission:
    - i. existing buildings, structures, open space, watercourses, wetlands, topography and easements
    - ii. proposed site access
    - iii. proposed uses and their proposed locations on the parcel
    - iv. proposed square footage of buildings by use
    - v. location of proposed open space, as required
    - vi. location of parking areas and loading areas
    - vii. description of vehicular and pedestrian circulation on the site
    - viii. location and description of how uses, streets and sidewalks in the development are oriented; in addition, possible connections to future development on adjacent parcels shall be shown where feasible.

- ix. a Signage Plan, showing the locations, sizes, and types of signs proposed. If sandwich board signs are proposed, the Signage Plan shall provide for separating distances, a limit on the total that may be displayed at one time, and a process for allocating space and amount among tenants.
  - x. a report prepared by a professional engineer demonstrating the feasibility of proper management of stormwater and compliance with the Tolland LID Regulations and Design Manual. A description of ownership and maintenance of stormwater facilities shall be provided.
  - xi. a report prepared by a professional traffic engineer describing the feasibility of proper management of the traffic anticipated from the proposed development, including the adequacy of streets, private accessways, and traffic controls, and a description of proposed improvements to accommodate projected traffic.
  - xii. a description of ownership and maintenance for private accessways, parking areas, sidewalks and other common areas.
  - xiii. a report by a professional engineer demonstrating the feasibility of sewerage disposal to be generated by the proposed development.
  - xiv. a report prepared by a professional engineer demonstrating the feasibility of providing sufficient water to the proposed development for daily and emergency needs.
  - xv. street perspective renderings of streetscapes, schematic architectural elevations of all sides of proposed buildings, and descriptions of building material, colors and other design-related aspects.
  - xvi. a discussion of proposed mitigation actions, such as buffering, traffic improvements and other actions.
- c. Where the Area Development Plan is for only a portion of a parcel, the applicant shall submit a conceptual plan showing possible future development for the remainder of the parcel in conformance with these regulations.. Such conceptual plan shall include general location of future roads, driveways, buildings and uses. Such a conceptual plan shall provide sufficient information for the Commission to determine that approval of the



Area Development Plan shall not preclude the ability of future development on the remainder of the parcel to comply with these TVA regulations.

4. Upon receipt of the application, the Commission may require additional information deemed necessary to assist it in evaluating the application and performing its duties.
5. Based on evidence in the record, in addition to the Standards for Approval for Special Permits contained in Section 22-2 H, the Commission shall determine the following:
  - a. whether the Area Development Plan is consistent with section 7-2, Purpose and Intent of the Tolland Village Area.
  - b. whether the proposed use or activity will have impacts upon the neighboring area resulting from the use of signs, lighting or noise.
  - c. whether streets, private accessways and other rights-of-way shall be of such size, condition and capacity to adequately accommodate the traffic to be generated by the particular land use, while still meeting the pedestrian-friendly goals for the TVA.
6. Changes in an Approved Area Development Plan.
  - a. Minor changes to an approved Area Development Plan may be approved by the Town Planner provided such changes shall not substantially affect the overall architecture and site design. Such minor changes may include, but are not limited to:
    - i. locations of drainage infrastructure or other utilities
    - ii. slight alterations of streets, accessways, sidewalks, structures or buildings due to unforeseen topographic or geologic features
    - iii. minor rearrangement of lighting, benches or other site amenities
  - b. Any change not determined to be minor in addition to the following changes to an approved Area Development Plan shall require the submittal of a new Area Development Plan and Special Permit Application:

- i. a change in use, if the Commission determines that such change in use might affect the nature of the original approved Area Development Plan
- ii. an increase in the approved gross floor area of any building
- iii. an increase in the number of approved housing units
- iv. a change in the type of housing units
- v. a change in the affordability component of Workforce Housing units
- vi. a change in any approved area or dimensional requirement
- vii. a change in layout, building orientation, or other change that deviates from the approved Area Development Plan

## **DESCRIPTION OF IMPROVEMENTS:**

As noted the subject site is improved with a State commuter parking lot that was described in the site description section on page 15. There is approximately 1.4 acres (61,000 square feet) of macadam paving most of which is curb lined.

