

Lynn Bielawiec

From: Lynn Bielawiec
Sent: Thursday, February 08, 2018 3:15 PM
To: Abigail Jeffries; Benjamin Thomas; Bryan Hurlburt; Hollie Barnas; Lisa Hancock (Staff Liaison); Lisa Pascuzzi (Clerk); Liz Costa; Marilee Beebe (Co-Chair); Mike Wilkinson (Staff Liaison); Philip Aieta; Robert Green; Susan Errickson (Co-Chair)
Subject: FW: Charter Revision Director of Health
Attachments: DOC445.PDF

Good afternoon, please see the emails below plus the attached regarding appointing a Director of Health.

Lynn Bielawiec
Executive Assistant
Town Manager's Office
Town of Tolland
21 Tolland Green
Tolland, CT 06084
(p) 860-871-3662
(f) 860-871-3663

-----Original Message-----

From: Robert L. Miller [REDACTED]
Sent: Thursday, February 01, 2018 12:22 PM
To: Michael Wilkinson
Subject: Re: Charter Revision

State law allows you to join, then state law allows the district board to appoint the director subject to DPH commissioner approval.

Sent from my iPhone

> On Feb 1, 2018, at 8:30 AM, Michael Wilkinson <[REDACTED]> wrote:

>

> Would it be correct to say that State law allows us to join a health district and appoint the district our Director of Health?

>

> -----Original Message-----

> From: Robert L. Miller [REDACTED]
> Sent: Thursday, January 25, 2018 1:34 PM
> To: Michael Wilkinson
> Subject: RE: Charter Revision

>

> Hi Mike - There is no written agreement. The terms and provisions of our relationship are provided for in state statute. The pertinent statutes are Sec 19a-240 to Sec 19a-246. Below is the link to the pertinent statutes:

>

> https://www.cga.ct.gov/current/pub/chap_368f.htm#sec_19a-240

>

> I hope this is helpful. Let me know if you have any questions.

>
> Robert L. Miller, MPH, RS
> Director of Health
> Eastern Highlands Health District
> 4 South Eagleville Road
> Storrs CT. 06268
> [REDACTED]
> [REDACTED]
>
>
> Preventing Illness and Promoting Wellness in the Communities We Serve
>
>
> -----Original Message-----
> From: Michael Wilkinson [REDACTED]
> Sent: Thursday, January 25, 2018 1:22 PM
> To: Robert L. Miller [REDACTED]
> Subject: Charter Revision
>
> Rob, hello, I staff our current Charter Revision Commission and they had some questions about language in our current Charter relating to "Director of Health" and how to possibly modify it now that we are with EHHD. We don't seem to have a copy of any agreement over here when we joined EHHD. I found TC minutes when we joined in April of 2000 that mentions some type of agreement. Do you have anything you can send me that would indicate our agreement between Tolland and EHHD? Anything you can send would be appreciated. Thanks!
>

CHAPTER 368f

DISTRICT DEPARTMENTS OF HEALTH

Table of Contents

Sec. 19a-240. (Formerly Sec. 19-105). Definition of "board".

Sec. 19a-241. (Formerly Sec. 19-106). Formation of district departments. Board.

Sec. 19a-242. (Formerly Sec. 19-107). Appointment of director of health. Removal. Sanitarians. Authorized agent.

Sec. 19a-243. (Formerly Sec. 19-108). District rules and regulations. Powers of district. Meetings. Expenses.

Sec. 19a-244. (Formerly Sec. 19-109). Qualifications, term and duties of director of health. Employees.

Sec. 19a-245. (Formerly Sec. 19-110). Reimbursement by state.

Sec. 19a-246. (Formerly Sec. 19-111). Withdrawal from district.

Secs. 19a-247 to 19a-249. Reserved

Sec. 19a-240. (Formerly Sec. 19-105). Definition of "board". As used in this chapter, unless the context otherwise requires, "board" means a board of a district department of health created as provided in section 19a-241.

(1949 Rev., S. 3876; P.A. 00-27, S. 19, 24.)

History: Sec. 19-105 transferred to Sec. 19a-240 in 1983; P.A. 00-27 made technical changes, effective May 1, 2000.

[\(Return to Chapter Table of Contents\)](#) [\(Return to List of Chapters\)](#) [\(Return to List of Titles\)](#)

Sec. 19a-241. (Formerly Sec. 19-106). Formation of district departments. Board. (a) Towns, cities and boroughs, by vote of their respective legislative bodies, after a public hearing, may unite to form district departments of health, which shall be instrumentalities of their constituent municipalities. The affairs of any such district department of health shall be managed by a board, which shall have all the duties exercised or performed immediately prior to the effective date of the creation of such district by directors of health or boards of health of the municipalities and which shall exercise all the authority as to public health required of or conferred upon the constituent municipalities by law and shall have the powers of the district set forth in section 19a-243. Towns, cities and boroughs may, in like manner, join a district department of health previously formed with the approval of the board of such district.

(b) Each town, city and borough, which has so voted to become a part of any such district, shall, by its board of selectmen, city council or board of burgesses, appoint one person to be a member of such board. Any town, city or borough having a population of more than ten thousand inhabitants, as annually estimated by the Department of Public Health by a method comparable or similar to that used by the United States Bureau of the Census, shall be entitled to one additional representative for each additional ten thousand population or part thereof, provided no such municipality shall have more than five representatives on a district board of health. The term of office for members of the district board of health shall be three years, except that: (1) A district board of health containing only one town may elect to have one-year or three-year terms of office, and (2) during the initial formation of a board with three-year appointments, appointments shall be so made that approximately one-third of the board shall be appointed for one year, approximately one-third appointed for two years and approximately one-third appointed for three years. Members of the district board of health shall serve without compensation but shall receive their necessary expenses while in the performance of their official duties.

(1949 Rev., S. 3877; 1959, P.A. 236; 1961, P.A. 391, S. 1; 1969, P.A. 527, S. 1; P.A. 77-598, S. 2; 77-614, S. 323, 610; P.A. 93-381, S. 9, 39; P.A. 95-257, S. 12, 21, 58; P.A. 97-96, S. 1; P.A. 99-234, S. 10, 14.)

History: 1959 act provided for annual estimate of population by state department of health rather than using last-completed U.S. census; 1961 act added description of duties and authority of board, deleted requirement that appointment by municipality be annual, provided for one rather than two appointments per town with additional representation for additional population, limited number of representatives to five and added provisions re length of terms and re reimbursement for expenses; 1969 act made provisions applicable to judges of probate serving at any time during any year after December 1, 1967, rather than to those who were subject to Sec. 45-26 before January 1, 1968, deleted other date references which prevented continued applicability of provisions, required filing of sworn statements by person ceasing to hold office and by personal representative of person who dies while holding office, specified that payments from net income are not deductible from gross income, required successors to incumbents taking office after February first file estimates of annual net income and increased penalty from 9% to 10% of deficiency amount and interest from 6% to 9%; P.A. 77-598 restated provision re admission of towns, cities and boroughs to previously formed districts, making admission contingent upon board approval rather than upon vote of municipality which formed the district originally; P.A. 77-614 replaced department of health with department of health services, effective January 1, 1979; Sec. 19-106 transferred to Sec. 19a-241 in 1983; P.A. 93-381 replaced department of health services with department of public health and addiction services, effective July 1, 1993; P.A. 95-257 replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health, effective July 1, 1995; P.A. 97-96 amended Subsec. (b) to allow one- or three-year terms for single-town districts, where previously three-year terms were required; P.A. 99-234 amended Subsec. (a) by adding "which shall be instrumentalities of their constituent municipalities" after provision re formation of district departments of health and by adding "of the district" in the reference to the powers set forth in Sec. 19a-243, effective June 29, 1999.

Cited. 40 CA 501.

