

Agenda Item #6.1

AGENDA ITEM BACKGROUND

ITEM: Consideration of a resolution appropriating \$566,991 for certain road and parking lot pavement improvements, appropriating \$60,000 for certain drainage improvements, appropriating \$396,215 for roof replacement at Tolland Public Library, appropriating \$80,000 for the installation of an engine drive generator at the Hicks Memorial Municipal Center and Library, appropriating \$145,000 for the acquisition of a dump truck, appropriating \$216,738 for certain improvements to the Tolland Intermediate School and appropriating \$78,000 for certain driveway pavement improvements, and authorizing the issue of up to \$1,542,944 bonds and notes to finance the appropriations.

ITEM SUBMITTED BY: Agata Herasimowicz, Acting Director of Finance & Records

FOR COUNCIL MEETING OF: July 26, 2011

TOWN MANAGER APPROVAL:



ITEM SUMMARY: Approval of this item would appropriate and approve the issuance of bonds in the sum of \$1,542,944 for the following projects:

- 1.) The cost of roads and parking lot pavement improvements in an amount of \$566,991.
- 2.) The cost of certain drainage improvements in an amount of \$60,000.
- 3.) The cost of roof replacement and installation at Tolland Library in an amount of \$396,215.
- 4.) The cost to purchase and installation of a \$80,000 weatherproof, diesel driven enclosed generator at the Hicks Memorial Municipal Center.
- 5.) The cost to purchase a \$145,000 dump truck with all season body.
- 6.) The structural repairs, brick removal, foundation repairs of building façade at Tolland Intermediate School in the amount of \$216,738.
- 7.) The cost of paving a driveway entrance at Old Cathole Road at Tolland Middle School in the amount of \$78,000.

These projects were in the FY-2012 Capital Budget. The Town Council voted on July 12, 2011 to set tonight's public hearing.

FINANCIAL SUMMARY: N/A.

TOWN ATTORNEY REVIEW: Bond Counsel has drafted the authorizing resolution.

COUNCIL ACTION DESIRED: Consideration of the resolution.

SUPPORTING MATERIALS:

- o Copy of Legal Notice
- o Draft Resolution

EXHIBIT A

NOTICE OF
PUBLIC HEARING

TOWN OF TOLLAND, CONNECTICUT
JULY 26, 2011

Notice is hereby given that the Town Council of the Town of Tolland, Connecticut, will hold a Public Hearing at Hicks Memorial Municipal Center, Council Chambers, 21 Tolland Green, Tolland, Connecticut, on Tuesday, July 26, 2011 at 7:30 p.m. for the following purposes:

To hear comments on the following resolution:

1. A resolution to: (a) appropriate \$566,991 for certain road and parking lot pavement improvements, appropriate \$60,000 for certain drainage improvements, appropriate \$396,215 for roof replacement at Tolland Public Library, appropriate \$80,000 for the installation of an engine drive generator at the Hicks Memorial Municipal Center and Library, appropriate \$145,000 for the acquisition of a dump truck, appropriate \$216,738 for certain improvements to the Tolland Intermediate School, and appropriate \$78,000 for certain driveway pavement improvements; (b) authorize the Town to issue and sell its notes and bonds pursuant to the Connecticut General Statutes, or any other provision of the law thereto enabling, in an amount not to exceed \$1,542,944; and (c) authorize such other actions relating to the foregoing as may be necessary or appropriate.

The full text of the foregoing authorizing resolution is on file and open to inspection at the office of the Town Clerk, Town Hall, Tolland, Connecticut for the use or inspection of any interested person.

Dated at Tolland, Connecticut, this 13th day of July, 2011.



Steven R. Werbner
Town Manager
Tolland, Connecticut

To be published in the Journal Inquirer July 19, 2011

PUBLIC NOTICE

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The full text of the foregoing authorizing resolution is on file and open to inspection at the office of the Town Clerk, Town Hall, Tolland, Connecticut for the use or inspection of any interested person.

Dated at Tolland, Connecticut, this 13th day of July, 2011.

Steven R. Werbner
Town Manager
Tolland, Connecticut

Journal Inquirer
July 19, 2011

Agenda Item #6.1

Consideration of a resolution appropriating \$566,991 for certain road and parking lot pavement improvements, appropriating \$60,000 for certain drainage improvements, appropriating \$396,215 for roof replacement at Tolland Public Library, appropriating \$80,000 for the installation of an engine drive generator at the Hicks Memorial Municipal Center and Library, appropriating \$145,000 for the acquisition of a dump truck, appropriating \$216,738 for certain improvements to the Tolland Intermediate School and appropriating \$78,000 for certain driveway pavement improvements, and authorizing the issue of up to \$1,542,944 bonds and notes to finance the appropriations.

TOWN OF TOLLAND

TOWN COUNCIL RESOLUTION (CAPITAL PROJECTS)