There is also a roughly 10 x 20 foot bus waiting shed by the entrance. The wood frame three sided building is not permanently attached to the ground and could be removed easily.

The paving is in average overall condition with some aging cracks but no significant cracks or potholes.

## HIGHEST AND BEST USE:

"Highest and Best Use" is defined in The Dictionary of Real Estate Appraisal, Fifth Edition © 2010 by the Appraisal Institute as:

"The reasonably probable and legal use of vacant land or an improved property that is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum profitability. Alternatively, the probably use of land or improved property – specific with respect to the user and timing of the use – that is adequately supported and results in the highest present value."

The highest and best use of the subject site, as if unimproved, is for eventual commercial development in conformance with zoning. As outlined, the subject is zoned Tolland Village Area and the village concept, with mixed uses, limited shared parking and limited open green area, is new to Tolland. The regulations are fairly restrictive and specific. On the following page is the VSH plan for the area showing the subject and other parcels in the same zone.

A village has been built eight miles southeast on the edge of the University of Connecticut campus over the last few years. But that village is driven by the 22,000 university students and the shortage of housing close to campus with commercial occupants following. Tolland does not have the mixed use housing demand or the demand for commercial space at this time. The village concept may be accepted over time, but that could take 15 or 20 years, if not longer. Further, no one of the four parcels can be developed by itself requiring a group effort of all four land owners including the Town to create the road/driveway access base. There is some gain to some of the owners but there is loss to two of the owners. Specifically, the already crowded peak time Dunkin' Donuts parking lot will become more crowded with the proposed plan. Plus the current driveway will become used (which could be a plus) but, it will most likely need to become right turn in and out only which is a major negative especially recognizing the new drive-up window will exit directly onto Merrow Road. Customers in the morning will not be able to continue to I-84 after getting their coffee on the way to work. The auto repair garage needs to be totally eliminated and developed with a new use building and plan. The commuter lot needs to be purchased and a new one built (now on rear land with a quarter mile long driveway). The subject site will be marketed to a high traffic visibility needed use but its development costs will be high. Also, a traffic light most likely needs to be installed on Route 195 at the proposed shared main exit and entrance circling to the north to the spot offset some from the access to the undeveloped 26 acres on the west side of Route 195. All of this will take time as well as a much improved economy.





The highest and best use of the subject site, as improved, is to continue the present commuter lot use until redevelopment of the site is more economically feasible. As outlined in the economic comments, the economy has been very slow for the last seven years and no serious improvement is foreseen in the near future. Although the subject site offers interstate visibility and is at an exit, there are many development issues that must be overcome and some of them require joint effort of four property owners or the subject buyer / owner to purchase one or more of the immediate parcels. The redevelopment with significant new common driveways to be built, the high on-site construction costs with a large retaining wall, and the entire village design being a new concept to be market accepted in a primarily rural residential community all limit the appeal of the subject to a developer.

## VALUATION OF THE SUBJECT:

To value the subject property, the three professionally accepted approaches to value were considered. The Sales Comparison Approach involves a comparison of comparable properties that have sold in the open competitive market to the property being appraised. In developing the Cost Approach, the land is valued as if vacant, using the Sales Comparison Approach. This value is then combined with the reproduction cost new of the improvements less depreciation taking into consideration physical deterioration and functional and economic obsolescence. The Income Capitalization Approach gives consideration to the anticipated net income from rental of the property and to the capitalization of that net income. The income is capitalized in accordance with returns on similar type properties or investments of similar risk to determine the amount at which ownership would be justified by a prudent investor.