[\(Return to Chapter](#) [\(Return to](#) [\(Return to](#)
[Table of Contents\)](#) [List of Chapters\)](#) [List of Titles\)](#)

Sec. 19a-242. (Formerly Sec. 19-107). Appointment of director of health. Removal. Sanitarians. Authorized agent. (a) The board shall, after approval of the Commissioner of Public Health, appoint some discreet person, possessing the qualifications specified in section 19a-244, to be director of health for such district, and if he is not selected within sixty days from the formation of any such district, or if a vacancy in said office continues to exist for sixty days, such director shall then be appointed by said commissioner. The board may appoint a person to serve as the acting director of health during such time as the director of health is absent or a vacancy exists, provided such acting director shall meet the qualifications for directors of health in section 19a-244, or such other qualifications as may be approved by said commissioner. Upon the appointment of a director of health under the provisions of this section, the terms of office of the directors of health of the towns, cities or boroughs forming such district shall terminate.

(b) Such director of health may be removed whenever a majority of the directors of such health district find that such director of health is guilty of misconduct, material neglect of duty or incompetence in the conduct of his office.

(c) On and after July 1, 1988, each district health department shall provide for the services of a sanitarian certified under chapter 395 to work under the direction of the district director of health. Where practical, the district director of health may act as the sanitarian.

(d) As used in this chapter, "authorized agent" means a sanitarian certified under chapter 395 and any individual certified for a specific program of environmental health by the Commissioner of Public Health in accordance with the Public Health Code.

(1949 Rev., S. 3878; P.A. 75-573, S. 2; P.A. 77-598, S. 3; P.A. 78-303, S. 66, 136; P.A. 87-521, S. 4; 87-589, S. 48, 87; P.A. 93-381, S. 9, 39; P.A. 95-257, S. 12, 21, 58.)

History: P.A. 75-573 added Subsec. (b) re removal of director of health; P.A. 77-598 added provisions re appointment of acting director of health; P.A. 78-303 replaced public health council with commissioner of health services; Sec. 19-107 transferred to Sec. 19a-242 in 1983; P.A. 87-521 added Subsecs. (c) and (d) re sanitarians and authorized agents; P.A. 87-589 moved provision authorizing local director of health to act as sanitarian from Subsec. (d) to Subsec. (c); P.A. 93-381 replaced commissioner of health services with commissioner of public health and addiction services, effective July 1, 1993; P.A. 95-257 replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health, effective July 1, 1995.

See Sec. 19a-209a re authority to issue permits for well drilling on residential premises near approved community water supply system.

[\(Return to Chapter](#) [\(Return to](#) [\(Return to](#)
[Table of Contents\)](#) [List of Chapters\)](#) [List of Titles\)](#)

Sec. 19a-243. (Formerly Sec. 19-108). District rules and regulations. Powers of district. Meetings. Expenses. (a) Each board may make and adopt reasonable rules and regulations for the promotion of general health within the district not in conflict with law or with the Public Health Code. The powers of each district shall include but not be limited to the following enumerated powers: (1) To sue and be sued; (2) to make and execute contracts and other instruments necessary or convenient to the exercise of the powers of the health district; (3) to make and from time to time amend and repeal bylaws, rules and regulations; (4) to acquire real estate; (5) to provide for the financing of the programs, projects or other functions of the district in the manner described in subsection (b) of this section; and (6) to have

such other powers as are necessary to properly carry out its powers as an independent entity of government.

(b) A district may, without limiting its authority under other provisions of law, borrow money for the purpose of carrying out or administering a district project, program or other function authorized under this chapter, or for the purpose of refinancing existing indebtedness, or temporarily in anticipation of receipt of current revenues, and provided the board shall hold a public hearing on any such proposed borrowing which is estimated by the board to increase the annual apportionment of district expenses made pursuant to subsection (c) of this section by more than seven per cent over levels currently established. The board shall give one week's notice of such hearing in a newspaper having a circulation in each constituent municipality of the district. The district may enter into note, loan or other agreements providing that such borrowings shall be payable from or secured by one or more of the following: (1) A pledge, lien, mortgage or other security interest in any or all of the income, proceeds, revenues and property, real or personal, of its projects, assets, programs or other functions, including the proceeds of payments, grants, loans, advances, guarantees or contributions from the federal government, the state of Connecticut, the constituent municipalities of the district or any other source; or (2) a pledge, lien, mortgage or other security interest in the property, real or personal, of projects to be financed by the borrowing. Such borrowings and obligations shall not constitute an indebtedness within the meaning of any debt limitation or restrictions on, and shall not be obligations of, the state of Connecticut or any municipality. No constituent municipality of a district shall be liable for any such borrowing or obligation of the district upon default. Neither members of the board nor any person executing on behalf of the district any note, mortgage, pledge, loan, security or other agreement in connection with the borrowing of money by a district shall be personally liable on the obligations thereunder or be subject to any personal liability or accountability by reason of the entrance into such agreements. Each pledge, agreement or assignment made for the benefit or security of any such borrowing entered into pursuant to this subsection shall be in effect until the principal and interest on such borrowing for the benefit of which the same were made have been fully paid, or until provision is made for the payment in the manner provided therein. Any pledge or assignment made in respect of such borrowing secured thereby shall be valid and binding from the time when the pledge or assignment is made; any income, proceeds, revenues or property so pledged or assigned and thereafter received by the district shall immediately be subject to the lien of such pledge, without any physical delivery thereof or further act; and the lien of any such pledge or assignment shall be valid and binding as against parties having claims of any kind in tort, contract or otherwise against the district irrespective of whether such parties have notice thereof. Neither the resolution, trust indenture, agreement, assignment or other instrument by which a pledge is created need be recorded or filed, except for the recording of any mortgage or lien on real property or on any interest in real property.

(c) The board shall meet at least quarterly and at other times determined by the chairperson. At its September meeting it shall elect a chairperson and it shall furnish the necessary offices and equipment to enable it to carry out its duties. The board may elect an executive committee, consisting of the chairperson and two other members, and the director of health, who shall serve without a vote, and such executive committee shall have power to act when the board is not in session. The fiscal year of each district department of health shall be from July first to June thirtieth, and, by June thirtieth in each year, the board shall estimate the amount of money required to pay the costs and expenses of the district during the ensuing fiscal year, provided, if any municipality within the district has a fiscal year which begins on July first, such estimate shall be made by April thirtieth of each year. Such board shall hold a public hearing on its proposed budget, two weeks' notice of which shall be given in a newspaper having a circulation in each constituent municipality of such district. From time to time the board shall draw upon the treasurer of each town, city or borough within the district a proportionate

share of the expenses of such district, from such funds as may have been appropriated by each, to pay the cost of operating the district, including debt service on borrowings of the district, such apportionment to be made equitable on a per capita basis as established by the last annual population estimate by the Department of Public Health for each participating town, city or borough.

(1949 Rev., S. 3879; 1961, P.A. 391, S. 2; 1969, P.A. 527, S. 2; 688, S. 1; 1971, P.A. 178; P.A. 77-614, S. 323, 610; P.A. 92-3; P.A. 93-381, S. 9, 39; P.A. 95-257, S. 12, 21, 58; P.A. 99-234, S. 11, 14; P.A. 00-27, S. 20, 24.)