RESOLVED, (1) That the Town of Tolland (the "Town") appropriate (i) the sum of \$566,991 for the cost of the pavement resurfacing, sealing, repair and/or reconstruction of all or portions of certain town roads in accordance with the Town's automated pavement management system recommendations and the pavement resurfacing, sealing and repair of certain parking lots located at the Gehring Road and Plains Road firehouses, Heron Cove Park, Crandall Park, the Tolland Jail Museum and the Tolland High School tennis courts (collectively, the "Pavement Project"), (ii) the sum of \$60,000 for the cost of drainage replacement, including the replacement and/or repair of crumbling box culverts (the "Drainage Replacement Project"), (iii) the sum of \$396,215 for the cost of the removal, replacement and installation of the Tolland Public Library roof, including the addition of internal roof drains and the replacement of gravel stop and wood fascia board as necessary (the "Library Roof Project"), (iv) the sum of \$80,000 for the cost of the installation of a weatherproof enclosed industrial diesel engine drive generator at the Hicks Memorial Municipal Center and Library (the "Generator Installation Project"), (v) the sum of \$145,000 for the cost of purchasing a six-wheel 36,000 gross vehicle weight dump truck to be used in connection with plowing and sanding and for such other purposes required by the Town (the "Truck Acquisition"), (vi) the sum of \$216,738 for the cost of building façade structural repair, brick removal, replacement and repointing, foundation repair, the enlargement, removal, replacement and installation of expansion and control joints and repointing, and cleaning and sealing of brick efflorescence area, at the Tolland Intermediate School (the "School Project"), and (vii) the sum of \$78,000 for the cost of the pavement resurfacing, sealing and repair of the entrance driveway of Tolland Middle School commencing at Old Cathole Road (the "Driveway Pavement Project," together with the Pavement Project, the Drainage Replacement Project, the Library Roof Project, the Generator Installation Project, the Truck Acquisition and the School Project, collectively, the "Projects"). The appropriations may be spent for design and construction costs, equipment, materials, site improvements, architects' fees, engineering fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the Projects or their financing. The Town Council is authorized to determine the scope and particulars of the Projects. The Town Council may reduce or modify the scope of the Projects, and the appropriations may be spent on the Projects as so reduced or modified.

(2) That to finance said appropriation for the Pavement Project, the Town issue bonds or notes in an amount not to exceed \$566,991 (or so much thereof as may be necessary after deducting grants or other sources of funds received by the Town for said project), to finance said appropriation for the Drainage Replacement Project, the Town issue bonds or notes in an amount not to exceed \$60,000 (or so much thereof as may be necessary after deducting grants or other sources of funds received by the Town for said project), to finance said appropriation for the Library Roof Project, the Town issue bonds or notes in an amount not to exceed \$396,215 (or so much thereof as may be necessary after deducting grants or other sources of funds received by the Town for said project), to finance said appropriation for the Generator Installation Project, the Town issue bonds or notes in an amount not to exceed \$80,000 (or so much thereof as may be necessary after deducting grants or other sources of funds received by the Town for said project), to finance said appropriation for the Truck Acquisition, the Town issue bonds or notes in an amount not to exceed \$145,000 (or so much thereof as may be necessary after deducting grants or other sources of funds received by the Town for said project), to finance said appropriation for the School Project, the Town issue bonds or notes in an amount not to exceed \$216,738 (or so much thereof as may be necessary after deducting grants or other sources of funds received by the Town for said project), and to finance said appropriation for the Driveway Pavement Project, the Town issue bonds or notes in an amount not to exceed \$78,000 (or so much thereof as may be necessary after deducting grants or other sources of funds received by the Town for said project). The bonds or notes shall be issued pursuant to Chapter 109 of the Connecticut General Statutes, Revision of 1958, as amended (the "Connecticut General Statutes"), including, without limitation, Section 7-369 of the Connecticut General Statutes, and any other enabling acts.

(3) That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the Projects or the receipt of grants for the Projects. The amount of the notes outstanding at any time shall not exceed \$1,542,944. The notes shall be issued pursuant to Section 7-378 of the Connecticut General Statutes. The Town shall comply with the provisions of Section 7-378a of the Connecticut General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(4) That the Town Manager and the Treasurer of the Town (the "Officials") be authorized to sign said bonds, notes or other obligations of the Town by their manual or facsimile signatures and to determine the amounts, rates of interest, dates, maturities, dates of principal and interest payments on such bonds, notes or other obligations, the form of such bonds, notes or other obligations; the provisions for protecting and enforcing the rights and remedies of the holders of such bonds, notes or other obligations and all other terms, conditions and particular matters regarding the issuance and securing of such bonds, notes or other obligations and to execute, sell and deliver the same, and provide all supporting documentation as may be necessary or desirable to accomplish such purposes and to comply with the requirements of the Internal Revenue Code of 1986, as amended, Securities and Exchange Commission Rule 15c2-12, and in accordance with the Connecticut General Statutes and any other applicable provision of law thereto enabling. The bonds, notes and other obligations authorized hereby shall be general obligations of the Town secured by the full faith and credit of the Town.

(5) That the Officials are hereby authorized to designate a bank or trust company to be the certifying bank, registrar, transfer agent and paying agent for such bonds, notes and other obligations; to provide for the keeping of a record of the bonds, notes or other obligations; to designate a financial advisor to the Town in connection with the sale of the bonds, notes or other obligations; that the law firm of Updike, Kelly & Spellacy, P.C., Hartford, Connecticut, is designated as the attorneys at law to render an opinion approving the legality of such issue or issues.

(6) That the Officials are authorized to sell the bonds, notes or other obligations at public or private sale; to deliver the bonds, notes or other obligations; and to perform all other acts which are necessary or appropriate to issue the bonds, notes or other obligations, including, but not limited to, entering into a continuing disclosure agreement pursuant to Security and Exchange Commission Rule 15(c)(2)(12). If the bonds, notes or other obligations authorized by this resolution are issued on a tax-exempt basis, the Officials are authorized to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds, notes or other obligations, including covenants to pay rebates of investment earnings to the United States in future years.

(7) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the Projects. The Officials are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes or other obligations authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(8) That the Town Council shall approve any contracts with engineers, contractors, architects and other persons for the Projects.