Recognizing the highest and best use of the subject in the long term is a commercial building lot and the existing commuter lot in the short term, the subject was valued as a commercial building lot recognizing its Tolland Village Area zoning. As land, only the Sales Comparison Approach was considered applicable and developed.

To develop the Sales Comparison Approach a study was conducted to locate recent sales of similar properties in the general area. The key items focused on were commercial zone, Interstate highway exposure / visibility and the Tolland area. With the slow real estate market for the last seven years, very few sales were located. No sale of a commuter parking lot was located as they are almost all State owned and do not sell. The specific comparables located and considered are outlined on the following pages, after which, on Page 40, is a comparison grid adjusting them to the subject.

Sale 1 is an eight month old sale of a commercial zoned 3.0 acre building lot in Tolland one mile southeast of the subject on Route 195. The site is not by I-84 but is approved for a hillside office building to be built. This sale represents local commercial values. Sale 2 is a former gas station site that was just pavement at the time of sale with direct highway visibility. The sale property is located ten miles southwest of the subject near exit 63 of I-84. The property is located directly in front of a motel which the buyer owns and they purchased to property to keep highway visibility of their motel. This 0.68 acre property was purchased 2.3 years ago and reflects interstate visibility (but not immediate access) values. Sale 3 is a five month old sale of a parcel located fifteen miles northeast of the subject by exit 74 of I-84. The site has 434 feet along I-84 with excellent visibility and the buyer displays and sells large recreational vehicles on the site. They lease the abutting former car dealership building with an option to buy. This sale represents interstate visibility and access values.

The following comparable sale was not considered. S.D. Williams, LLC purchased the rear 5.05 acres of the Dunkin' Donuts property from Pacheco Realty, LLC on September 13, 2013 for a stated amount of \$130,000. I spoke with Stephen Williams who stated the sale was a land swap with no money transferred. The stated price was made up by the attorneys involved for IRS purposes and he believes he "paid" much less than \$130,000. He swapped two residential building lots in Coventry for this land which he added to his existing 18.48 acre parcel. As no definite price is known, and the land is rear land which he added to his existing parcel, this sale does not have a price to compare to the subject.



1406030008

**Sale 1 -**

**317 Merrow Road, Tolland**

Sold October 23, 2013 for \$190,000

Unit Price: \$63,758 per acre

Grantor: Genesis Capital Properties, LLC

Grantee: Palozej Properties, LLC

Recorded: Volume: 1328, Page 183

Description: A 2.98 acre Technology Campus zoned building lot that is approved for a 14,900 square foot office building. The basically rectangular shaped lot has 496.10 feet of road frontage on Merrow Road, CT Route 195 and 266.00 feet on the private two lane driveway into Nerac, a commercial office building on a rear lot. The site affords rights to use this driveway for access. The land rises slowly along Merrow Road 20 feet and the driveway 15 feet.

The site was approved for a hillside office building on January 14, 2008 and that approval was extended to January 14, 2018 prior to this sale. The approved site plan has a driveway off the Nerac driveway to two parking lots behind the building. The gradual slope is accommodated with a one story building on the back side by the parking lot and two stories on the Merrow Road side.

The building will be serviced by public water and sewer both of which are in Merrow Road. The sewer betterment assessment was paid in full by the seller.

Financing was provided by Rockville Bank with a \$123,500 mortgage for 5 years. The rate is fixed at 4.08%. The shorter term is typical for land loans and this financing is considered to be conventional and did not impact the purchase price.



1303050015

**Sale 2 - 408 Tolland Turnpike, Manchester**

Sold February 22, 2012 for \$250,000

Unit Price: \$367,647 per acre

Grantor: Mary Doherty

Grantee: Mukesh Patel

Recorded: Volume 3931, Page 274

Description: A 0.68 acre General Business zoned building lot with 281 feet of road frontage. This basically rectangular shaped parcel has an average depth of 121.5 feet. As can be seen on the survey on the next page, the site was a former gas station although the building, pumps, and tanks have been removed. The site is almost entirely paved including the concrete slab of the gas station and the leveled gas pump island. The paving is at least 40 to 50 years old although it has limited cracks and pot hole patches. The land and paving rise 6 to 8 feet over its depth. The site is encumbered with an easement for access to the abutting restaurant and motel with two curb cuts on the sale property and one on each of the abutting properties.