History: 1961 act specified chairman's election be in September, deleted requirement that board determine relative amount of service to be performed in each municipality, added provisions re promulgation of rules and regulations, board meetings and executive committee, provided that board draw proportionate share of expenses of each district, that such apportionment be made on a per capita basis rather than on the basis of average receipts for the preceding three months and deleted provisions authorizing departments to use additional funds secured from federal or official agencies and to disburse money so received; 1969 acts divided section into subsections, moved provision re election of chairman and re offices and equipment into Subsec. (b), enumerated various powers of board, required quarterly meetings rather than annual meetings in September and specified that director of health has no vote; 1971 act required budget estimates be made during April if a municipality in the district has fiscal year beginning on July 1 and added provision re public hearing on budget; P.A. 77-614 replaced department of health with department of health services, effective January 1, 1979; Sec. 19-108 transferred to Sec. 19a-243 in 1983; P.A. 92-3 amended Subsec. (b) to require budget estimates for the health districts by June thirtieth instead of during June and, if any municipality within the district has a fiscal year beginning July first, by April thirtieth instead of during April; P.A. 93-381 replaced department of health services with department of public health and addiction services, effective July 1, 1993; P.A. 95-257 replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health, effective July 1, 1995; P.A. 99-234 amended Subsec. (a) by changing "powers of the board" to "powers of each district" and adding provision re financing of programs, projects or other district functions to list of powers, added new Subsec. (b) re borrowing money, designated former Subsec. (b) as Subsec. (c) and amended same by adding reference to "debt service on borrowings of the district" and made technical changes, effective June 29, 1999; P.A. 00-27 made technical changes in Subsec. (a), effective May 1, 2000.

See Sec. 7-425 et seq. for duties re retirement of employees.

See Sec. 12-146a re authority to revoke license or permit to do business for an enterprise which has failed to pay personal property taxes.

See Sec. 19a-245 re funds received from state and federal sources.

[\(Return to Chapter](#) [\(Return to](#) [\(Return to](#)
[Table of Contents\)](#) [List of Chapters\)](#) [List of Titles\)](#)

Sec. 19a-244. (Formerly Sec. 19-109). Qualifications, term and duties of director of health. Employees. On and after October 1, 2010, any person nominated to be the director of health shall (1) be a licensed physician and hold a degree in public health from an accredited school, college, university or institution, or (2) hold a graduate degree in public health from an accredited school, college or institution. The educational requirements of this section shall not apply to any director of health nominated or otherwise appointed as director of health prior to October 1, 2010. The board

may specify in a written agreement with such director the term of office, which shall not exceed three years, salary and duties required of and responsibilities assigned to such director in addition to those required by the general statutes or the Public Health Code, if any. Such director shall be removed during the term of such written agreement only for cause after a public hearing by the board on charges preferred, of which reasonable notice shall have been given. No director shall, during such director's term of office, have any financial interest in or engage in any employment, transaction or professional activity that is in substantial conflict with the proper discharge of the duties required of directors of health by the general statutes or the Public Health Code or specified by the board in its written agreement with such director. Such director shall serve in a full-time capacity and act as secretary and treasurer of the board, without the right to vote. Such director shall give to the district a bond with a surety company authorized to transact business in the state, for the faithful performance of such director's duties as treasurer, in such sum and upon such conditions as the board requires. Such director shall be the executive officer of the district department of health. Full-time employees of a city, town or borough health department at the time such city, town or borough votes to form or join a district department of health shall become employees of such district department of health. Such employees may retain their rights and benefits in the pension system of the town, city or borough by which they were employed and shall continue to retain their active participating membership therein until retired. Such employees shall pay into such pension system the contributions required of them for their class and membership. Any additional employees to be hired by the district or any vacancies to be filled shall be filled in accordance with the rules and regulations of the merit system of the state of Connecticut and the employees who are employees of cities, towns or boroughs which have adopted a local civil service or merit system shall be included in their comparable grade with fully attained seniority in the state merit system. Such employees shall perform such duties as are prescribed by the director of health. In the event of the withdrawal of a town, city or borough from the district department, or in the event of a dissolution of any district department, the employees thereof, originally employed therein, shall automatically become employees of the appropriate town, city or borough's board of health.

(1949 Rev., S. 3880; 1969, P.A. 688, S. 2; 1971, P.A. 183; P.A. 78-303, S. 67, 136; P.A. 79-85; P.A. 82-8; P.A. 93-381, S. 9, 39; P.A. 95-257, S. 12, 21, 58; P.A. 10-117, S. 46; P.A. 16-66, S. 39.)

History: 1969 act replaced statement that necessary assistants and clerks be appointed subject to approval of board with specific provisions re personnel of city, town or borough health departments as employees of district health department and deleted provision that compensation be fixed by the board; 1971 act permitted health director to be "trained in public health and hold a master's degree in public health" as alternative qualification; P.A. 78-303 replaced public health council with commissioner of health services; P.A. 79-85 added provision re written agreement with director setting term of office and duties in addition to those required by state law or public health code; P.A. 82-8 specified that district health departments must hire full-time employees of town, city or borough which joins or forms the district department where previously part-time employees were included by implication through use of term "personnel" without reference to type of employment; Sec. 19-109 transferred to Sec. 19a-244 in 1983; P.A. 93-381 replaced commissioner of health services with commissioner of public health and addiction services, effective July 1, 1993; P.A. 95-257 replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health, effective July 1, 1995; P.A. 10-117 provided that on and after October 1, 2010, any person nominated to be director of health shall be a licensed physician with a degree in public health or hold a graduate degree in public health, deleted former training and experience requirements and exempted persons appointed or nominated to be director of health prior to October 1, 2010, from revised educational requirements; P.A. 16-66 replaced provision re director to devote

entire time to performance of duties with provision re director not to have financial interest in or engage in employment, transaction or professional activity in substantial conflict with proper discharge of duties, added provision re director to serve in full-time capacity and made technical changes, effective July 1, 2016.

[\(Return to Chapter Table of Contents\)](#) [\(Return to List of Chapters\)](#) [\(Return to List of Titles\)](#)

Sec. 19a-245. (Formerly Sec. 19-110). Reimbursement by state. Upon application to the Department of Public Health, each health district that has a total population of fifty thousand or more, or serves three or more municipalities irrespective of the combined total population of such municipalities, shall annually receive from the state an amount equal to one dollar and eighty-five cents per capita for each town, city and borough of such district, provided (1) the Commissioner of Public Health approves the public health program and budget of such health district, (2) the towns, cities and boroughs of such district appropriate for the maintenance of the health district not less than one dollar per capita from the annual tax receipts, and (3) the health district meets the requirements of section 19a-207a, within available appropriations. Such district departments of health are authorized to use additional funds, which the Department of Public Health may secure from federal agencies or any other source and which it may allot to such district departments of health. The district treasurer shall disburse the money so received upon warrants approved by a majority of the board and signed by its chairman and secretary. The Comptroller shall quarterly, in July, October, January and April, upon such application and upon the voucher of the Commissioner of Public Health, draw the Comptroller's order on the State Treasurer in favor of such district department of health for the amount due in accordance with the provisions of this section and under rules prescribed by the commissioner. Any moneys remaining unexpended at the end of a fiscal year shall be included in the budget of the district for the ensuing year. This aid shall be rendered from appropriations made from time to time by the General Assembly to the Department of Public Health for this purpose.

(1949 Rev., S. 3881; 1963, P.A. 508; P.A. 77-614, S. 323, 610; P.A. 78-251, S. 1, 2, 7; 78-303, S. 68, 136; P.A. 85-421, S. 2, 3; P.A. 87-414, S. 2, 3; P.A. 93-381, S. 9, 39; P.A. 95-257, S. 12, 21, 58; P.A. 96-180, S. 58, 166; P.A. 98-250, S. 17, 39; P.A. 00-216, S. 3, 28; June 30 Sp. Sess. P.A. 03-3, S. 3; June Sp. Sess. P.A. 07-2, S. 62; Sept. Sp. Sess. P.A. 09-3, S. 41; P.A. 14-226, S. 1.)