(9) That the Town Manager is hereby authorized, on behalf of the Town, to apply for and accept state grants to finance the appropriations for the Projects, and to execute and file any application or enter into any grant agreement prescribed by the State of Connecticut.

(10) That the Officials and other proper officers of the Town are authorized to take all other actions which are necessary or desirable to complete the Projects consistent with the foregoing and to issue bonds, notes or other obligations to finance the aforesaid appropriation.

Upon Motion duly made and seconded, the foregoing Resolution was adopted by the following roll call vote:

In Favor:

Opposed:

I, _____, duly elected and qualified Clerk of the Town Council of the Town of Tolland, hereby certify that the foregoing is a true copy of the Resolution adopted at the meeting of the Town Council held on July 26, 2011 authorizing an appropriation of \$566,991 for certain road and parking lot pavement improvements, an appropriation of \$60,000 for certain drainage improvements, an appropriation of \$396,215 for roof replacement at Tolland Public Library, an appropriation of \$80,000 for the installation of an engine drive generator at the Hicks Memorial Municipal Center and Library, an appropriation of \$145,000 for the acquisition of a dump truck, an appropriation of \$216,738 for certain improvements to the Tolland Intermediate School, and an appropriation of \$78,000 for certain driveway pavement improvements, and to finance such appropriations authorizing the issuance of bonds, notes or other obligations in an aggregate principal amount not to exceed \$1,542,944; that said Council consists of seven members; a quorum consists of four members and the minimum number of affirmative votes required to adopt said Resolution was four; _____ members were present at said meeting; a roll call vote was taken and _____ members voted in favor of said Resolution and _____ members voted against the adoption of said Resolution; the entire meeting exclusive of executive sessions was open to the public and no one was excluded from the portion of the meeting pertaining to the consideration and adoption of said Resolution.

Dated at Tolland, Connecticut, this ____ day of July, 2011.

Clerk
Town Council
Tolland, Connecticut

Agenda Item #8.1

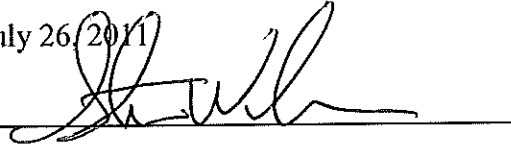
AGENDA ITEM BACKGROUND

ITEM: Consideration of a resolution adding language to our Town Codes allowing for the waiver of building permit fees required by reason of activity by or on behalf of the Town, Board of Education and certain non-profits whether by contract or otherwise.

ITEM SUBMITTED BY: Steven R. Werbner, Town Manager

FOR COUNCIL MEETING OF: July 26, 2011

TOWN MANAGER APPROVAL: _____



ITEM SUMMARY: The Town Council, in limited cases in the past, has waived the building permit fee for certain non-profits and for projects of the Town and Board of Education. In the past certain Town and Board of Education projects have had fees waived administratively. In checking the Tolland Code there is no specific language which codifies this practice. Therefore I would propose that the following language be considered for inclusion in Section A-173-4 of the Tolland Code which is the section addressing Building Permit Fees:

The Town Manager or his designee shall waive the building permit fee required by reason of activity by or on behalf of the Town or Board of Education whether by contract or otherwise, except for the portion assessed by the State of Connecticut and except in those cases where there are other available funds to pay for the fee without impact to the completion of the project. The Town Council may upon request of the Board of Education review any decision made by the Town Manager in this regard for which they feel they are adversely impacted. The Town Council may in other instances and for good cause shown, waive the building permit fee, except for the portion assessed by the State of Connecticut, required of non-profit entities who have Board or Commission members appointed by the Town Council, receive funds from the Town, or lease a Town Facility.

FINANCIAL SUMMARY: There could be some minor loss of revenue associated with building permit fees, however, traditionally these entities have not paid the fee in the past.

TOWN ATTORNEY REVIEW: N/A.

COUNCIL ACTION DESIRED: Consideration of the resolution.

SUPPORTING MATERIALS:

- o Draft Resolution.
- o Town Code Section A-173-4.

Agenda Item #8.1

Consideration of a resolution adding language to our Town Codes allowing for the waiver of building permit fees required by reason of activity by or on behalf of the Town, Board of Education and certain non-profits whether by contract or otherwise.

DRAFT RESOLUTION

NOW, THEREFORE, BE IT RESOLVED that the Town Council revises Section A-173-4 of the Tolland building permit code.

Approved by the Tolland Town Council on _____, 2011.

Town Clerk

Date

§ A173-4 Building permits.

[Adopted 6-12-1990; amended 8-17-1999; 8-26-2003; 7-8-2008; 3-23-2010]

The Tolland Town Council adopts the following fee schedule applicable to all building permits:

A.

Fire Code compliance inspection for one- or two-family dwellings: \$25.

B.

Building Code compliance inspection for one- or two-family dwellings: \$25. This fee is included in the building permit fee. An additional fee of \$25 may be assessed for every reinspection after the first reinspection, for the same violation.

C.

Plan review fee for Fire Code compliance for all other use groups: \$100. This fee is included in the building permit fee if the structure is built.

D.

Residential Building Code compliance plan review fee: \$50. This fee is included in the building permit fee if the structure is built.

E.

Building Code compliance fee for all other use groups: \$100. This fee is included in the building permit fee if the structure is built.

F.

The building permit fee is based on each \$1,000 or portion thereof of a structure's value. A fee shall be charged for each \$1,000 of said value at the rate of \$30 for the first \$1,000 of estimated cost, plus \$12 for each additional \$1,000 of estimated cost. This fee also applies to all mechanical construction and demolition.

