



General Assembly

Bill No. 7101

June Special Session, 2015

LCO No. 9659



Referred to Committee on No Committee

Introduced by:

REP. SHARKEY, 88th Dist.

REP. ARESIMOWICZ, 30th Dist.

SEN. LOONEY, 11th Dist.

SEN. DUFF, 25th Dist.

***AN ACT CONCERNING THE CONVEYANCE OF CERTAIN PARCELS
OF STATE LAND AND AMENDING THE CHARTERS OF THE
BOROUGH OF FENWICK AND THE GIANTS NECK BEACH
ASSOCIATION.***

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

1 Section 1. (*Effective from passage*) (a) Notwithstanding any provision
2 of the general statutes, the Commissioner of Transportation shall
3 convey to the city of New Haven a parcel of land located in the city of
4 New Haven, at a cost equal to the administrative costs of making such
5 conveyance. Said parcel of land has an area of approximately 4.5 acres
6 and is identified as the parcel of land located at 101 College Street,
7 bounded by Church Street, Martin Luther King Jr. Boulevard, College
8 Street and South Frontage Road, and further identified as a portion of
9 the parcel on the map entitled "Connecticut Department of
10 Transportation, Bureau of Highways, Right of Way Map, Town of
11 New Haven, Oak Street Connector, From Howe Street Easterly to the

12 Connecticut Turnpike, dated February 20, 1975, Map Number 92-10,
13 Sheet No. 2 of 3." The conveyance shall be subject to the approval of
14 the State Properties Review Board.

15 (b) The city of New Haven shall use said parcel of land to be
16 conveyed for economic development purposes. If the city of New
17 Haven:

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

19 (2) Does not retain ownership of all of said parcel, except for a sale
20 of said land for economic development purposes; or

21 (3) Leases all or any portion of said parcel, except for a lease for
22 economic development purposes,

23 the parcel shall revert to the state of Connecticut. Any funds received
24 by the city of New Haven from a sale or lease of said parcel for
25 economic development purposes shall be transferred to the State
26 Treasurer for deposit in the Special Transportation Fund.

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

38 Sec. 2. (*Effective from passage*) (a) Notwithstanding any provision of
39 the general statutes, the Commissioner of Education shall convey to
40 the city of Stamford a parcel of land and any improvements upon said

41 parcel located in the city of Stamford, at a cost equal to the
42 administrative costs of making such conveyance. Said parcel of land
43 has an area of approximately 6.6 acres and is identified as a portion of
44 the 18.6-acre parcel located in Lot 3 Block 242 of Stamford Tax
45 Assessor's Map 114 and contains the Cubeta Stadium. Said parcel is
46 further identified as the parcel depicted on a map entitled "J.M. Wright
47 Technical School, Stamford, Conn., Revised Location of Baseball
48 Diamond and Bleachers, Drawing No. 156-506, dated May 15, 1958,
49 prepared by Francis L. Mayer, Architect". The conveyance shall be
50 subject to the approval of the State Properties Review Board.

51 (b) The city of Stamford shall use said parcel of land and any
52 improvement upon said parcel for recreational purposes. If the city of
53 Stamford:

54 (1) Does not use said parcel or improvement for said purposes;

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

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

58 the parcel shall revert to the state of Connecticut.

59 (c) Said parcel and improvement shall be conveyed subject to an
60 easement in favor of J.M. Wright Technical School, for the scheduling
61 and use of Cubeta Stadium at the school's convenience for said school's
62 athletic, ceremonial or scholastic events during the school year.

63 (d) The State Properties Review Board shall complete its review of
64 the conveyance of said parcel of land not later than thirty days after it
65 receives a proposed agreement from the Department of Education. The
66 land shall remain under the care and control of said department until a
67 conveyance is made in accordance with the provisions of this section.
68 The State Treasurer shall execute and deliver any deed or instrument
69 necessary for a conveyance under this section, which deed or

70 instrument shall include provisions to carry out the purposes of
71 subsections (b) and (c) of this section. The Commissioner of Education
72 shall have the sole responsibility for all other incidents of such
73 conveyance.

74 Sec. 3. (*Effective from passage*) (a) Notwithstanding any provision of
75 the general statutes, the Commissioner of Transportation shall convey
76 to the town of Farmington a portion of a parcel of land located in the
77 town of Farmington, at a cost equal to the fair market value of the
78 property, as determined by the average of the appraisals of two
79 independent appraisers selected by the commissioner, plus the
80 administrative costs of making such conveyance, after the
81 commissioner determines that such portion is not necessary for
82 highway purposes. Said parcel of land has an area of approximately
83 2.54 acres and the portion to be conveyed shall be equivalent to the
84 portion the commissioner determines is not necessary for highway
85 purposes. Said parcel is identified as a portion of the parcel shown on
86 a map entitled "Compilation Plan; Town of Farmington; Map Showing
87 Land Acquired from Parsons Properties, LLC by the State of
88 Connecticut Department of Transportation; Safety and Traffic
89 Operational Improvements on Route 4 (Farmington Ave.), March
90 2009", map number 5773 of the Farmington Land Records and is
91 designated by the Department of Transportation as File No. 51-260.
92 The conveyance shall be subject to the approval of the State Properties
93 Review Board.

94 (b) Said parcel of land shall be conveyed (1) subject to the existing
95 defined sightline easement, easement to slope and non-access highway
96 lines in favor of the state of Connecticut and a sewer easement in favor
97 of Jose R. Gaztambide, and (2) with the right to use a strip of land of
98 Jose R. Gaztambide for a sewer pipe.