History: 1963 act provided for reimbursement to health district instead of constituent municipalities, made state's payment quarterly instead of annually in June, deleted provision that sums received be one-half those actually paid and limits of \$4,000 per town and \$20,000 in the aggregate, and added provisions that amount received be \$0.25 per capita, limited maximum amount received by district annually to \$100,000, added provision re additional funds from federal agencies or other sources and provided for disbursement of money upon warrants approved by board majority and signed by chairman and secretary; P.A. 77-614 replaced commissioner and department of health with commissioner and department of health services, effective January 1, 1979; P.A. 78-251 increased per capita amount received from \$0.25 to \$0.30 contingent upon approval of public health program and budget by commissioner, increased maximum amount received to \$120,000, removed limit on additional funds of amount equal to one-half the total district budget and, in conjunction with P.A. 78-303, referred to rules prescribed by commissioner rather than by public health council; Sec. 19-110 transferred to Sec. 19a-245 in 1983; P.A. 85-421 increased quarterly per capita payments to health districts from \$0.30 to \$0.425 for each town, city and borough of a district which has a population of 5,000 or less and \$0.325 for each town, city or borough of a district which has a population of more than 5,000 and increased maximum annual payment to a district from \$120,000 to \$145,000; P.A. 87-

414 increased the per capita payments to \$0.445 per capita and \$0.38 per capita on basis previously established and deleted the annual cap on payments to districts; P.A. 93-381 replaced department and commissioner of health services with department and commissioner of public health and addiction services, effective July 1, 1993; P.A. 95-257 replaced Commissioner and Department of Public Health and Addiction Services with Commissioner and Department of Public Health, effective July 1, 1995; P.A. 96-180 changed "treasurer" to "State Treasurer", effective June 3, 1996; P.A. 98-250 changed the amount received from the state from \$0.445 for municipalities under 5,000 and \$0.38 for municipalities over 5,000 annually to \$2.09 and \$1.79, annually, effective July 1, 1998; P.A. 00-216 made technical changes and increased annual per capita payments from \$2.09 to \$2.32 and from \$1.79 to \$1.99, effective July 1, 2000; June 30 Sp. Sess. P.A. 03-3 decreased annual per capita payments from \$2.32 to \$1.94 per populations of 5,000 or less, and from \$1.99 to \$0.66 for populations of more than 5,000, and made a technical change, effective August 20, 2003; June Sp. Sess. P.A. 07-2 increased annual per capita payment from \$1.94 to \$2.43 for populations of 5,000 or less, and from \$1.66 to \$2.08 for populations of 5,000 or more, effective July 1, 2007; Sept. Sp. Sess. P.A. 09-3 added requirement that health district have total population of 50,000 or more, or serve 3 or more municipalities irrespective of total combined population, in order to receive state payments, revised payment rate to \$1.85 per capita applicable to all municipalities in the health district and deleted provisions re \$2.43 per capita payment made to municipality with population of 5,000 or less and \$2.08 per capita payment made to municipality with population of more than 5,000, effective October 6, 2009; P.A. 14-226 added Subdiv. (3) re requirements of Sec. 19a-207a.

[\(Return to Chapter](#) [\(Return to](#) [\(Return to](#)
[Table of Contents\)](#) [List of Chapters\)](#) [List of Titles\)](#)

Sec. 19a-246. (Formerly Sec. 19-111). Withdrawal from district. (a) Any constituent town, city or borough may, by vote passed prior to January first in any year, withdraw from the district, such withdrawal to become effective on the first day of July following, provided such city, town or borough shall have been a member of the district for at least twenty-four months prior to such vote of withdrawal. A city, town or borough on withdrawal shall at once resume such status with respect to the appointment of its director of health, employees and board of health as it held prior to becoming a member of the district as provided in section 19a-244. Employees shall not lose any benefits or civil services status as a result of the withdrawal from the district.

(b) Notwithstanding the provisions of subsection (a) of this section, no withdrawal or termination of participation by any constituent municipality shall affect any pledge, agreement, assignment or mortgage of any income, revenue proceeds or property of a district made for the benefit or security of any borrowing of the district entered into pursuant to subsection (b) of section 19a-243.

(c) Notwithstanding any other provision of the general statutes, no district shall cease to exist until such time as payment or provision for payment of the outstanding balance of borrowings of such district entered into pursuant to subsection (b) of section 19a-243 is made.

(1949 Rev., S. 3882; 1961, P.A. 391, S. 3; 1969, P.A. 688, S. 3; P.A. 99-234, S. 12, 14.)

History: 1961 act provided that vote for withdrawal be prior to January first rather than April first, required membership for at least 24 months prior to vote or withdrawal and provided that town, city or borough resume status "with respect to the appointment of its director of health and board of health" as it held prior to district membership; 1969 act included references to status re appointment of employees and added provision protecting benefits and civil service status of employees; Sec. 19-111 transferred to Sec. 19a-246 in 1983; P.A. 99-234 designated existing provisions as Subsec. (a)

and added new Subsecs. (b) and (c) re exceptions to statutory provisions upon withdrawal from district, effective June 29, 1999.

[\(Return to Chapter](#) [\(Return to](#) [\(Return to](#)
[Table of Contents\)](#) [List of Chapters\)](#) [List of Titles\)](#)

Secs. 19a-247 to 19a-249. Reserved for future use.

[\(Return to Chapter](#) [\(Return to](#) [\(Return to](#)
[Table of Contents\)](#) [List of Chapters\)](#) [List of Titles\)](#)

Received 3-30-20
Margaret Piazza

**TOLLAND TOWN COUNCIL
MINUTES
MARCH 28, 2000**

Present: Chairperson Linda Burnham, Vice Chairperson Richard Field, Martin Powers, Sue Tanner, April Teveris, Richard Knight, Robert Rubino, Town Manager Tim Tieperman, and Clerk Laurie D'Aloisio.

Ms. Burnham called the meeting to order at 7:30 p.m. The Pledge of Allegiance was recited and a moment of silence observed.

Mr. Field moved adoption of the minutes of March 14, 2000, with corrections; seconded by Mrs. Teveris. Motion carried unanimous. Corrections as follows: Page 4, Council Global Objectives, change difficulty level to **priority level 1.5**. Page 6, Communications and Petitions, third paragraph, add **Mr. Rubino stated the recommendation to change the lighting was in keeping with the proposed new lighting regulations.**

PUBLIC PETITIONS AND COMMUNICATIONS

Jan Evans, member of newly formed group Conserving Tolland, read a letter from Roseanne Gottier requesting that the Council place Conserving Tolland on the April 1st agenda to request funding for acquisition of open space land and conservation easements.

Peter Arnet spoke on behalf of all the parents advocating expenditures for upgrading the Tolland High School Track. He stated that they have been before the Board of Education and the Town Council addressing their concerns. At the last Board of Education meeting, Mr. Arnet stated that they made information available to BOE and are willing to share information and help them to facilitate building the track. Mr. Arnet gave the Council the same information.

Carina Johnson spoke on behalf of all the students at the Tolland High School and Track Team. Ms. Johnson thanked the Council for putting the money back into the budget and stated that they are very excited about running on a new track.

Dan Hills spoke on behalf of all the athletes at Tolland High School. He commended the Council for their efforts to improve the Tolland High School Track.

NATIONAL ORGAN AND TISSUE DONOR AWARENESS WEEK PROCLAMATION

Mr. Field read the proclamation proclaiming April 24th through April 30, 2000, as National Organ and Tissue Donor Awareness week in the Town of Tolland. Proclamation is attached to the original minutes.

**PRESENTATION OF CHAIRS TO FORMER COUNCIL MEMBERS – ROBERT KIEHM,
PETER MACHER, AND MIKE POTYRA**

Ms. Burnham and Mr. Tieperman presented Mr. Kiehm, Mr. Macher, and Mr. Potyra with chairs on behalf of the Town Manager's office and the Town Council. They were thanked for their dedication and commitment to the town.

REPORTS OF TOWN MANAGER

8.1 Overview of Manager's Proposed Fiscal Year 2000-01 Operating and Capital Budget

The public hearing for the proposed fiscal year 2000-01 Operating and Capital Budget will be held on April 4, 2000, at the Birch Grove Primary School.