G.

Filing fee for mechanical construction, inclusive of elevators, electrical, plumbing, heating, ventilating and air conditioning, refrigeration, low-voltage wiring systems, sprinklers, etc., as deemed necessary by the Building Official and/or the State of Connecticut Basic Building Code or the General Statutes of Connecticut: filing fee of \$10 if value is covered by project with a building permit.

H.

Certificate of occupancy processing fee: \$5. This fee is included in the building permit fee.

I.

Penalty for work commencing prior to issuance of a permit. In addition to the permit fee, the penalty shall be equal to the original permit fee; provided, however, that in no event shall the penalty be less than \$200 nor greater than \$1,000 per offense. This subsection shall not be enforced at the direction of the Building Official in emergency situations such as no heat, hot water, power, etc.

J.

Subsequent purchasers of residential property who determine after the purchase that appropriate building permits were not acquired shall not be assessed a fine for any remedial work done to come into compliance with the Building Code. However, regular permit fees for work shall apply.

Agenda Item #8.2

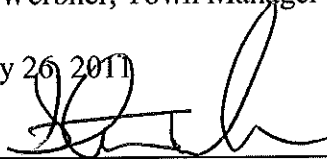
AGENDA ITEM BACKGROUND

ITEM: Discussion regarding the status of Town owned property located at 116 Cider Mill Road.

ITEM SUBMITTED BY: Steven R. Werbner, Town Manager

FOR COUNCIL MEETING OF: July 26, 2011

TOWN MANAGER APPROVAL: _____



ITEM SUMMARY: Over the last several meetings there have been discussions about the status of the house and property at 116 Cider Mill Road which is adjacent to Crandall's Park. The house, which was built in 1963 is 1,608 sq. ft. and is located on 1.26 acres with 200 ft. of frontage on Cider Mill Road. The Town purchased the property in 1993 for \$130,000 due to its prime location and as a connection between Town owned land. The property backs up to Powell Pond which is the source of makeup water for Crandall Pond. This is one of four adjacent properties to Crandall Park that were previously identified as being important to purchase/protect by the Town. This property and the one next door, that is still privately owned, extend into Crandall Park on the shore of Powell Pond.

The original idea behind the purchase of the property was to acquire, as it became available, the properties around the pond to expand and protect Crandall Park and Crandall Pond. There was a concept to use the property as an alternative entrance into the Park if the existing Parks Garage was expanded which impacted the entrance point at that location. In the attached memo from Tom Ainsworth additional reasons for the purchase are articulated.

The Council several meetings ago approved funds to demolish the house based on its dilapidated condition. During the discussion of demolition, Steve Amedy raised the possibility of the Non-Profit Housing Authority taking the property and rehabbing it and selling it as a unit of affordable housing. While that concept may be financially feasible, it will take from the Town a parcel of land that a previous Council felt was important to preserve as part of our active open space land. Another key to consider is that if the property is given to the Non-Profit and they ultimately sell the house, the only way for the Town to reacquire the house would be to buy it back at some future time. If that were to occur, the Town would have paid twice for the same piece of property.

An additional concern is that we do have an agreement with the group trying to establish a youth hall on the site. That agreement has an additional year to go and the indications are that members of the group are still trying to achieve their original goal.

For many of the reasons stated in Tom's memo it is the recommendation of staff that we move forward with demolition of this house and retain the parcel as municipal property.

July 26, 2011
Agenda Item #8.2
Cover Sheet – Page Two

FINANCIAL SUMMARY: See above.

TOWN ATTORNEY REVIEW: N/A.

COUNCIL ACTION DESIRED: Discussion.

SUPPORTING MATERIALS:

- Warranty Deed
- Memo and e-mail from Tom Ainsworth

WARRANTY DEED
(Statutory Form)

We, JAMES P. CALDWELL and MAXINE M. CALDWELL, both of Tolland, Connecticut, for consideration paid of One Hundred Thirty Thousand and NO/100 (\$130,000.00) Dollars, grant to the TOWN OF TOLLAND, a municipal corporation of Tolland, Connecticut, with WARRANTY COVENANTS:

A certain place or parcel of land situated in the Town of Tolland, County of Tolland and State of Connecticut, more particularly bounded and described as follows:

Beginning at a point on the Westerly highway line of Cider Hill Road, and said point being at the Northeasterly corner of land now or formerly of the State of Connecticut and the Southeasterly corner of the land herein described; thence in a Westerly direction along said land now or formerly of the State of Connecticut, S 86° 55' W, a distance of Two Hundred Ninety-Nine and Thirty-Seven One-Hundredths (299.37) feet to a point; thence in a Northerly direction, N 18° 29' W, a distance of One Hundred Eighty-Three and Twenty-Seven One-Hundredths (183.27) feet to a point which is also marked by a twenty-four inch (24") Hemlock; thence in an Easterly direction, N 83° 03' E, a distance of Three Hundred Fifty-Four and Sixty-Eight One-Hundredths (354.68) feet to a point on said Westerly highway line of Cider Hill Road; thence in a Southerly direction along said Westerly highway line of Cider Hill Road, S 1° 24' E, a distance of Two Hundred and Fifty-Nine One-Hundredths (200.59) feet to the point and place of beginning.

Said premises are subject to such zoning and other municipal ordinances as may be in effect.

Being the same premises conveyed to the Grantors herein by deed recorded in Volume 67 at Page 439 of the Tolland Land Records.

Signed this 18th day of October, 1993.