99 (c) The State Properties Review Board shall complete its review of
100 the conveyance of said parcel of land not later than thirty days after it
101 receives a proposed agreement from the Department of

102 Transportation. The land shall remain under the care and control of
103 said department until a conveyance is made in accordance with the
104 provisions of this section. The State Treasurer shall execute and deliver
105 any deed or instrument necessary for a conveyance under this section,
106 which deed or instrument shall include provisions to carry out the
107 purposes of subsection (b) of this section. The Commissioner of
108 Transportation shall have the sole responsibility for all other incidents
109 of such conveyance.

110 Sec. 4. (*Effective from passage*) (a) Notwithstanding any provision of
111 the general statutes, the Commissioner of Energy and Environmental
112 Protection shall convey to the city of New Haven the Fort Nathan Hale
113 Park Pier located on the New Haven Harbor in the city of New Haven,
114 at a cost equal to the administrative costs of making such conveyance.
115 The conveyance shall be subject to the approval of the State Properties
116 Review Board.

117 (b) The city of New Haven shall use said pier for recreational
118 purposes. If the city of New Haven:

119 (1) Does not use said pier for said purposes;

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

121 (3) Leases all or any portion of said pier,

122 the pier shall revert to the state of Connecticut.

123 (c) The State Properties Review Board shall complete its review of
124 the conveyance of said pier not later than thirty days after it receives a
125 proposed agreement from the Department of Energy and
126 Environmental Protection. The pier shall remain under the care and
127 control of said department until a conveyance is made in accordance
128 with the provisions of this section. The State Treasurer shall execute
129 and deliver any deed or instrument necessary for a conveyance under
130 this section, which deed or instrument shall include provisions to carry

131 out the purposes of subsection (b) of this section. The Commissioner of
132 Energy and Environmental Protection shall have the sole responsibility
133 for all other incidents of such conveyance.

134 Sec. 5. (*Effective from passage*) (a) Notwithstanding any provision of
135 the general statutes, the Military Department shall convey to the
136 borough of Naugatuck a parcel of land located in the borough of
137 Naugatuck and any improvements upon said parcel, at a cost equal to
138 the administrative costs of making such conveyance. Said parcel of
139 land has an area of approximately 3.5 acres and is identified as the
140 National Guard Armory located at 607 Rubber Avenue, and is further
141 described in a Warranty Deed dated November 30, 1949, recorded in
142 Volume 104 at pages 322 to 323 of the Land Records of the Borough of
143 Naugatuck. The conveyance shall be subject to the approval of the
144 State Properties Review Board.

145 (b) The borough of Naugatuck shall use said parcel of land and
146 improvements for educational, parking or recreational purposes. If the
147 borough of Naugatuck:

148 (1) Does not use said parcel or improvements for said purposes;

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

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

152 the parcel shall revert to the state of Connecticut.

153 (c) The State Properties Review Board shall complete its review of
154 the conveyance of said parcel of land and improvements not later than
155 thirty days after it receives a proposed agreement from the Military
156 Department. The land and improvements shall remain under the care
157 and control of said department until a conveyance is made in
158 accordance with the provisions of this section. The State Treasurer
159 shall execute and deliver any deed or instrument necessary for a

160 conveyance under this section, which deed or instrument shall include
161 provisions to carry out the purposes of subsection (b) of this section.
162 The Military Department shall have the sole responsibility for all other
163 incidents of such conveyance.

164 Sec. 6. (*Effective from passage*) The state of Connecticut shall release
165 all rights to a right-of-way easement over a parcel, as first recorded in a
166 warranty deed dated April 8, 1940, in Volume 73 at page 515 of the
167 town of Stafford Land Records and rerecorded in a warranty deed
168 dated October 21, 1954, in Volume 92 at page 489 of said Land Records.
169 The State Treasurer shall execute and deliver any instrument necessary
170 to effect such release.

171 Sec. 7. Section 150 of public act 12-2 of the June special session is
172 repealed and the following is substituted in lieu thereof (*Effective from*
173 *passage*):

174 (a) Notwithstanding any provision of the general statutes, the
175 Commissioner of Economic and Community Development shall
176 convey to the city of New Britain a parcel of land located in the city of
177 New Britain, at a cost equal to the administrative costs of making such
178 conveyance. Said parcel of land has an area of approximately .32 acre
179 and is identified as Lot 71 on New Britain Tax Assessor's Map B7B, and
180 is described in a warranty deed dated February 29, 1996, and recorded
181 in Volume 1217 at page 438 of the city of New Britain Land Records.
182 The conveyance shall be subject to the approval of the State Properties
183 Review Board.

184 (b) The city of New Britain shall use said parcel of land for
185 [community park] economic development purposes. If the city of New
186 Britain:

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

188 (2) Does not retain ownership of all of said parcel, except for a sale
189 for economic development purposes; or

190 (3) Leases all or any portion of said parcel, except for a lease for
191 economic development purposes,

192 the parcel shall revert to the state of Connecticut. Any sale or lease of
193 said parcel in accordance with this section shall be for the fair market
194 value of the property or lease of said property, as determined by the
195 average of the appraisals of two independent appraisers selected by
196 the commissioner. Any funds received by the city of New Britain from
197 a sale or lease of said parcel for economic development purposes shall
198 be transferred to the State Treasurer for deposit in the Special
199 Transportation Fund.

200 (c) Said parcel of land shall be conveyed subject to an existing right
201 of way of record referenced in the warranty deed described in
202 subsection (a) of this section.