Mr. Tieperman gave an overview of the proposed budget. He stated if all the requests were put through with no reductions there would be a possible 2.5 mill increase. Total municipal requests came in at 10% and he was able to find reasonable reductions without affecting services. \$226,000 in reductions brought the municipal budget down to approximately 7.4%. Some spikes in the budget include health insurance and refuse collection. Significant savings in the budget include a recommendation from town staff to join Eastern Highland Health District. Enhancements to the municipal budget include two new parks laborers, part-time professional contractor with office hours in the town hall for business retention activities, business visitation, and implementing economic development initiatives, and a line item in professional services account for computer network support administration. Mr. Tieperman stated that under the Fire and Ambulance budget they had proposed a volunteer retention program. Upon further review it would be appropriate to hire a consultant to look at an incentive program under the Council's budget. Mr. Tieperman stated that they would have an opportunity to have department heads in for follow-up questions after the public hearing.

Mr. Tieperman stated that the Board of Education came in with a proposed budget of \$20,684,000 or a 12% increase. Mr. Tieperman is recommending a \$500,000 reduction which would bring the BOE budget down to a 9.39% increase. He stated that this is above average as compared to other towns. Mr. Tieperman's reductions total approximately \$759,514.

Mr. Tieperman stated that the new track is in the budget at \$350,000 which would be part of next year's bond issue. Mr. Rubino asked Mr. Tieperman if he could generate a delta sheet on what items had to be removed from the capital program when putting the track back into the program. Mr. Tieperman will get this information.

Mr. Tieperman asked the Council to table item 12.2 until the next meeting to get some charter language interpreted.

Ms. Burnham asked Mr. Tieperman to have the State Trooper's look at the intersection of Mountain Spring and Old Post Road. A resident has expressed concern with this intersection. Ms. Burnham also asked for an update from the dog pound. Mr. Tieperman stated the dogs have been placed in homes.

Mrs. Teveris asked about a stop sign that was on South River Road and Depot Road that is no longer there. Mr. Tieperman will check into this.

Mr. Knight asked about a special meeting on February 29th authorizing Mr. Tieperman and the Town Attorney to make a purchase of a piece of property. Mr. Knight asked if this property has been sold. Mr. Tieperman stated that there has been no official transaction just a verbal reply from the attorney that the gentleman has decided to sell to another town resident.

REPORTS OF BOARDS AND COMMITTEES RESPONSIBLE TO THE COUNCIL: None

PUBLIC HEARING ITEM: None

UNFINISHED BUSINESS

11.1 Continue Discussion of Council Global Objectives

Mr. Rubino went over the updates from the last Council meeting. He stated that this is the proposed objectives of 1999-2000 and suggested revisiting this in January. Mr. Rubino stated under Economic Development task 3 the proposed goal completion date should be ongoing throughout the year instead of 4-18-99.

Mr. Knight stated that this does not track what was approved last week in the following places. Economic Development they had approved the following wording under item 4; **Consider town support of Town Green.** Under volunteer fireman retention specific task was **study ways of retaining a volunteer fire company.** Mr. Rubino will send a copy to Mr. Tieperman with verbatim wording.

Ms. Burnham stated that there is a lot of overlapping responsibilities between the Board of Education, Town Council, and Municipal side. Ms. Burnham asked for Council consensus regarding forming a committee to look at the feasibility of combining some responsibilities. Examples were looking into benefits packages for both and inventory ordering. Ms. Burnham suggested a future agenda item. Mr. Tieperman will add this to the objectives and get an opinion from the Town Attorney. This was added to the Council's Global Objectives Priority 8, objective is joint services, task is duplication of services between BOE, Town Council and Municipal with a proposed discussion date of May -00 and a proposed completion date of Sept. -00.

11.2 Tolland High School Track

Ms. Burnham read a letter from Ken Baker, Chairperson BOE, regarding a revised estimate for track reconstruction at the Tolland High School. It was stated that based on new information provided by a soil report done by Dr. Welti, Dalton Contracting of Cheshire, CT they have revised their estimate for the cost of reconstruction the track to \$325,000. It was also recommended that an engineer be retained to supervise the bid process and monitor the progress of the construction, for an additional \$8,000 for a total of \$333,000.

Mr. Field asked about water from the weather under the track and possibly damaging the track. Mr. Baker stated that Dalton Contracting has done tracks like this and stated that as long as the drainage is installed there will not be a problem. Mr. Baker also stated that when they go out to bid they will ask for at least a 5-year guarantee that the track will not be damaged by water.

Mr. Rubino asked if someone from the town side would be identified to take ownership on this project. Mr. Tieperman suggested John Carroll from the BOE and Dave Smith. Mr. Rubino asked if they would be looking for an opportunity for the public to work with the contractor. Mr. Tieperman stated that anyone interested in volunteering his or her services could contact the Town Manager's office. Ms. Tanner asked what the time line is to assign a project manager. Mr. Tieperman stated that assuming the budget gets approved, he will generate a report immediately. Ms. Tanner suggested the Athletic Director.

Mr. Tieperman recommended \$350,000 to have a contingency.

Mr. Arnet stated that it is their understanding that the revised amount takes into account the need to have the extra drainage. He stated that they do not have a 5-year guarantee without the extra drainage.

Mr. Powers recommended that due to the recent vandalism they should have a fence around the track for security. Mr. Powers also suggested security lighting for public use.

Mr. Field expressed concern with the comments that the track is dangerous. He does not believe the track should be used and suggested scheduling away meets. Mr. Tieperman will speak to Clem Langlois and stated that any track activities would be the decision of the BOE.

11.3 Appointments to the following Boards and Commissions

A. Inland Wetlands Commission

Mr. Knight moved to appoint John Losty to the Inland Wetlands Commission as a full member; seconded by Mrs. Teveris. Motion carried unanimous.

B. Permanent Celebration Committee

Ms. Burnham thanked Priscilla Adler for her ten years of service on the Permanent Celebration Committee.

Ms. Tanner moved to appoint Joan Ambeault to the Permanent Celebration Committee; seconded by Mr. Field. Motion carried unanimous.

Mr. Knight asked about a resignation from the Zoning Board of Appeals. Jan Evans stated that Ramon Martinez has resigned. It was stated that they are waiting for an official letter to the Town Clerk. Mr. Tieperman will put Appointment to the Zoning Board of Appeals on the next agenda.

NEW BUSINESS

12.1 Set public hearing for FY 2000 Bond Anticipation Notes (BANS)

Mr. Field moved to introduce a resolution appropriating \$145,000 for the acquisition of financial software and related implementation services and authorizing the issuance of bonds and notes in the same amount to finance the appropriation; seconded by Mr. Knight.

Mr. Field moved to introduce a resolution appropriating \$360,000 for the acquisition of a fire engine tanker truck and related equipment and authorizing the issuance of bonds and notes in the same amount to finance the appropriation; seconded by Mr. Knight.

Mr. Field moved to introduce a resolution appropriating \$355,000 for Phase II and Phase III roof reconstruction and repair at Tolland High School and authorizing the issuance of bonds and notes in the same amount to finance the appropriation; seconded by Mr. Knight.

Mr. Field moved be it resolved that the Town Council of the Town of Tolland hold a public hearing at Hicks Memorial Municipal Center, Council Chambers, 21 Tolland Green, in Tolland, CT, on Tuesday, April 11, 2000, at 7:30 p.m. to hear comments on the foregoing resolutions. Further resolved that the Town Manager post and publish notice of the time, place and purpose of said public hearing in accordance with the provisions of Section 4-5 of the Town Charter; seconded by Mr. Knight. Motion carried unanimous.

Resolutions for Bond Anticipation Notes is attached to the original minutes.

12.2 Set public hearing to approve appropriation of funds to finance portion of the School Space Assessment Study

Ms. Tanner moved to table this item; seconded by Mrs. Teveris. Motion carried unanimous.