Witnessed by:

John B. Hawkins
JOHN B. HAWKINS

James P. Caldwell
JAMES P. CALDWELL

Maxine M. Caldwell
MAXINE M. CALDWELL

Maxine M. Caldwell
MAXINE M. CALDWELL

STATE OF CONNECTICUT }
COUNTY OF TOLLAND } ss. Tolland

On this the 18th day of October, 1993, before me, the undersigned officer, personally appeared JAMES P. CALDWELL and MAXINE M. CALDWELL, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand.

650.00 State Con. Tax
143.00 Conveyance Tax received

John B. Hawkins
JOHN B. HAWKINS
Commissioner of Superior Court

Bernice K. Dixon
Asst. Town Clerk of Tolland

Grantor's Mailing Address:
21 Tolland Green
Tolland, CT 06084

RECEIVED October 18, 1993 at 2:28 P.M.
Attest Bernice K. Dixon Asst. Town Clerk

The Town owned property at 116 Cider Mill Road is a 1 family ranch built in 1963. It is 1,608 sq ft and sits on a 1.26 acre lot with 200 ft of frontage on Cider Mill Road. It was purchased in 1993 by the Town for \$130,000 dollars due to its prime location and as a connection between Town owned Park land.

The property backs up to Powell Pond which is the source of makeup water for Crandall Pond the Town's only swimming area. This is one of four properties adjacent to Crandall Park that were identified as being important to purchase/protect by the Town. This property and the one next door, that is still privately owned, extend into Crandall Park on the shore of Powell Pond.

The idea behind the purchase of the property was the same as the Towns policy to purchase open space. That is to acquire important parcels of land to preserve for future generations . This property is contiguous to the Towns most important park. Just like the Town purchased the Greenleaf property which is on the back side of Crandall Park. The only difference was this property had an existing house and garage. It was always the plan when the house was no longer needed to take it down and use the space for something else. While the house is not significant or important in any way the land it sits on is, for the following reasons:

- 1) Its location in the middle of a Town Park.
- 2) Its location on the Powell Pond watershed which serves as the source for makeup water for Crandall Pond, the Towns only swimming area.
- 3) Its potential to serve as a safe and easy pedestrian access way to rear park land.
- 4) Its potential for additional parking.
- 5) Its potential for additional public access to Powell Pond.
- 6) Its potential for other recreational uses such as a scenic overlook, a picnic area with a pavilion, or a nature center to name a few.
- 7) Potential access point for alternate access road to Lodge and Crandall 2 if Parks garage is ever expanded .
- 8) Town ownership eliminates conflicts between parks users and private landowners.

Problems with giving it up:

- 1) Original purchase price lost.
- 2) Private ownership restricts public access, limits future uses and gives the individual landowner all the benefits of a semi-private pond in a park setting.
- 3) Loss of access to whole north end of Powell pond by Town and public.
- 4) Loss of Town storage facility in garage currently used by parks department and recreation department.
- 5) Loss of hiking trail currently connected through property.
- 6) Town gains nothing from the transaction .

When I first started working here in the 80's Crandall Park consisted of 100 acres. Since then we have made a concentrated effort to buy adjacent properties as they became available. The two properties owned by the Caldwell brothers with frontage on Cider Mill Road were always considered

important parcels to acquire mainly due to their location. They sit right in the middle of the park overlooking Powell Pond. Having private property so close to Town owned land has resulted in some interesting interaction. We have had problems with illegal tree removal for firewood, dogs from the private property entering park land and scaring people, illegal dumping and filling of wetlands, as well as property line encroachment. Needless to say we were very happy to acquire the property at 116 Cider Mill Road. While 116 Cider Mill Road is important for the Town to continue to own, the property located at 108 Cider Mill Road is even more important to acquire. It sits directly on Powell Pond and its property line is the high water mark. With both properties we would be able to greatly open up public access to the area and make improvements to benefit all the residents that use the park. Even if the Town is unable to purchase the property at 108 Cider Mill in the future, the potential uses the land at 116 Cider Mill represents is invaluable and once given away will be lost forever. It is my opinion and that of the Parks & Recreation Board that lobbied hard for the original purchase, that converting this property to non-profit housing would be extremely short sighted and a terrible mistake. We feel very strongly that the Town should remove the house, which is in terrible condition, and continue to use the property for passive recreation uses until such time when we can afford to develop it for more active recreational uses for residents of all ages to enjoy.

Steve Werbner

From: Tom Ainsworth
Sent: Thursday, July 14, 2011 11:11 AM
To: Steve Werbner
Subject: youth hall

Hi Steve,

I got ahold of Mike Bobey today. He is still pursuing his goal of building a youth hall on the property at 116 Cider Mill Road.

According to the lease he still has another year. I also left a message for the chair of the rec board about writing a letter of support.

I will get that to you when I get it.

Tom

Agenda Item #8.3

AGENDA ITEM BACKGROUND

ITEM: Approval of a resolution for the Town of Tolland to make a donation of \$4,448 to Joshua's Tract Conservation & Historic Trust, Inc. for their involvement with the Lemek Subdivision Open Space.

ITEM SUBMITTED BY: Linda Farmer, Director of Planning & Community Development

FOR MEETING OF: July 26, 2011

TOWN MANAGER APPROVAL: _____



ITEM SUMMARY: The Planning & Zoning Commission approved an 8 lot subdivision, "Lemek Acres", with a new road off of Goose Lane and 26.98 acres of open space along the Skungamaug River on May 12, 2008. Customarily, the town receives ownership of the subdivision open space set aside, but in this case, a Tolland resident made Joshua's Trust (JT) aware of this property and provided JT the land owner contact information. The subdivision approval specified the open space would be owned by the Town or an approved land trust.