203 [(c)] (d) The State Properties Review Board shall complete its review
204 of the conveyance of said parcel of land not later than thirty days after
205 it receives a proposed agreement from the Department of Economic
206 and Community Development. The land shall remain under the care
207 and control of said department until a conveyance is made in
208 accordance with the provisions of this section. The State Treasurer
209 shall execute and deliver any deed or instrument necessary for a
210 conveyance under this section, which deed or instrument shall include
211 provisions to carry out the purposes of [subsection] subsections (b) and
212 (c) of this section. The Commissioner of Economic and Community
213 Development shall have the sole responsibility for all other incidents of
214 such conveyance.

215 Sec. 8. (*Effective from passage*) (a) Notwithstanding any provision of
216 the general statutes, the Commissioner of Transportation shall convey
217 to the town of New Milford a parcel of land located in the town of
218 New Milford, at a cost equal to the administrative costs of making such
219 conveyance. Said parcel of land has an area of approximately .29 acre
220 and is identified as the release area depicted in a map entitled

221 "Compilation Plan, Town of New Milford, Map Showing Land
222 Released to- By the State of Connecticut Department of Transportation,
223 Danbury Road (U.S. Routes 7 & 202) at Sullivan Road, Scale 1:500,
224 Thomas A. Harley, P.E., December 2014, Town No. 95, Project No. 95-
225 219, Serial No. 24A, Sheet 1 of 1". The conveyance shall be subject to
226 the approval of the State Properties Review Board.

227 (b) The town of New Milford shall use said parcel of land for open
228 space purposes. If the town of New Milford:

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

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

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

232 the parcel shall revert to the state of Connecticut.

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

244 Sec. 9. (*Effective from passage*) (a) Notwithstanding any provision of
245 the general statutes, (1) the Commissioner of Emergency Services and
246 Public Protection shall convey to the Department of Transportation
247 eight parcels of land located in the town of East Hartford, and (2) the
248 Commissioner of Transportation shall convey said eight parcels of
249 land to the town of East Hartford, at a cost equal to the administrative

250 costs of making such conveyance. The first parcel of land has an area of
251 approximately 1.76 acres and is identified as Lot 6A on East Hartford
252 Assessor's Map 24 and is located at 410 Roberts Street. The second
253 parcel of land has an area of approximately .66 acre and is identified as
254 Lot 6B on East Hartford Assessor's Map 24 and is located at 420
255 Roberts Street. The third parcel of land has an area of approximately
256 .34 acre and is identified as Lot 6C on East Hartford Assessor's Map 24
257 and is located at 430 Roberts Street. The fourth parcel of land has an
258 area of approximately 1.36 acres and is identified as Lot 6D on East
259 Hartford Assessor's Map 24 and is located at 432 Roberts Street. The
260 fifth parcel of land has an area of approximately .58 acre and is
261 identified as Lot 6E on East Hartford Assessor's Map 24 and is located
262 at 464 Roberts Street. The sixth parcel of land has an area of
263 approximately 1.21 acres of land is identified as Lot 6F on East
264 Hartford Assessor's Map 24 and is located at 470 Roberts Street. The
265 seventh parcel of land has an area of approximately .03 acre and is
266 identified as Lot 6G on East Hartford Assessor's Map 24 and is located
267 at 478 Roberts Street. The eighth parcel of land has an area of
268 approximately 4.04 acres of land and is identified as Lot 6H on East
269 Hartford Assessor's Map 24 and is located at 480 Roberts Street. The
270 conveyance of said parcels to the town of East Hartford shall be subject
271 to the approval of the State Properties Review Board.

272 (b) The town of East Hartford shall use said parcels of land for
273 economic development purposes. If the town of East Hartford:

274 (1) Does not use any of said parcels for said purposes;

275 (2) Does not retain ownership of any of said parcels other than a sale
276 for economic development purposes; or

277 (3) Leases all or any portion of any of said parcels other than a lease
278 for economic development purposes,

279 the parcel at issue shall revert to the state of Connecticut. Any sale or
280 lease of said parcels in accordance with this section shall be for the fair

281 market value of the property or lease of said property, as determined
282 by the average of the appraisals of two independent appraisers
283 selected by the Commissioner of Transportation. Any funds received
284 by the town of East Hartford from a sale or lease of said parcels in
285 accordance with this section shall be transferred to the State Treasurer
286 for deposit in the Special Transportation Fund.

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

298 Sec. 10. Section 15 of special act 07-11, as amended by section 4 of
299 public act 10-1 of the June special session, is amended to read as
300 follows (*Effective from passage*):

301 (a) Notwithstanding any provision of the general statutes, the
302 Commissioner of Transportation shall convey to the Bridgeport Port
303 Authority a parcel of land located in the city of Bridgeport, at a cost
304 equal to the administrative costs of making such conveyance. Said
305 parcel of land has an area of approximately 1.008 acres and is
306 identified as a certain parcel of land situated in the city of Bridgeport,
307 county of Fairfield, and state of Connecticut, being more particularly
308 bounded and described as follows:

309 "Beginning at a point, said point being the southeast corner of the
310 intersection of Seaview Avenue and the eastbound off-ramp of
311 Interchange 29, Interstate 95;

312 Thence running southwesterly along land of the Bridgeport Port
313 Authority, 620', more or less;

314 Thence running northerly along the easterly highway line of
315 Stratford Avenue, along a curved line concave to the west, 370' more or
316 less;

317 Thence running easterly along the southerly highway line of said
318 eastbound off-ramp of Interchange 29, Interstate Route 95, 440' more or
319 less."