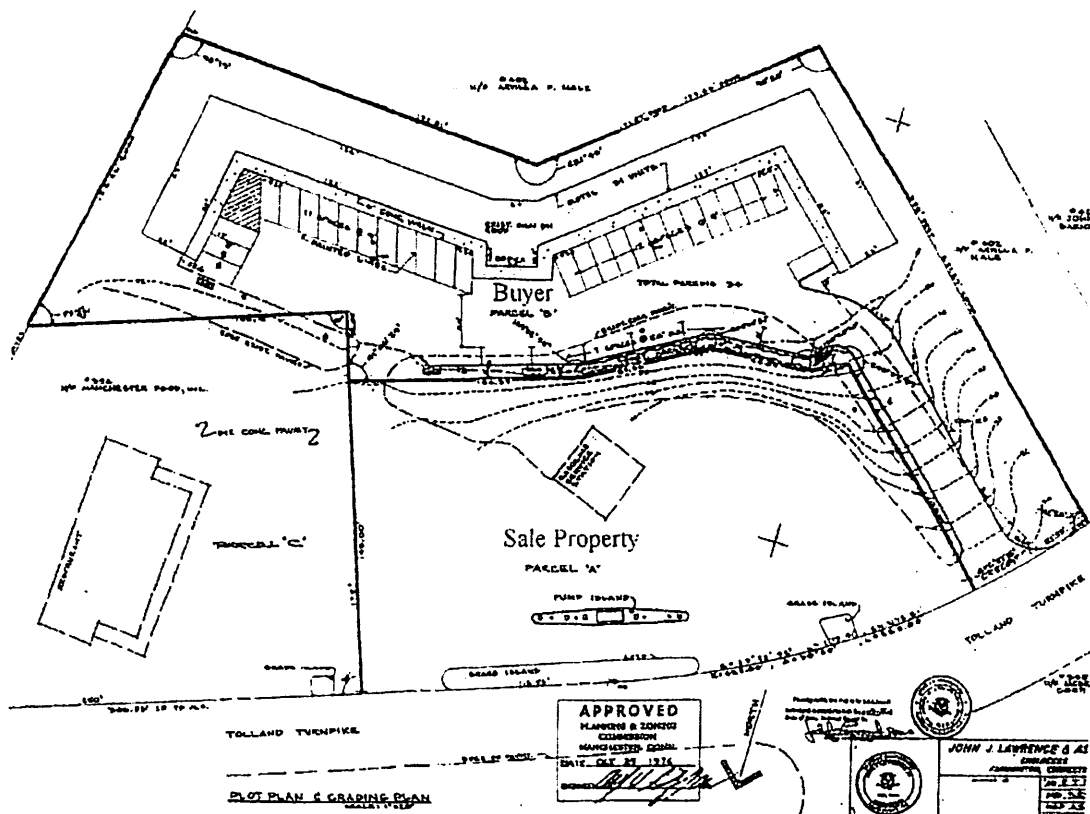
The buyer's motel wraps around the back side and west side of the site and sits 10 to 15 feet above the sale property. The motel is a 1957 built 31 room America's Best Value Inn, which is a lower quality motel. The restaurant was a former fast food chain and is now India Kitchen, a privately owned restaurant.

The site is zoned General Business and conforms to the zoning minimum standards. All public utilities are available to the property in Tolland Turnpike.

Financing was provided by the seller with a \$200,000 note with a 20 year amortization and a 10-year balloon. This seller financing was at the convenience of both the buyer and seller and is considered to have not impacted the purchase price.