Transfer of ownership of the open space to Joshua's Trust took place in November 19, 2010. Since that time, planning staff have had some involvement with Joshua's Trust by providing copies of maps and the access easement from the land records. Additionally, Steve Lowrey investigated a drainage concern reported by Joshua's Trust and spoke with Public Works about possible future mitigation by installation of a curb at the access point off the cul-de-sac.

We (staff and Conservation Commission) just became aware there would not be public access on this riverfront property.

Joshua's Trust contacted the Town regarding a donation of \$4,448 for Stewardship of the open space. Representatives of Joshua's Trust will be at the meeting to answer questions.

FINANCIAL SUMMARY: N/A.

TOWN ATTORNEY REVIEW: N/A.

COUNCIL ACTION DESIRED: Consideration of resolution.

SUPPORTING MATERIALS:

- o Draft Resolution.
- o Letter from the Conservation Commission dated 7/20/11.
- o Letter from Joshua's Trust dated 6/22/11.
- o Lemek Acres Subdivision map showing open space.

Agenda Item #8.3

Approval of a resolution for the Town of Tolland to make a donation of \$4,448 to Joshua's Tract Conservation & Historic Trust, Inc. for their involvement with the Lemek Subdivision Open Space.

DRAFT RESOLUTION

NOW, THEREFORE, BE IT RESOLVED that the Town Council approves a resolution for the Town of Tolland to make a donation of \$4,448 to Joshua's Tract Conservation & Historic Trust, Inc. for their involvement with the Lemek Subdivision Open Space.

Approved by the Tolland Town Council on _____, 2011.

Town Clerk

Date



TOWN of TOLLAND/ 21 tolland green, tolland connecticut 06084

Conservation Commission

July 20, 2011

It has been brought to the attention of the Tolland Conservation Commission that the Town of Tolland has been requested to make a donation to Joshua's Trust to support their recently acquired Lemek Sub-Division Open Space set aside. The Commission has voted to recommend against such a donation.

As a part of an open space requirement, the previous land owner opted to donate the land to a non-Town organization (Joshua's Trust). Because the Open Space in question had never belonged to the Town, it is the opinion of the Commission that there is no moral obligation for the Town to provide such a donation, and that any donation should be made by the previous land owner.

While Joshua's Trust is a worthy preservation and conservation organization, their intent is to preserve this property (keeping it free from additional human incursion with no public access). While the Commission acknowledges that there can be a value in preservation, it is through a policy of conservation (proper usage and maintenance of a property within a defined maintenance plan) that has historically been the driver for government policy. This policy of conservation was referred to by Gifford Pinchot, the first Chief of the United States Forest Service, as "the greatest good for the greatest number of people".

Should the Council still wish to make a suitable donation, the Tolland Conservation Corps would be a much more appropriate recipient. Within the Corps, volunteers from the Town are using their own resources and tools to maintain and develop open space properties owned by the Town. This army of volunteers maintains and builds trails and bridges, and battles invasive species on Town managed passive recreation open space properties. A donation to the Tolland Conservation Corps would represent a far better return on investment for the people of Tolland.

Respectfully submitted,

Don DiGenova

Secretary Tolland Conservation Commission

for the Tolland Conservation Commission

Joshua's Tract Conservation and Historic Trust, Inc.

P. O. Box 4, Mansfield Center, Connecticut 06250-0004

June 22, 2011

Mr. Steven Werbner
Town Manager
Town of Tolland
21 Tolland Green,
Tolland, CT 06084

Re: Lemek Subdivision Open Space: Stewardship Funds

Dear Mr. Werbner:

As you know, Joshua's Trust recently accepted a 27.1 acre parcel of open space set aside by the Tolland Planning and Zoning Commission upon the approval of the Lemek Subdivision located off Lemek Lane. It is a beautiful and important parcel, and the Trust is happy to have yet another collaboration with the Town of Tolland in protecting Tolland's and the region's natural resources.

The Trust recently became accredited by the Land Trust Alliance (LTA) - one of only 4 in the State to achieve that accomplishment, and among only 7% of all land trusts in the nation to be accredited. It was a very trying process for the Trust because the Trust is still all-volunteer (not counting the Conservation Coordinator's P/T contracting services). The Trust firmly believes that it has already benefitted from the strict financial and land management standards required by the LTA in connection with certification.

The Trust takes its mission to perpetually care for its properties very seriously. Among the LTA standards and practices that we are held to is one which requires the Trust to ensure that it has adequate dedicated funds to manage and defend Trust properties into perpetuity - a challenge also faced by municipalities with respect to their own properties and facilities. We are far behind even the minimum recommended standards of the LTA as this standard applies to *existing* properties under our care, but the Trust has made a commitment to raise funds over the next 5 years to meet what we feel is an acceptable stewardship funding standard. Meanwhile, we have adopted a policy of requesting of any *new* donor a contribution of funds towards the perpetual stewardship of a dedicated property based on a per acre formula.

We are now making an inquiry as to whether the Town of Tolland would be willing to make a contribution in the amount of \$4,448 for the perpetual care and maintenance of the Lemek



JOSHUA'S MARK

Joshua's Tract Conservation and Historic Trust, Inc.

P. O. Box 4, Mansfield Center, Connecticut 06250-0004

subdivision open space consistent with that policy, and in consideration of the fact that the Trust is assuming the normal role of the Town in caring for this land. You will recall that there is precedent for this action; the Town dedicated funds for the perpetual enforcement and stewardship of a conservation easement superimposed over Town Open Space at Sage Meadow.