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

322 (b) (1) The Bridgeport Port Authority shall use said parcel of land
323 for economic development or waterfront related purposes and may
324 sell or lease all or any portion of said parcel for economic development
325 or waterfront related purposes. If the Bridgeport Port Authority:

326 (A) Does not use said parcel for said purposes; or

327 [(B) Does not retain ownership of all of said parcel; or]

328 [(C) Leases] (B) Sells or leases all or any portion of said parcel,
329 except for a sale or lease of all or any portion of said parcel for
330 economic development or waterfront related purposes, in accordance
331 with the provisions of this subsection, the parcel shall revert to the
332 state of Connecticut. Any sale or lease of said parcel in accordance
333 with this section shall be for the fair market value of the property or
334 lease of said property, as determined by the average of the appraisals
335 of two independent appraisers selected by the commissioner. Any
336 funds received by the Bridgeport Port Authority from a sale or lease of
337 said parcel in accordance with this section shall be transferred to the
338 State Treasurer for deposit in the Special Transportation Fund.

339 (2) Notwithstanding any provision of the general statutes, the
340 Department of Transportation shall grant the Bridgeport Port

341 Authority a right of way from Stratford Avenue, Connecticut Route
342 130, directly to and from said parcel, at a place to be determined by the
343 department.

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

355 Sec. 11. Section 1 of number 271 of the special acts of 1899, as
356 amended by section 11 of special act of 13-23, is amended to read as
357 follows (*Effective from passage*):

358 That [all of] the electors [of this state, who own real estate located in
359 and who have been domiciled for two months during the year last past
360 in the town of Old Saybrook and within] described in section 2 of
361 number 271 of the special acts of 1899, in relation to the territory
362 included within the following limits, to wit: Bounded north by the
363 South Cove, so called; east by Connecticut River; south by Long Island
364 sound; and west by the east line of land of Daniel C. Spencer, said east
365 line running about south from said South Cove to Long Island sound,
366 the territory comprised within said boundaries being situated on the
367 peninsula of Lynde's Point, and known as New Saybrook and so
368 designated on a map thereof on file in the office of the town clerk of
369 Old Saybrook; are hereby declared to be, and shall forever continue to
370 be, a body politic and corporate within said town of Old Saybrook, by
371 the name of the borough of Fenwick; and by that name they and their
372 successors shall have perpetual succession, and shall be a person in

373 law, capable of suing and being sued, pleading and being impleaded
374 in all courts of whatsoever nature; and also of purchasing, holding,
375 and conveying any estate, real or personal; and shall have a common
376 seal and may change and alter the same at pleasure.

377 Sec. 12. Section 2 of number 271 of the special acts of 1899 is
378 amended to read as follows (*Effective from passage*):

379 [All of the electors aforesaid, domiciled within said limits for two
380 months during the year last past, and owners of real estate located
381 within said limits, and all] Electors of the borough of Fenwick shall
382 include (1) all electors of the town of Old Saybrook who actually reside
383 within the limits of the said borough, [shall be freemen at the first
384 election of officers under this act and for the year next ensuing; and
385 every elector of this state who shall thereafter have been domiciled
386 within the limits of said borough for a period of two months during
387 any year and who shall have owned real estate located in said borough
388 during said time shall be a freeman of said borough for the year during
389 which he has so owned real estate and been so domiciled for two
390 months and for the year ensuing and all electors of the town of Old
391 Saybrook who actually reside within the limits of said borough shall
392 also be freemen of said borough] (2) every citizen of the United States
393 of the age of eighteen years or older who is liable to said borough for
394 taxes assessed against such citizen on an assessment of not less than
395 one thousand dollars on the last-completed grand list used in
396 connection with the assessment of taxes by said borough, or who
397 would be so liable if not entitled to a statutory exemption, (3) each
398 beneficiary of a trust which is a holder of record of an interest in real
399 property located within said borough who (A) has been a resident for
400 at least two months during any calendar year in the borough, (B) is a
401 citizen of the United States, and (C) is eighteen years of age or older,
402 and (4) each member of a Connecticut limited liability company which
403 is a holder of record of an interest in real property located within said
404 borough who (A) has been a resident for at least two months during
405 any calendar year in the borough, (B) is a citizen of the United States,

406 and (C) is eighteen years of age or older. Any [freeman] elector of said
407 borough who votes in [the] said borough under the provisions of [this
408 act] number 271 of the special acts of 1899, but whose permanent
409 residence is not within the limits of the town of Old Saybrook, may
410 vote at all elections in any town in this state where he or she
411 permanently resides, and the fact that any person is registered as [a
412 voter] an elector in the borough of Fenwick shall not deprive him or
413 her of the right to register and vote in any town in this state where he
414 or she has a permanent residence.

415 Sec. 13. Section 3 of number 271 of the special acts of 1899, as
416 amended by section 1 of number 256 of the special acts of 1943, section
417 1 of number 325 of the special acts of 1951 and number 28 of the special
418 acts of 1957, is amended to read as follows (*Effective from passage*):

419 A meeting of the [legal voters] electors of said borough of Fenwick
420 shall be held on the first Saturday of July in the year 1957, and
421 biennially thereafter, for the election from their numbers by a plurality
422 of votes of a warden, six burgesses, a clerk, a treasurer and a collector.
423 All of said officers of said borough shall be sworn faithfully to perform
424 the duties of their several offices, and shall hold office until the next
425 meeting and until others shall be chosen and qualified in their stead.
426 Notice of any meeting shall be signed by the warden or any three
427 burgesses, and shall designate the time and place of such meeting, the
428 officers to be elected, and other business to be transacted thereat; and
429 such notice shall be posted at least five days before the date of such
430 meeting on the public signpost in said borough.