This sale was confirmed with Mike Patel, the buyer, who stated he purchased the property after it was openly marketed and with no town approvals in place. It provides truck parking for his customers. He told me more importantly he purchased it to protect his visibility from I-84 and Tolland Turnpike. He was concerned that if a two-story or higher building was built on the front site, the motel would be hidden. He stated he did not think that was feasible but buying the property eliminated that risk and concern. He reported the site is environmentally clean and all former gasoline tanks had been removed.

It is to be noted this survey was completed prior to a State Taking of approximately ten feet along the road which lessened the road frontage and site depth







1407010004

**Sale 3 -**

**4 Mashapaug Road, Union**

Sold November 13, 2013 for \$200,000

Unit Price: \$66,667 per acre

Grantor: Estate of Anna Mae Pallanck

Grantee: CIRV Union, LLC

Recorded: Volume: 62, Page 157

Description: A 3.0 acre Commercial / Industrial zoned site with 434.3 non-access feet on the east side of I-84 eastbound located one-third mile north of Exit 74 of I-84. The parcel is accessed over a right-of-way along the front of a former car dealership property that the buyer is leasing and operating a recreational vehicle sales and service dealership. After the purchase, the buyer razed the house on the property and paved about 60% of the lot for recreational vehicle sales display parking.

The site is basically level sloping down slightly to the Lead Mine Brook (aka Mashapaug Pond) which is the southeastern boundary. Soils are adequate for commercial use except for near the brook / pond along the rear boundary.

The house that was razed was serviced by an on-site well and septic system that are no longer in use.

No financing was recorded with this sale.

	Subject	Sale 1	Sale 2	Sale 3
Street Address	Route 195	317 Merrow Road	408 Tolland Turnpike	4 Mashapaug Road
Town	Tolland	Tolland	Manchester	Union
Sale Price		\$190,000	\$250,000	\$200,000
Unit Price		\$63,758 per acre	\$367,647 per acre	\$66,667 per acre
Terms of Sale		approval in place -25%	conventional 0%	conventional 0%
Financing		conventional 0%	seller 0%	none recorded 0%
Date of Sale		October 23, 2013 0%	February 22, 2012 -2.5%	November 14, 2013 0%
Adj Price Per Acre		\$51,007	\$358,456	\$66,667
Location	comm by Interstate	comm highway +25%	mixed retail highway -10%	Interstate-inferior +10%
Site	4.2 acres	2.98 acres 0%	0.68 acre -30%	3.0 acres 0%
Frontage	200.34 ft	496.10 ft 0%	281 feet 0%	esmt + 434.3 feet 0%
Topography	gentle up, 43% steep	gradual rise -15%	basically level -15%	level, down slightly -15%
Wetlands	none	none 0%	none 0%	rear boundary +5%
Improvements	1.4 acres pavement	none +10%	full old pavement 0%	house - razed +10%
Zone	Village Area	Technology Park -20%	General Business -20%	Commercial/Industrial -20%
Highest & Best Use	eventual commercial development	eventual commercial development 0%	parking for abutter and visibility protection -10%	commercial parking and expansion -5%
Net Adjust %		0%	-85%	-15%
Net Adjust \$		\$0	-\$304,688	-\$10,000
Indicated Unit Value		\$51,007	\$53,768	\$56,667

Sale 1 was adjusted down for having Planning and Zoning Site Plan approval in place. Sale 2 was adjusted down for time to reflect the declining values from when it sold in February of 2012 until values stabilized in September / October of 2012. No time adjustments were made to Sales 1 & 3 as values have been stable since each of them sold. With the subject and sales on the same market terms and time frame, an adjusted price per acre was calculated and this value was then adjusted for differing characteristics.