We thank you for considering this request, and look forward to your response. Please let us know if you require additional information.

Very truly yours,

Allison Burchell-Robinson

Allison Burchell-Robinson
President



JOSHUA'S MARK

Agenda Item #8.4


AGENDA ITEM BACKGROUND

ITEM: Consideration of a resolution to declare various vehicles and equipment as surplus property within the Town.

ITEM SUBMITTED BY: Clem Langlois, Jr., Public Works Operations Manager
Michael Wilkinson, Director of Administrative Services

FOR COUNCIL MEETING OF: July 26, 2011

TOWN MANAGER APPROVAL: _____



ITEM SUMMARY: The Public Works Department has the following vehicles and equipment that are obsolete, no longer in working order and/or no longer safe for road travel. It is proposed that we advertise the sale of the vehicles and equipment that have value in "as is" condition and if there are no offers, contact a salvage company for disposal.

1988 GMC 2500 pickup
VIN# 2CTFK24KOJ1502136
Mileage: 83,390

Gandy walk behind overseeder
w/thatcher
Model: OMC

1989 Ford F350 4x4 dump
VIN# 2FDKF38M4KCA82645
Mileage: 84,300

Olathe overseeder
Model: 83

1992 Dodge W350 4x4 dump
VIN# 1B7MM36C3NS654219
Mileage: 77,224

4 tires
Firestone Destination LE
P235/65R17

1996 Crown Vic
VIN# 2FALP71W27X187287
Mileage: 107,177

4 tires
Firestone Wilderness LE
P265/70R16

2003 Chrysler Cirrus
VIN# 1C3EJ46X4YN232067
Mileage: 83,678

4 tires
Continental Contitral
LT245/75R17

Tailgate, bumper & misc. hardware
For 2006 Ford F250 XL Super Duty

8 tires
Pirelli Scorpion
LT263/70R17

Toro aerator/pluger attachment for 3pt hedge
Model: HC4000

Parker Trailer
10' x 6'6"
Single Axle

July 26, 2011
Agenda Item #8.4
Cover Sheet – Page Two

FINANCIAL SUMMARY: The vehicles and equipment are recommended for possible sale or to be otherwise disposed of in accordance with Policy A176-4, Policy Concerning Disposal of Surplus Personal Public Property, because they have little to no value.

TOWN ATTORNEY REVIEW: N/A.

COUNCIL ACTION DESIRED: Consideration of the resolution.

SUPPORTING MATERIALS:

- Town Policy A176-4
- Draft Resolution

§ A176-4 Policy No. 4: Policy Concerning Disposal of Surplus Personal Public Property.

[Adopted by the Board of Selectmen 11-22-1983; modified by Charter Revision 11-7-1984; 7-26-2005]

A.

Before any department, commission, board, officer or employee of the Town shall offer for sale or otherwise dispose of any personal property of the Town which has been deemed to be surplus to Town needs by the Town Council, an opportunity shall be given for competitive bidding. Sealed bids shall be invited for items whose value is estimated to be in excess of \$3,000. Written proposals shall be received by the Town Manager for items of lesser value and sold to the highest bidder.

B.

In lieu of written proposals or sealed bids, a public auction may be conducted, at which time various surplus items will be offered for sale.

C.

Items of personal property which are of little or no value may be scrapped at the discretion of the Town Manager.

D.

All proceeds from the above activities shall be deposited with the Town Treasurer and deposited to the Capital Account of the Town.

E.

The Town Council may waive the requirements for the above when, in its opinion, the circumstances of a particular case are in the best interests of the Town.

F.

This policy shall not be employed when items are to be used as trade-in items on replacement property.

G.

Sale of public property shall be made pursuant to § C10-3 of the Town Charter.

Editor's Note: The Charter is included at the end of the beginning of this volume.

Agenda Item #8.4

Consideration of a resolution to declare various vehicles and equipment as surplus property within the Town.

DRAFT RESOLUTION

BE IT RESOLVED that the following items are hereby declared surplus and may be disposed of in accordance with Policy A176-4, Policy Concerning Disposal of Surplus Personal Public Property:

1988 GMC 2500 pickup VIN# 2CTFK24KOJ1502136 Mileage: 83,390	Gandy walk behind overseeder w/thatcher Model: OMC
1989 Ford F350 4x4 dump VIN# 2FDKF38M4KCA82645 Mileage: 84,300	Olathe overseeder Model: 83
1992 Dodge W350 4x4 dump VIN# 1B7MM36C3NS654219 Mileage: 77,224	4 tires Firestone Destination LE P235/65R17
1996 Crown Vic VIN# 2FALP71W27X187287 Mileage: 107,177	4 tires Firestone Wilderness LE P265/70R16
2003 Chrysler Cirrus VIN# 1C3EJ46X4YN232067 Mileage: 83,678	4 tires Continental Contitral LT245/75R17
Tailgate, bumper & misc. hardware For 2006 Ford F250 XL Super Duty	8 tires Pirelli Scorpion LT263/70R17
Toro aerator/pluger attachment for 3pt hedge Model: HC4000	Parker Trailer 10' x 6'6" Single Axle

Approved by the Tolland Town Council on _____, 2011.

Town Clerk

Date

Agenda Item #8.5

AGENDA ITEM BACKGROUND

ITEM: Consideration of a resolution to authorize the Town Manager to submit an application to the Connecticut State Department of Education for the 2011-2012 Youth Service Bureau Grant.