431 Sec. 14. Section 8 of number 271 of the special acts of 1899, as
432 amended by section 2 of the special acts of 1951, is amended to read as
433 follows (*Effective from passage*):

434 The board of warden and burgesses shall hold its first regular
435 meeting in each year within two weeks after the annual meeting, and
436 thereafter meetings of said board may be called at any time by the

437 warden or any four burgesses by leaving notice of such meeting with
438 or at the usual place of domicile in said borough of the warden and
439 each burgess, at least twenty-four hours before such special meeting or
440 by sending such notice at least five days before any such meeting to
441 any other mailing or electronic mailing address of the warden and
442 each burgess designated by the warden or burgesses. A majority of the
443 board of warden and burgesses shall constitute a quorum at any
444 meeting. Each burgess shall have one vote, except as hereinafter
445 provided, and a majority of the burgesses present and voting at any
446 meeting shall be necessary to pass any act or resolution, except in the
447 case of a tie vote, as hereinafter provided.

448 Sec. 15. Section 11 of number 271 of the special acts of 1899, as
449 amended by section 3 of number 256 of the special acts of 1943, is
450 amended to read as follows (*Effective from passage*):

451 The clerk shall be clerk of the borough and clerk of the board of
452 warden and burgesses, and shall act as such at all meetings of the
453 voters of said borough, and at all meetings of said board of warden
454 and burgesses; and it shall be his duty to make and keep all the records
455 of such meetings, and he shall be the custodian of all books, papers,
456 and documents belonging to said borough and said warden and
457 burgesses, except such books and documents as the treasurer shall be
458 required to keep. All books, papers and documents so kept by the clerk
459 shall be open to the inspection of any inhabitant of said borough at all
460 reasonable times. He shall also post and serve all notices which may be
461 required by the board of warden and burgesses, and shall perform
462 such other clerical duty as may be required by said board or the voters
463 of the borough, at any legal meeting. In the absence of the clerk, a clerk
464 pro tempore may be appointed by the warden of the borough, and
465 such clerk pro tempore, while acting as clerk, shall have all the powers
466 and be subject to all of the duties of clerk; it shall also be the duty of
467 the clerk, or in his absence the clerk pro tempore, to prepare a list of all
468 the electors within the borough at the last preceding electors' meeting
469 in said borough, forty-eight hours previous to the annual or any

470 special meeting of the voters of the borough for the election of officers,
471 to be used as a check list at such meeting; and no person shall vote at
472 any such meeting unless his name shall be on such list; [, or unless his
473 right to vote at such meeting shall have matured under section two, by
474 a continuous domicile of two months within the limits of said
475 borough;] and if such list cannot be prepared, then the list used at the
476 last meeting of the voters of the borough for the election of officers
477 shall, on the morning of the annual meeting, be revised by the wardens
478 and any two burgesses, or in the absence or inability of the warden, by
479 the clerk and any two burgesses, and be used until a certified list can
480 be prepared. The name of any elector omitted from said list by clerical
481 error [, and the name of any elector whose right to vote shall have
482 matured under section two,] may be added on election day by the
483 presiding officer.

484 Sec. 16. Section 1 of number 399 of the special acts of 1941, as
485 amended by section 1 of number 278 of the special acts of 1947, is
486 amended to read as follows (*Effective from passage*):

487 (a) The owners of a freehold interest in any land within the limits
488 specified in section two of [this act] number 399 of the special acts of
489 1941, in the locality known as Giants Neck in the town of East Lyme,
490 shall be, while they continue to be owners of such land, a body politic
491 and corporate by the name of The Giants Neck Beach Association,
492 hereinafter referred to as the "association", and by that name they and
493 their successors shall be a corporation in law capable of suing and
494 being sued and pleading and being impleaded in all courts, and shall
495 be vested with and possess the powers hereinafter specified. [All
496 persons who are over twenty-one years of age who own or who may
497 own any land within said limits, while they continue to be owners of
498 such land, and the legal spouses of such persons, shall be members of
499 The Giants Neck Beach Association, hereinafter referred to as the
500 "Association", and entitled to vote at any meeting of said association
501 and shall be eligible to any office in said association.]

502 (b) Eligibility: Every individual, corporation, trust, partnership,
503 limited liability company or other legal entity, who owns or who may
504 hereafter become the owner of any land within said limits, while they
505 continue to be owners of such land, shall automatically be a member of
506 said association in the manner hereinafter provided. When the
507 ownership of any land in the association is in the name of more than
508 one individual, each co-owner shall be deemed a member of the
509 association. When the ownership of any land is in the name of a
510 corporation, trust, partnership, limited liability company or other legal
511 entity, said entity may designate a member representative by notifying
512 the association secretary of such designation in writing. Each member
513 or member representative and his or her legal spouse shall be eligible
514 for any office in said association, provided they are at least part-time
515 residents of any land within the limits of the association.