12.3 Consider staff recommendation to join Eastern Highlands Health District and hear brief presentation from District Manager Rob Miller

Robert Miller, Director of Health for the Eastern Highlands District, stated that they are a full service, full-time department of health. Their current member communities are Mansfield, Coventry, and Bolton. They have been in existence for three years and as a result they have established a track record of good, professional services to their communities. They have a qualified, competent staff of sanitarians. He stated that they could provide the same level of environmental health services and at the same time make improvements on the scope, continuity, and availability of the services. Mr. Miller stated \$44,000 is a per capita assessment, which is charged to every membership community. The Board of Directors sets this on an annual basis. He stated that there is no specific service contract. With the Statutes there is a minimum 24-month service. After 24 months if they are not happy they can vote to end their membership with the health district. Mr. Miller also discussed in-kind contributions. He stated that Tolland is spending \$8 per capita on environmental health services for the community. By joining the health district it will drop to \$3.58 per capita for full-time public health services for fiscal year 2000-01.

Mr. Rubino discussed the town losing the fees, money from the state, and an agreement with Willington. Mr. Miller stated that approximately \$100,00 is a true net cost.

Ms. Tanner asked if they have an epidemiologist on staff. Mr. Miller stated that they have a professional practitioner, which provides most of the clinical support the staff needs. Ms. Tanner asked about the vehicles the sanitarians are using. Mr. Miller stated that the in-kind request would hopefully include this.

Council members expressed concern with having the demands properly met. Mr. Miller stated that if they do not have all the resources they need to deal with things, they have a good relationship with the State and Federal Agencies to get the help they need. Council also discussed losing services. Mr. Miller stated that they would not lose their level of service in Tolland. He stated that they would have two full-time sanitarians stationed in the Tolland Town Hall. He stated that depending on demand one of the sanitarians may spend a minor number of hours in another area, but this would not occur if the demand were here.

Mr. Rubino asked about the permit fee structure. Mr. Miller stated the fee structure within the health district is different than is currently existing in the Town of Tolland. There are services that the health district provides that Tolland does not provide. Dave Smith stated that the fee schedule has some increases and some reductions. Mr. Burnham asked for a comparative for the public hearing. Mr. Knight asked if they set the fee structure and if the Board of Directors approves it. Mr. Miller stated yes and stated that Tolland would have two members on this board with a board of 7 members.

Mr. Field asked what the bottom-line savings is for the town. Mr. Miller stated \$60,000.

Mr. Tieperman stated that the Town Managers from Coventry and Mansfield could be available for the public hearing. Ms. Burnham stated that this would be a good idea.

12.4 Set public hearing to consider joining Eastern Highlands Health District

Mr. Knight moved to set a public hearing date for April 11, 2000; seconded by Mrs. Teveris. Motion carried unanimous.

12.5 Consider recommendation to change procedure for the collection of motor vehicle taxes

Mr. Knight moved adoption of the recommendation; seconded by Mr. Powers. Zero agreed. Mr. Rubino, Mr. Powers, Mr. Knight, Ms. Tanner, Ms. Burnham, Mr. Field, and Mrs. Teveris opposed. Motion failed.

Council discussed the hardship this could cause the taxpayers.

Mr. Rubino suggested shifting the payment by three months might give them a better collection return for the January payment. Chris Hutton stated that shifting three months would not solve the issues of duplicate billing and delinquent billing. Mr. Tieperman stated the majority of towns have one installment. One installment would create a workload savings and savings on postage.

Mr. Knight stated that this should be rejected and not brought back.

READING OF CORRESPONDENCE: None

COMMUNICATIONS AND PETITIONS

Mr. Rubino asked that the group Conserving Tolland be put on the next regularly scheduled meeting agenda instead of the April 4, 2000, public hearing. Ms. Burnham stated that the group is invited to discuss this at the public participation section of the agenda.

Mr. Rubino expressed concern with Special Ordinance 25. He proposed a special task group with the Human Services Director, Senior Center Coordinator, tax collector, and three Council members to look at this and move into a win win situation. He stated that some background and fact-finding still needs to occur. Mr. Tieperman will put this on the agenda to discuss the composition of a committee.

PUBLIC PARTICIPATION

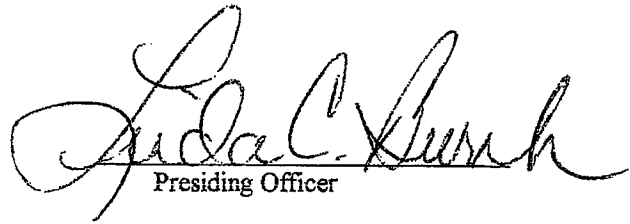
Jan Evans asked if the group Conserving Tolland would be placed on a future agenda. Ms. Burnham stated that they are welcome to come to the next meeting under public participation.

Roland Charest thanked the Council regarding the Tolland High School track.

Mr. Field moved to go into executive session to discuss pending real estate negotiations; seconded by Mr. Rubino. Motion carried unanimous.

Council went into executive session at 10:05 p.m. Council came out of executive session at 10:50 p.m.

Mr. Rubino moved to adjourn; seconded by Mr. Field. Motion carried unanimous.



Presiding Officer

Received 4-13-2000
Margaret Piazza
507

**TOLLAND TOWN COUNCIL
MINUTES
APRIL 11, 2000**

Present: Chairperson Linda Burnham, Vice Chairperson Richard Field, Robert Rubino, Richard Knight, Sue Tanner, April Teveris, Martin Powers, Town Manager Tim Tieperman, and Clerk Laurie D'Aloisio.

Ms. Burnham called the meeting to order at 7:30 p.m. The Pledge of Allegiance was recited and a moment of silence observed.

Mr. Field moved adoption of the March 23, 2000, joint meeting with the Board of Education; seconded by Mrs. Teveris. Mr. Rubino, Mr. Powers, Mr. Knight, Ms. Burnham, Mr. Field, and Mrs. Teveris agreed. Ms. Tanner abstained. Motion carried.

Mrs. Teveris moved adoption of the March 28, 2000, regular meeting; seconded by Mr. Field. Motion carried unanimously.

Mr. Rubino moved adoption of the April 4, 2000, special meeting; seconded by Mrs. Teveris. Mr. Rubino, Mr. Powers, Mr. Knight, Ms. Tanner, Ms. Burnham, and Mrs. Teveris agreed. Mr. Field abstained. Motion carried.

PUBLIC PETITIONS & COMMUNICATION

Ken Hankinson asked the Council to adopt and implement a program acquiring open space. He suggested ½ acres per home on an ongoing basis. Mr. Hankinson also discussed bonding again for this purpose.

REPORTS OF TOWN MANAGER

- Human Services Director Beverly Bellody and Town Assessor Walter Lawrence have researched the State statutes in an effort to determine the proper procedures for changing the scope of the original Ordinance 25.
- Sealed bids for the construction of a new basketball court at Heron Cove Park were opened on April 4th. The low bid was submitted by All-Phase Enterprises, Inc. of Stafford Springs at \$36,695. This amount was higher than the budgeted amount and is covered in account transfers.
- The Planning and Zoning Commission is in the process of performing a comprehensive review of the Town's zoning regulations. A fourth and final set of revisions should be available by summer.
- The New England School Development Council has started the first phase of the project, the demographic study. Fletcher Thompson has obtained school blueprints for phases 2-6. Town Attorney Susan Boyan is finalizing the contract language.
- A representative from the Hick's Homestead has recently requested funding from the Town for the removal of two trees. These trees are diseased and in need of removal. Clem Langlois is obtaining estimates for this work. As this is a private historical estate, the Council needs to decide whether or not to make a contribution.
- Dave Smith has completed a draft RFP for work around the Old Town Hall. This project will be formally advertised within the next couple of weeks.
- The Town has recently been encouraged by Office of Policy Management Officials to spend the Special LOCIP appropriation by the end of June. Tolland's original proposal was \$71,241. The Town spent \$2,466.25 on Y2K issues. Mr. Tieperman is proposing the use of this balance for the funding of the Board of Education Roof and the Heron Cove project.
- An official with the Department of Environmental Protection will be presenting a lecture on open space at the Tolland Arts Center on April 13th from 7-9 p.m. The Conservation Commission is sponsoring this presentation.