Specifically, Sale 1 was adjusted up 25% for its location away from any interstate highway. Sale 2's net down 10% location adjustment is down for being in the higher priced Buckland Hills Regional Shopping area although south of I-84, in more commercially developed and higher traffic Manchester. This adjustment is partially offset by being adjusted up for not being at an exit but having highway traffic visibility. Sale 2 was adjusted down 30% for its much smaller lot recognizing the fact that smaller parcels, particularly under 1 acre in comparison to 4.2 acres, sell for a higher price per acre. No adjustment for road frontage was made as any value impact was recognized in the Highest and Best Use adjustment. All the sales were adjusted down for the steep, limited use, topography on the rear and south side of the subject. Sale 3 was adjusted for the inland wetlands along its rear boundary which limited some use of the site. Sales 1 & 3 were adjusted up for the value of the existing paving on the subject with the continued use of this paving until development of the subject becomes economically feasible. All the sales were adjusted down 20% for the subject's Tolland Village Area zoning which has many development issues as outlined earlier. Sale 2 was adjusted down for the buyer's motivation / premium paid to protect the visibility of his motel for the interstate traffic. Sale 3 also was purchased by the abutter who paid a slight premium to be able to add parking to his recreational vehicle sales and service business.

The three sales indicated per acre values of the subject ranging from \$51,007 to \$56,667. All three sales were relied on with the rounded median indicated value of \$54,000 per acre concluded. Therefore:

4.2 acres at \$54,000 per acre = \$226,800  
rounded to \$225,000

## FINAL RECONCILIATION:

The subject consists of an approximately 4.2 acre Tolland Village Area zoned parcel improved with a 133 space commuter lot owned by the State of Connecticut on the northeast corner of the I-84 westbound exit and Route 195. The appraisal is being completed so the Town of Tolland can negotiate with the State to buy the property for redevelopment and relocate the commuter parking lot. The Tolland Planning and Zoning Commission has worked on zoning regulations and concept plans to create a commercial village on the subject and the surrounding four properties. The concept is to create a historic New England village to serve as the gateway to the historic Tolland Green to the north.

The village concept is a new idea to Tolland and the area and creates several development issues and concerns. There is a similar mixed use village being developed eight miles southeast in Mansfield on the edge of the University of Connecticut campus. However, it is driven by the housing needs of the 22,000 students at UCONN with the upper level housing bringing the commercial tenant to the first floor. Tolland does not have that demand to push a village concept and even the historic Town Green has larger lots and no mixed use buildings. In other words, the idea is new and different in Tolland. The village needs to have new roads / driveways that span multiple properties with four different owners. All the owners need to be motivated to start and do the project and at this point none are jumping on the idea. For development to happen on any of them either that owner needs to pay for the whole village infrastructure project or they need to work together. These factors negatively impact the value of the subject.

To value the subject only the Sales Comparison Approach was considered applicable and developed. No sales of a commuter lot was located but a sale of a parking lot visible from the highway and a commercial zoned parcel that the buyer improved with a parking lot capitalizing on the highway traffic visibility were located. The third sale is a commercial zoned building lot in Tolland. These sales bracket the use and value of the subject with differing factors and considerations. The sales used are considered the best available and provided a good indication of the subject's as is value.

In my opinion, the Market Value, as defined, of the subject property, as of May 29, 2014 is:

**TWO HUNDRED TWENTY-FIVE THOUSAND DOLLARS**  
**(\$225,000).**



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Robert G. Stewart, SRA  
CT Appraiser #RCG.581  
Expires April 30, 2015

[14023]

## **ADDENDUM**

## **ASSUMPTIONS AND LIMITING CONDITIONS**

This appraisal is subject to the following limiting conditions:

1. The legal description furnished to me is assumed to be correct.
2. I assume no responsibility for matters legal in character, nor do I render any opinion as to the title, which is assumed to be good. All existing liens and encumbrances have been disregarded and the property is appraised as though free and clear and under responsible ownership.
3. Sketches in this report are included to assist the reader in visualizing the property and no land survey was made by the appraiser.
4. The information contained in this report is not guaranteed, but it was gathered from reliable sources which are believed to be accurate.
5. This report is not to be reproduced in part or as a whole without the prior written consent of the appraiser.
6. The appraiser, by reason of this appraisal, is not required to give testimony or attendance in court, with reference to the property appraised, unless arrangements have been previously made therefore.
7. Any distribution of the total valuation in this report between land and improvements applies only under the existing program of land utilization. The separate valuation for land and improvements must not be used in conjunction with any other appraisal and are invalid if so used.
8. Disclosure of the contents of this appraisal report is governed by the by-laws and regulations of the Appraisal Institute. Neither all nor any part of the contents of this report (especially any conclusion as to value, the identity of the appraisers or firm with which they are connected, or any reference to the Appraisal Institute) shall be disseminated to the public through advertising media, public relations media, news media, sales media, or any other public means of communication without the prior written consent and approval of the appraisers so designated in this report.
9. The Americans with Disabilities Act (ADA) became effective January 26, 1992. I have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property together with a detailed analysis of the requirements of the ADA could reveal the property is not in compliance with one or more of the of the requirements of the Act. If so, this fact could have a negative effect upon the value of the property. Since I have no direct evidence relating to this issue, I did not consider possible noncompliance with the requirements of ADA in estimating the value of the property.



## CERTIFICATE OF APPRAISER

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest with respect to the parties involved.
- I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediate preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Appraisal Institute's Code of Professional Ethics and Standards of Professional Appraisal Practice, which include the *Uniform Standards of Professional Appraisal Practice*.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- I have made a personal inspection of the property that is the subject of this report.
- No one provided significant professional assistance to the person signing this certification.
- As of the date of this report, Robert G. Stewart, SRA has completed the continuing education program of the Appraisal Institute.

July 2, 2014



Robert G. Stewart, SRA  
CT General Appraiser #RCG.0000581  
Expires April 30, 2015