516 (c) Voting Rights: Regardless of the form of ownership or the
517 number of members who reside at a particular property, each property
518 within the association shall have only one vote to cast in association
519 matters. When the ownership of any land in the association is in the
520 name of more than one individual, the co-owners shall be entitled to
521 only one vote among them. If such co-owners disagree as to how the
522 vote shall be cast, none of them shall vote. The association may accept
523 the vote of any single co-owner as being the vote for a property, unless
524 it has actual notice of a disagreement among the co-owners prior to the
525 time of voting. The governing board and the association shall not be
526 liable to any member or third party for accepting the vote of any
527 owner or member representative designated as a member
528 representative pursuant to this section.

529 (d) This section shall become operative on its approval by a majority
530 vote of the qualified members of the association at a meeting thereof
531 called and held for that purpose.

532 Sec. 17. Section 4 of number 399 of the special acts of 1941 is
533 amended to read as follows (*Effective from passage*):

534 The first meeting of the members of said association shall be held
535 not later than September 8, 1941, at such time and place within the
536 limits of said association as the committee hereinafter named shall
537 appoint in a notice warning such meeting, for the purpose of electing a
538 governing board to consist of seven members of the association. Two
539 of such members shall be elected for a term of one year, two of such
540 members shall be elected for a term of two years and three of such
541 members shall be elected for a term of three years, unless they or any
542 of them shall sooner cease to be property owners within the limits of
543 said association. At each annual meeting thereafter, the successors to
544 the members of the governing board whose terms expire shall be
545 elected for terms of [~~three~~] two years. Said governing board shall elect
546 from among its members a president, one or more vice presidents and
547 such other officers as are deemed necessary. Said board shall appoint a
548 secretary and a treasurer and define their duties. Neither of such
549 appointees shall, necessarily, be a member of the board and both
550 positions may be held by one person. Annual meetings shall thereafter
551 be held not later than September eighth, in each subsequent year at
552 such time and place as the governing board shall direct and warn.

553 Sec. 18. Section 5 of number 399 of the special acts of 1941 is
554 amended to read as follows (*Effective from passage*):

555 (a) Logan E. Page of New Britain, Francis C. Luce of Stafford
556 Springs, A. R. Carpenter of Bloomfield, Bert W. Chapman and Samuel
557 Ludlow, Jr., of West Hartford, Dr. Hugh F. Lena of New London, and
558 Harold C. Alvord of Manchester, or a majority of them, shall have full
559 power to warn the first meeting of the members of said association for
560 the purpose of electing seven members to form a governing board,
561 which warning shall be written or printed, signed by a majority of said
562 board, and three copies at least posted in public places within the
563 limits of said association, at least three days before such meeting; and
564 any member of said committee may call such meeting to order and
565 may lead the same to the choice of a moderator and clerk and to the
566 election of a governing board. All subsequent meetings, annual or

567 special, shall be warned by said governing board in the manner
568 prescribed by it in rules or by-laws made by said board.

569 (b) The governing board may, at its discretion, identify in the call of
570 any regular or special association meeting matters on which a member
571 or a duly authorized representative of a member may vote by absentee
572 ballot. In addition, the governing board, at its discretion, may conduct
573 a vote of the association solely by absentee ballot, provided a meeting
574 of the association has first been conducted to discuss the proposed
575 vote. The types of matters for which absentee ballots may be used are
576 (1) the annual operating budget of the association, (2) capital projects
577 not exceeding fifteen thousand dollars, and (3) disposition of
578 association assets. Voting by absentee ballot shall be conducted in the
579 manner prescribed in the association bylaws.

580 (c) Members of the governing board may participate in meetings
581 through the use of conference telephone, videoconference or similar
582 communications equipment if all members participating in the
583 meeting are able to hear and identify each other, provided that a
584 quorum is physically present at the noticed meeting location.
585 Participation in a meeting through the use of conference telephone,
586 videoconference or similar communications equipment shall constitute
587 presence in person at such meeting, except for purposes of
588 determining a quorum. Any member so participating shall identify
589 himself or herself each time he or she speaks.

590 Sec. 19. Section 7 of number 399 of the special acts of 1941, as
591 amended by section 1 of number 471 of the special acts of 1951, is
592 amended to read as follows (*Effective from passage*):

593 Said association may purchase, acquire or own real estate or any
594 interest therein, and the governing board may enact such by-laws and
595 ordinances as may be incident to and necessary for the functioning of
596 such governing board in carrying out the powers with which it is
597 vested, to prescribe the salaries or compensations of all officers and

598 employees of said association and for the following purposes: To
599 regulate travel over the highways within the limits of the association
600 when, in the opinion of said board, the free and unrestricted use of
601 said highways may become dangerous or inconvenient; to protect by
602 suitable means property within its limits from theft or injury; to
603 appoint at its expense one or more special policemen or watchmen
604 who shall have the powers and duties within its limits in relation to
605 criminals and criminal offenses that constables have in towns,
606 including the power to arrest for violation of any regulation or by-law
607 of said association, or any law, and the judiciary shall punish for
608 resistance to or obstruction of such special policemen or watchmen
609 while in the proper performance of their official duties in the same
610 manner as though they were duly constituted police officers of the
611 town of East Lyme; to clean and improve any and all ditches; to care
612 for beaches and water fronts; to keep the streets and all public places
613 within the limits of said association quiet and free from noise; to
614 regulate the parking of motor vehicles; to build, repair and improve
615 highways, roads, sidewalks, piers, docks and breakwaters within the
616 limits of said association; to require owners or lessors of land or
617 buildings within the limits of said association to remove leaves and
618 other inflammable material or obstructions from the highway adjacent
619 to or in front of property owned, leased or occupied by them; to
620 prevent the deposit upon the property within the limits of said
621 association of any refuse, garbage or waste material of any kind which,
622 in the opinion of said board, may endanger the public health or safety
623 or which may become a nuisance; to remove garbage, filth, nightsoil,
624 ashes and other refuse matter within said limits, and to authorize such
625 persons as the board may designate to make entry on any private
626 property within said limits for the purpose of taking and removing all
627 filth, garbage, ashes, nightsoil or any other offensive matters; to
628 establish building lines; to protect any property from danger by fire,
629 including the regulation of the number of cottages and structures that
630 may be erected or placed on a single building lot within said limits; to
631 zone the area within the limits of said association, thereby regulating