- A meeting was recently held between town staff, Dr. Vitale, and Roger Legee. Mr. Legee oversees the computer operations of the BOE. The BOE has already agreed to provide basic network administration to the Town offices for 3 hours per week. Attorney Boyan is currently preparing a computer service agreement for the Council's review.
- April spreadsheet was given to Council members.
- Investment Performance Summary of the CNRE Fund for periods ending March 31, 2000 was given to Council members.
- Monthly reports for the month of March consist of assessor, building, canine, animal control, highway department, human services, library, and town clerk.

Mr. Tieperman suggested changing the order of the agenda on the two public hearing items.

Mrs. Teveris asked Mr. Tieperman about the contract language being finalized on the School Space Assessment. She asked if there has been a delay. Mr. Tieperman stated it is not holding up the project in any way. Mrs. Teveris stated that Jen Hopkins as spoken to her about the farmer's market. Mrs. Teveris stated that the Grange members are interested in hosting the market at the Grange parking lot. Mrs. Teveris also asked for a quarterly report on building utilization (actual use) for the fire training center, community building, and the gyms.

Mr. Knight asked Mr. Tieperman about the scope of the Old Town Hall Project. Mr. Smith stated the scope is a design build proposal for a grass parking lot on the flat area east of the building and a sidewalk to connect to the lower garden area.

Mr. Rubino asked about the computer update with the school. He asked if this would impact budgetary decisions tonight. Mr. Tieperman stated he has a verbal commitment from the superintendent to get three hours per week on an availability basis. Mr. Tieperman stated that this has been factored into the budget. Mr. Rubino asked about the lighting of the flag. He stated his intent is to keep with the spirit of the newly proposed lighting regulations. He stated that there is an opportunity for savings and government to take a leadership role. Mr. Rubino asked that this item be revisited at a later date.

Ms. Burnham asked if the cost of the tree removal could be taken from the Hicks Trust. Mr. Tieperman will check into this.

Mr. Rubino asked about Special Ordinance 25. He stated that there is a call for concerned citizens to serve on a task force. Mr. Tieperman stated that he has asked the Town Attorney for a legal opinion on this. He stated that this should be on the next agenda.

REPORTS OF BOARDS AND COMMITTEES RESPONSIBLE TO THE COUNCIL

7.1 Permanent Celebration Committee

Pat Zielinski, Chairperson, stated that the parade would be on May 28th. She stated that they are still uncertain about the Taste of Tolland. Ms. Zielinski asked the Council for their participation in the parade. Ms. Zielinski asked the town to do the parade permit and a fly over. She discussed the budget that was set aside for the year 2000 celebration and suggested using it to fund future parades. Ms. Zielinski stated that t-shirts left over would be sold on the Town Green. Mr. Tieperman will put the Permanent Celebration Committee Account on a future agenda.

Mr. Field moved to add agenda item 13.1 executive session for the purpose of discussing real estate negotiations and switch public hearing item 8.1 to 8.2 and public hearing item 8.2 to 8.1; seconded by Ms. Tanner. Motion carried unanimous.

PUBLIC HEARING ITEM

8.1 Eastern Highlands Health District

Rob Miller, Director of Eastern Highlands Health District, stated that service levels have been an issue of concern. He stated that by joining the health district the town will experience enhanced continuity, enhanced availability, enhanced scope of services, and professionals monitoring the health status of the community. Mr. Miller also stated that the town would benefit from State and Federal grant money that they otherwise would not be eligible for. Mr. Miller introduced several Boards of Directors.

Deborah Walsh from the Town of Coventry discussed their level of service and local accessibility for the citizens. She stated that they have not noticed a decrease in the level of service and they have increased their expertise. She stated that two members from Tolland would be on the Board of Directors, which meets every other month on the Thursday afternoon at the Coventry Town Hall.

Joyce, Administrative Officer from the Town of Bolton, discussed the level of service. She stated that the level of service in Bolton has grown. The health district is viewed as part of their team.

Martin, Town Manager in Mansfield, agreed with the prior speakers. He stated that they have made a correct assessment and it works very well.

Mr. Tieperman read a letter from the Town Manager in Coventry stating that they are pleased with the level of service the health district provides.

Ms. Burnham asked for a show of hands accepting Eastern Highlands Health District for the Town of Tolland. 3 in favor, 0 opposed.

Mr. Knight moved to close the public hearing; seconded by Mrs. Teveris. Motion carried unanimous.

Mrs. Teveris moved that Tolland join the Eastern Highlands Health District in accordance with the proposal put forth at this Council meeting and the March 28, 2000 meeting, effective May 1, 2000 and authorize the Town Manager to enter into any necessary agreements; seconded by Mr. Knight. Mr. Rubino, Mr. Powers, Ms. Tanner, Mrs. Teveris, Ms. Burnham, and Mr. Knight agreed. Mr. Field opposed. Motion carried.

Mr. Field stated that he does not believe they will get increased services. He stated that they will have an agreement with four towns and four sanitarians; whereas, they had two sanitarians and a doctor.

Mr. Tieperman will add appointments of Board of Director members to the next agenda.

8.2 FY 2000 Bond Anticipation Notes (BANS)

Clerk read the public hearing notice which was published in the Journal Inquirer on April 5, 2000.

Ms. Burnham asked for a show of hands to appropriate \$145,000 for the acquisition of financial software and to authorize the issue of bonds or notes and temporary notes to finance said appropriation. 4 in favor, 0 opposed.

Ms. Burnham asked for a show of hands to appropriate \$360,000 for the acquisition of a Fire Engine Tanker Truck and related equipment and to authorize the issue of bonds or notes and temporary notes to finance said appropriation. 8 in favor, 0 opposed.

Ms. Burnham asked for a show of hands to appropriate \$355,000 for the Phase II and Phase III roof replacement and repairs at the Tolland High School and to authorize the issue of bonds or notes and temporary notes to finance said appropriation. 10 in favor, 0 opposed. Mr. Tieperman stated that they will receive an approximate 53% State Construction Grant to finance a portion of this.

Mrs. Teveris moved to close the public hearing; seconded by Mr. Field. Motion carried unanimous.

Mr. Field moved, be it resolved, to appropriate \$145,000 for the acquisition of financial software and related implementation services and authorize the issuance of bonds and notes in the same amount to finance the appropriation; seconded by Ms. Tanner. Motion carried unanimous. (Resolution is attached to the original minutes.)

Mr. Field moved, be it resolved, to appropriate \$360,000 for the acquisition of a fire engine tanker truck and related equipment and authorize the issuance of bonds and notes in the same amount to finance the appropriation; seconded by Mr. Rubino. Motion carried unanimous. (Resolution is attached to the original minutes.)

Mr. Field moved, be it resolved, to appropriate \$355,000 for Phase II and Phase III roof reconstruction and repair at Tolland High School and authorizing the issuance of bonds and notes in the same amount to finance the appropriation; seconded by Mr. Knight. Motion carried unanimous. (Resolution is attached to the original minutes.)

Mr. Field moved, be it resolved, that the Town Manager is authorized to acquire the "Chorches Property" located on Cider Mill Road, consisting of approximately 8.546 acres, for open space and other municipal purposes for a purchase price not to exceed \$85,000, and to be paid from the appropriation and borrowing authorization adopted at Town Council meeting held August 22, 1989 and approved at referendum held on November 7, 1989 for such purposes; seconded by Ms. Tanner. Motion carried unanimous.