ITEM SUBMITTED BY: Nancy Dunn, Tolland Youth Services Coordinator

FOR COUNCIL MEETING OF: July 26, 2011

TOWN MANAGER APPROVAL:

A handwritten signature in black ink, appearing to be 'Nancy Dunn', written over a horizontal line.

ITEM SUMMARY: The purpose of this non-competitive grant is to assist municipalities in the operation of their Youth Service Bureaus. Each municipality is required to appropriate matching funds. Tolland has received Youth Service Bureau funding since 1980.

FINANCIAL SUMMARY: During FY 2010-2011 Tolland received \$21,101. Based on the current State budget, we are eligible to receive that amount during the 2011-2012 fiscal year. The grant award and the required municipal matching funds are included in the approved 2011-2012 Human Services budget.

TOWN ATTORNEY REVIEW: N/A.

COUNCIL ACTION DESIRED: Adoption of the resolution.

SUPPORTING MATERIALS:

- o Draft Resolution

Agenda Item #8.5

Consideration of a resolution to authorize the Town Manager to submit an application to the Connecticut State Department of Education for the 2011-2012 Youth Service Bureau Grant.

DRAFT RESOLUTION

In furtherance of this resolution, Steven R. Werbner, Town Manager of the Town of Tolland, and in his absence the Acting Town Manager, has been empowered to enter into and sign said application on behalf of the Town of Tolland, between the Town of Tolland and the Connecticut State Department of Education. Steven R. Werbner currently holds the Town Manager position and has held that office since October 1, 2005. The Town Manager is further authorized to provide such additional information and execute such other documents as may be required by the State in connection with said contract and to execute any subsequent amendments, rescissions and revisions thereto.

The Town Clerk is authorized to impress the seal of the Town of Tolland on any such document, amendment, rescission or revision.

NOW, THEREFORE, BE IT RESOLVED that I, Margaret DeVito, Town Clerk of the Town of Tolland, do hereby certify this to be a true copy of the resolution adopted at the _____ on _____, and that it has not been rescinded, amended or altered in any way, and that it remains in full force and in effect.

Margaret DeVito
Town Clerk

Date: _____



TOWN of TOLLAND/ 21 tolland green, tolland connecticut 06084

M E M O

TO: Town Council
ATTN: Steven R. Werbner, Town Manager
FROM: Holly Suchecki, Executive Assistant *ms*
DATE: July 26, 2011
RE: Current Board & Commission Vacancies – Agenda Item #8.6

The attached table illustrates all vacancies as of July 21, 2011 on Town boards and commissions appointed by the Town Council:

Office	Person Appointed/Term
Board of Building Appeals	ONE VACANCY – to fulfill a term from 11-04-2009 to 11-09-2011 Membership currently includes 2 Democrats, 2 Republicans and 1 vacancy.
Board of Recreation	ONE VACANCY – to fulfill a term from 11-04-2009 to 11-09-2011 Membership currently includes 2 Democrats, 2 Republicans, 2 Unaffiliated and 1 vacancy.
Central Regional Tourism District	ONE VACANCY – to fulfill an indefinite term.
Fence Viewer	ONE VACANCY – to fulfill a term from 11-04-2009 to 11-09-2011.
Non-Profit Housing Corp.	ONE VACANCY – to fulfill a term from 07-01-2011 to 07-01-2016.
Permanent Celebration Committee	ONE VACANCY – to fulfill a term from 11-05-2010 to 11-05-2013.
Tolland Economic & Community Development Corporation	ONE VACANCY – to fulfill a term from 02-28-2009 to 02-28-2014. Membership currently includes 2 Republicans, 4 Unaffiliated and 1 vacancy.
Tolland Energy Task Force	TWO VACANCIES – to fulfill indefinite terms. Membership currently includes 3 Republicans, 5 Democrats, 3 Unaffiliated and 2 vacancies.

Tolland Water Commission	ONE VACANCY – one to fulfill a term from 01-31-2011 to 01-31-2015 Membership currently includes 1 Democrat, 3 Republicans, 2 Unaffiliated and 1 vacancy.
Water Pollution Control Authority	TWO VACANCIES – one to fulfill a term from 08-26-2010 to 08-26-2013 and one to fulfill a term from 08-26-2009 to 08-26-2011. Membership current includes 4 Republicans, 1 Democrat and 2 vacancies.

Vacancies in Town Manager Board/Commission Appointments

1. Conservation Commission:

- One alternate member to fulfill a term from 06-30-2010 to 06-30-2012.

Attachment
/hms

The Town of Tolland is an Affirmative Action/Equal Opportunity Employer

Agenda Item #8.6

Appointments to vacancies on various municipal boards/commissions and Town Council appointed committees.

DRAFT RESOLUTION

BE IT RESOLVED by the Tolland Town Council that per Section C5-1 of the Town Charter it hereby makes the following appointments:

BOARD/COMMISSION	NEW TERM
Board of Building Appeals	11-04-09 to 11-09-11
Board of Recreation	11-04-09 to 11-09-11
Central Regional Tourism District	Indefinite Term
Fence Viewer	11-04-09 to 11-09-11
Non-Profit Housing Corp.	07-01-11 to 07-01-16
Permanent Celebration Committee	11-05-10 to 11-05-13
Tolland Economic & Community Development Corporation	02-28-09 to 02-28-14
Tolland Energy Task Force	Indefinite Term
Tolland Energy Task Force	Indefinite Term
Tolland Water Commission	01-31-11 to 01-31-15
Water Pollution Control Authority	08-26-10 to 08-26-13
Water Pollution Control Authority	08-26-09 to 08-26-11

Approved by the Tolland Town Council on _____, 2011.

Town Clerk

Date