632 and restricting the height, number of stories, size of buildings, per cent
633 of lot that may be occupied, the size of yards, courts and other open
634 spaces, the location and use of buildings, structures and land for trade,
635 industry, residence and other purposes, and establishing the
636 boundaries of the districts for said purposes and providing penalties
637 for violations of restrictions; to regulate the carrying on, within the
638 limits of said association, of any business that will, in the opinion of
639 said board, be prejudicial to public health or dangerous to or constitute
640 an unreasonable annoyance to those living or owning property in the
641 vicinity thereof, which regulations shall be uniform for each class or
642 kind of buildings or structures, or class of business; to regulate
643 peddling as provided for in towns under the general statutes; to
644 restrict the right of entry on the property of said association except
645 upon the highways and to promote the planting of trees and shrubbery
646 and other work leading to the improvement of the general appearance
647 of the community. Said association shall have exclusive charge and
648 control of all roads within the limits and shown on the maps referred
649 to in section two which are not under town or state control. Said
650 governing board may fix a penalty for each violation of any such by-
651 laws, ordinances or regulations [, of not more than twenty dollars for
652 each offense,] and the penalties may be recovered in any action
653 brought for the purpose in the name of The Giants Neck Beach
654 Association before any court having jurisdiction, for the use and
655 benefit of said association. No by-law or ordinance shall take effect
656 until ten days after its passage nor until it shall have been posted on a
657 signpost within the limits of the association, to be designated by the
658 governing board, for at least seven days. A certificate of the secretary
659 of said association of the posting of any by-laws or ordinance as
660 provided herein shall be prima facie evidence of such posting. The
661 association may acquire by lease or purchase any part or all of the
662 property, real or personal, of The Giants Neck Land and Improvement
663 Company.

664 Sec. 20. Section 8 of number 399 of the special acts of 1941, as

665 amended by section 2 of number 278 of the special acts of 1947, section
666 2 of number 471 of the special acts of 1951 and number 173 of the
667 special acts of 1959, is amended to read as follows (*Effective from*
668 *passage*):

669 The territorial limits of said association shall constitute a separate
670 taxing district within the town of East Lyme, and the secretary of the
671 association shall, in the manner directed by the association or the
672 governing board, make an assessment list of all the real estate within
673 the limits of said association as shall appear by the assessment list of
674 the town of East Lyme then last completed or next thereafter to be
675 completed, and the list so prepared by the secretary shall correspond
676 in description, amount and value of such real estate, with such town
677 list. When real estate so entered in the town list shall be located partly
678 within and partly without the limits of said association, and there shall
679 be no distinct and separate value put by the assessors of the town upon
680 the part lying within said association, the secretary of said association
681 shall assess the part within said association upon the basis of the
682 proportion which the part within the association shall bear to the
683 whole tract or property so assessed, using his best judgment as to such
684 value. When the title to any property shall have changed before the
685 time of laying any tax, such property shall be listed by the secretary in
686 the name of the person owning it at the time of the laying of such tax.
687 Said secretary shall, within such time as may be limited by the
688 governing board, return such list duly signed and sworn to by him, to
689 the governing board of said association, which shall revise such list,
690 and, if such board shall find that the same fails to correspond with the
691 assessment list of the town of East Lyme, or if said board shall find that
692 there are any errors in the proportional valuation of such parts of any
693 piece of property partly within and partly without the association, said
694 board shall correct the same and such list, when so revised shall be
695 adopted by said board and shall then constitute the assessment list for
696 the association. Any person aggrieved by the doings of the secretary of
697 said board or said board in preparing such list, shall have the right of

698 appeal [to the court of common pleas] as is provided by the general
699 statutes for appeals from boards of tax review. [to the court of common
700 pleas.] Said board of governors shall prepare and submit to said
701 association, at each annual meeting, a budget and recommend a tax for
702 the purpose of and based on such budget and the assessment list of the
703 association then last completed or next thereafter to be completed,
704 which budget and tax rate shall be posted on the signpost of said
705 association not less than five days before such annual meeting. Said
706 association, at any meeting, shall have the power to increase or
707 decrease such budget and rate of taxation so recommended by said
708 board of governors. The rate of taxation so recommended by said
709 board of governors shall be final unless increased or decreased by the
710 association at such annual meeting or at any special meeting of the
711 association called for the purpose. In the event a budget and tax rate
712 are not adopted by the association at the annual meeting, necessary
713 expenditures shall be made and the tax rate shall be set in the manner
714 specified in sections 7-405 and 12-123 of the general statutes, until a
715 budget and tax rate are approved by the association at a special
716 meeting or until a budget and tax rate are adopted at the next annual
717 meeting. The rate of taxation of the association shall not exceed eight
718 mills on the dollar. The tax so laid shall be collected by the treasurer or
719 by any collector specially appointed by the governing board for the
720 purpose, and a rate book shall be prepared and signed by the secretary
721 of said board within such time and in such manner as may be directed
722 by said board, and warrants shall be issued for the collection of money
723 due on such rate bill pursuant to the provisions of [section 1813 of] the
724 general statutes. In addition to the assessment specified in this section,
725 the governing board may, upon approval of the association voting at a
726 regular or special meeting duly warned, enact special assessments to
727 fund capital projects. The amount of any such special assessment may
728 be made on any basis that is recommended by the governing board as
729 necessary and proper, given the nature of the project for which the
730 assessment is being made, provided such amount has been approved
731 by the association at a regular or special meeting duly warned. Said