UNFINISHED BUSINESS

9.1 Appointments to the following Boards and Commissions:

A. Zoning Board of Appeals (1)

Mr. Knight moved to nominate Charles Mayer to the Zoning Board of Appeals; seconded by Mrs. Teveris. Motion carried unanimous.

Council took a short recess at 8:50 p.m. Council came back in at 9:05 p.m.

NEW BUSINESS

10.1 Conserving Tolland

Mr. Rubino gave a presentation on Conserving Tolland. He stated that there is potential to execute a strategy and an opportunity for Conserving Tolland to provide a win win. He stated that 10 years ago there was a survey. Responding to the survey 55% were in favor of acquiring parks and open space. 81% believe development rights should be bought. In ten years ~~they~~ ^{he} have spent \$2 million of a \$2.6 million appropriation. 422 acres have been purchased but only 8.55 acres is open space. He stated that a good tactic to acquire open space is to work with land trusts. He stated that a strategy is to anchor how much property ~~they~~ ^{we} buy based on the mix of what ~~they~~ ^{we} hold. He suggested acquiring 72 acres a year of which 42 acres would be open space based on 100 homes being built a year. Mr. Rubino believes Conserving Tolland has the greatest potential of allowing them to acquire open space at little or no cost.

Ken Hankinson stated that they are different from the Conservation Commission. He stated that there are people in town who would leave their land to a land trust at virtually no cost.

Jan Evans stated that they are here to ask the Council to make responsible decisions, goal setting, and moving on this. She stated that they are here as volunteers to make this happen. They have access to land trusts.

Roseanne Gottier suggested a booklet to show people what they can do.

Phil Morneau read a letter from Greg Pinto regarding his concern to acquire land for open space. He urged the Council to take a leadership role to solve the problem of open space acquisition. Mr. Pinto asked the Council to allocate the remaining bond funds to acquire open space.

Mike Mickiewicz expressed his support for this. He urged the Council to support and fund this to acquire more open space for Tolland.

Jackie Girard encouraged the Council to continue to acquire and fund more open space. She suggested developing a brochure for people in town on the process of conserving their land or joining a trust.

Mike Potyra stated that the formation of Conserving Tolland is a good thing. He stated that they can stimulate the process.

Arlene McGann stated if they do not do something quickly they will not have the chance to do anything. She urged the Council to make substantial accomplishments.

Mrs. Teveris asked if the Conservation Commission is preparing a booklet. Mr. Tieperman stated that they are putting educational materials together.

Mr. Knight clarified some of the parcels and their beliefs of the use when they were purchased. Mr. Knight stated there is a piece on Plains Road (100 acres) that was purchased by the Town. Mr. Knight also stated the Metcalf property was also purchased for open space. Mr. Knight asked what action they want from the Council.

Ms. Gottier stated they have to have a plan that will protect land immediately.

Mr. Mickiewicz asked the Council what has to be done to put a referendum on the ballot in November. Mr. Field stated the Council can vote to put it on referendum or the town's people can get a petition of 5% of the citizens for a referendum.

Mr. Rubino stated that the Council has to be specific with their intent when they purchase property. He hopes once the budget is passed they can look at this. He stated if the Council has a consensus tonight both groups could work together to come up with a brochure.

Ms. Burnham encouraged them to do their volunteer work. She stated that they can consult with the Conservation Commission to help them.

10.2 Extension of CDR Contract for Option Year #4 and #5

Mr. Tieperman stated that there is an provision in the existing contract to renew option years 4 and 5. Mr. Tieperman recommends that this contract be extended for years 4 and 5.

Mr. Field moved, be it resolved, that the Tolland Town Council hereby authorizes a contract extension to Community Disposal and Recycling (CDR) for Option Years #4 and #5 as specified in the 1997 bid contract documents. Be it further resolved that the Town Manager is authorized to sign contract extension, pending official review by the Town Attorney; seconded by Mr. Rubino. Motion carried unanimous. (Resolution is attached to the original minutes.)

Mr. Knight asked if the contract prohibits the Council from coming up with a plan for town residents to drop off large items there. Mr. Tieperman believes the contract is silent on this.

10.3 Account Transfers

7193-905-0050 – TMS Ceiling Replacement	7193-995-0010 – Unallocated Balance	\$ 6,219.80
7193-907-0150 – Dog Pound Improvements	7193-995-0010 – Unallocated Balance	\$ 2,918.65
7193-907-0030 – Furnance Replacement	7193-995-0010 – Unallocated Balance	\$ 720.00
7193-903-1100 – Heron Cove	7193-995-0010 – Unallocated Balance	\$24,291.30
Special LOCIP Appropriation for Rhodes Rd	7193-903-1100 – Heron Cove	\$36,695.00
7193-995-0010 – Unallocated	Rhodes Road	\$36,695.00
7193-995-0010 – Unallocated	School Space Assessment Study	\$29,928.00

Mr. Field moved, be it resolved, to approve all account transfers listed on the April 11, 2000, agenda – item 10.3; seconded by Ms. Tanner. Mr. Rubino, Mr. Powers, Ms. Burnham, Ms. Tanner, Mr. Field, and Mrs. Teveris agreed. Mr. Knight opposed. Motion carried.

Mr. Knight stated that he does not believe they should put a basketball court at Heron Cove Park.

10.4 Continue Budget Deliberations

Mr. Rubino moved to take \$40,000 from townwide recreation/open space plan, take \$45,000 from oil tank monitoring, put an additional \$10,000 in EDC Professional Services, and restore \$400,000 to the Board of Education shortfall; seconded by Mr. Field.

Mr. Rubino stated the budgetary impact is a total mill levy increase of 1.83 mills. Mr. Tieperman stated 1 mill is \$653,831.

Mrs. Teveris stated that she is not ready to vote on this tonight.

Mr. Knight asked if the consultant for a townwide recreation/open space plan is in the RFP and if it could raise the cost. Mr. Tieperman will clarify this.

Mr. Rubino moved to withdraw his motion; seconded by Mr. Field.

Council will have a budget meeting on April 18, 2000.

Ken Baker, Chairperson BOE, has spoken with the BOE regarding the proposed budget to restore \$400,000 to the BOE budget. There is a consensus of the majority of the BOE to support this.

READING OF CORRESPONDENCE

Letter from Robert Feury supporting Mr. Tieperman's budget. He stated to go above and beyond is not acceptable.

COMMUNICATIONS AND PETITIONS: None

PUBLIC PARTICIPATION

Joan Ambeault asked about figures on how much the town made on the adoption program through the State. Mr. Tieperman will check into this.

Mr. Field moved to go into executive session to discuss real estate negotiations; seconded by Mrs. Teveris. Motion carried unanimous.

Council went into executive session at 10:40 p.m. Council came out of executive session at 11:00 p.m.

Mr. Rubino moved to adjourn; seconded by Mr. Field. Motion carried unanimous.

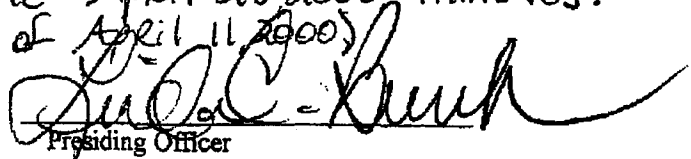
Council adjourned at 11:05 p.m.

Mrs. Teveris moved to authorize the Town Manager to make an offer for a 146 acre piece of property situated adjacent to Crandall Park and to prepare and submit a state open space grant application for said parcel; seconded by Mr. Powers. Motion carried unanimous.

Mr. Rubino and Mr. Field were not present for the vote but spoke in favor of the motion during earlier deliberations.

Council adjourned at 11:02 p.m.

The last two paragraphs ~~were~~ above were stricken from the record per the April 25, 2000 minutes. (see adoption of minutes of April 11, 2000)


Presiding Officer