**PROFESSIONAL QUALIFICATIONS**  
**ROBERT G. STEWART, SRA**  
CT General Certified Appraiser License RCG.0000581

STEWART APPRAISAL SERVICES  
(860) 871-8015

58 Hartford Turnpike  
Tolland, CT 06084

**EDUCATION**

- o Allegheny College, Meadville, PA - B.S. - Economics & Mathematics, 1978
- o Course 101 - An Introduction to Appraising Real Property, Society of Real Estate Appraisers - 1980
- o Course 201 - Principles of Income Property Appraising, Society of Real Estate Appraisers - 1980
- o Adjusting for Financing Differences in Residential Properties Seminar - Society of Real Estate Appraisers - 1982
- o Course 202 - Applied Income Property Valuation, Society of Real Estate Appraisers - 1983
- o Appraising Individual Condominiums and Preparation of the Project Analysis of FNMA, FHLMC, MGIC Approval Seminar-1983
- o "Reading the Land" Seminar - sponsored by the Tolland County Soil & Water Conservation District - 1987
- o Course 1B-A & B - Capitalization Theory and Techniques, Part A - American Institute of Real Estate Appraisers - 1988
- o Course 2-1 - Case Studies in Real Estate Valuation - American Institute of Real Estate Appraisers - 1989
- o Course 2-2- Report Writing and Valuation Analysis - American Institute of Real Estate Appraisers - 1989
- o Appraising Troubled Properties - CT Chapter of the Appraisal Institute - 1992
- o Rates, Ratios & Reasonableness Seminar - CT Chapter of the Appraisal Institute - 1993
- o Standards of Professional Practice, Parts A & B - Appraisal Institute - 1993 & 2000
- o Environmental Risk and the Real Estate Appraisal Process - Appraisal Institute - 1994
- o Dynamics of Office Building Valuation - 1995
- o Environmental Concerns with Residential Real Estate - Appraisal Institute - 1996
- o Highest & Best Use and Market Analysis - Appraisal Institute - 1996
- o Uniform Standards of Professional Appraisal Practice (USPAP) and CT Appraisal Law Update - 1997
- o Connecticut Housing Conference by the Appraisal Institute and UCONN Center for Real Estate - 1998, 2011
- o Valuation of Detrimental Conditions in Real Estate Seminar - Appraisal Institute - 1998
- o Connecticut Commercial Real Estate Conference - University of Connecticut - 1998, 2000, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014
- o Leasing Commercial Real Estate - University of Connecticut - 1999
- o Appraisal of Contaminated Property - International Association of Assessing Officers - 2000
- o Land Valuation Techniques - Appraisal Institute - 2001
- o Appraising Commercial Real Estate in a Litigation Context - Appraisal Institute - 2002
- o Seminar on New Concepts in 12<sup>th</sup> Edition of The Appraisal of Real Estate - Appraisal Institute - 2002
- o Litigation Skills for the Appraiser - Appraisal Institute - 2002
- o Small Hotel/Motel Valuation Seminar - Appraisal Institute - 2002
- o Apartment Appraising: Concepts & Applications - Appraisal Institute Course 330 - 2002
- o Appraisal of Local Retail Properties - Connecticut Chapter Appraisal Institute - 2004
- o Appraisal of Nursing Facilities - Appraisal Institute - 2005
- o The Yellow Book Seminar - Uniform Appraisal Standards for Federal Land Acquisitions - Appraisal Institute - 2005
- o Evaluating Commercial Construction - Appraisal Institute - 2006
- o Relocation Appraisal Training Program - Employee Relocation Council - 2006
- o Code of Professional Ethics & Standards of Professional Practice of the Appraisal Institute - 2007
- o Appraising Conservation Easements - Appraisal Institute - 2007
- o Real Estate Development and Land Use - Appraisal Institute - 2007
- o Analyzing properties in Distressed Real Estate Markets - Appraisal Institute - 2008
- o Soil Surveys for Appraisals and the Farm/Ranch Protection Program Seminar - Appraisal Institute - 2009
- o Eminent Domain in the State of CT - Appraisal Institute - 2010

- o Business Practices and Ethics – Appraisal Institute – 2010
- o Market Conditions Update - The Warren Group – 2010
- o Connecticut Economic Outlook – Appraisal Institute – 2010, 2011, 2012, 2014
- o Capital Markets Update – Appraisal Institute - 2011
- o Problems in Residential Appraising - Appraisal Institute - 2011
- o Appraisal Curriculum Overview, General - Appraisal Institute - 2011
- o IRS Valuation - Appraisal Institute - 2012
- o CT Real Estate Appraisal Law – Appraisal Institute – 2001, 2003, 2005, 2007, 2009, 2012, 2014
- o Code of Ethics - Greater Hartford Association of Realtors - 2012
- o Valuing Conservation Easements - Appraisal Institute - 2013
- o Uniform Standards Professional Appraisal Practice (USPAP) Course – 2004, 2006, 2008, 2010, 2012, 2014
- o Relocation Appraisals and the ERC Form - Employee Relocation Council - 2014

#### PROFESSIONAL AFFILIATIONS

- o Senior Residential Appraiser (SRA) Member - The Appraisal Institute
- o Appraiser Member - Greater Hartford Board of Realtors
- o Certified Relocation Professional Designation (CRP) - Employee Relocation Council

#### EXPERIENCE

- o 1981 to Present Own and operate **Stewart Appraisal Services** in Tolland, CT
- o 1979 to 1981 Employed by Richard H. Barry, Inc., Manchester, CT, as a staff appraiser, appraising various types of property, both improved and unimproved
- o 1978 - 1979 Employed by Norman E. Wright Associates, Putney, VT, as a residential staff appraiser

Qualified as an expert witness in Superior and Bankruptcy Court.

June 2014