732 association shall have the power to determine all other matters
733 pertaining to the levy or collection of taxes and special assessments
734 within the territorial limits of the association. Written notice of the rate
735 of any tax and the amount thereof, or of the assessment apportioned to
736 each member of the association, shall be sent by the treasurer or
737 collector to each member of the association before July first in each
738 year, on which date such tax shall be due and payable and in the
739 manner stated therein, and, if such tax shall not be paid when due, it
740 shall bear interest at the rate of nine per cent per annum. The treasurer
741 or other collector shall have all the powers of collectors of town taxes
742 and shall be accountable to the governing board in the same manner as
743 town collectors are accountable to selectmen. Such tax or assessment
744 shall be a lien upon the property upon which it shall be laid and may
745 be collected by suit in the name of the association by foreclosure of
746 such lien or in such manner as town taxes may be collected. Such lien
747 may be continued by certificate which shall be recorded in the land
748 records of the town or towns in which it is located, pursuant to the
749 provisions of the general statutes relating to the continuance of tax
750 liens.

751 Sec. 21. (NEW) (*Effective from passage*) (a) Notwithstanding any
752 provision of the general statutes, the Commissioner of Energy and
753 Environmental Protection shall lease to the current lessee a parcel of
754 land located in the town of Cornwall. The administrative costs of such
755 lease shall be the responsibility of the lessee. Said parcel of land is
756 known as the Mohawk Mountain Ski Area and is further described in
757 the current lease dated February 3, 1986. Such lease shall contain terms
758 deemed appropriate by the commissioner and shall be for a term not to
759 exceed thirty years and authorize the use of such premises for public
760 recreation as a commercial ski area and other recreational activities
761 deemed appropriate by the Department of Energy and Environmental
762 Protection in substantially the same manner as authorized under the
763 current lease and with the same percentage of compensation to the
764 state. The current lessee may continue to operate Mohawk Mountain

765 Ski Area under the terms and conditions of the current lease until such
766 new lease is executed, but in no case later than December 31, 2016.
767 Such lease shall be subject to the approval of the State Properties
768 Review Board.

769 (b) The State Properties Review Board shall complete its review of
770 the lease of said parcel of land not later than thirty days after it
771 receives a proposed agreement from the Department of Energy and
772 Environmental Protection. The State Treasurer shall execute and
773 deliver any instrument necessary for a lease under this section. The
774 Commissioner of Energy and Environmental Protection shall have the
775 sole responsibility for all other incidents of such lease.

776 Sec. 22. Section 4 of public act 09-04 of the September special session
777 is repealed and the following is substituted in lieu thereof (*Effective*
778 *from passage*):

779 (a) Notwithstanding any provision of the general statutes, the
780 Commissioner of Energy and Environmental Protection, not later than
781 one hundred twenty days after the effective date of this section, shall
782 lease to the town of Ridgefield, for the sum of one dollar per year and a
783 term of ten years, a parcel of land located in the town of Ridgefield.
784 Said parcel of land has an area of approximately 2.146 acres and is
785 identified as 424 Ethan Allen Highway. The lease shall be subject to the
786 approval of the State Properties Review Board.

787 (b) The town of Ridgefield shall use said parcel of land for
788 recreational purposes. If the town of Ridgefield:

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

791 the lease shall terminate and the parcel shall revert to the state of
792 Connecticut. The Department of Energy and Environmental Protection
793 shall provide the town of Ridgefield with not less than a two-year
794 notice, within such ten-year period, prior to any change in the terms of

795 such lease.

796 (c) The State Properties Review Board shall complete its review of
797 the lease of said parcel of land and any extension of such lease not later
798 than thirty days after it receives a proposed agreement from the
799 Department of Energy and Environmental Protection. The land shall
800 remain under the care and control of said department until a lease is
801 made in accordance with the provisions of this section. The
802 Commissioner of Energy and Environmental Protection shall have the
803 sole responsibility for all other incidents of such lease.

804 (d) Notwithstanding any provision of the general statutes, the
805 Commissioner of Energy and Environmental Protection, not later than
806 one hundred twenty days after the effective date of this section, shall
807 extend the lease referenced in subsection (a) of this section for a term
808 of twenty years from the time of extension, under the same terms and
809 conditions as the original lease.

810 Sec. 23. (*Effective from passage*) (a) Notwithstanding any provision of
811 the general statutes, the Commissioner of Transportation shall convey
812 to Building and Land Technology, Inc. a parcel of land located in the
813 city of Norwalk, at a cost equal to the fair market value of said parcel
814 plus the administrative costs of making such conveyance. Said parcel
815 of land has an area of not more than 6.8 acres and is identified as a
816 portion of that property depicted on a map entitled "Compilation Map
817 Depicting Land of the State of Connecticut, Glover Avenue, Norwalk,
818 CT, Scale 1"=80', January 17, 2008, prepared by Redniss & Mead". The
819 Department of Transportation shall determine the final size and
820 description of said parcel to be conveyed. The conveyance shall be
821 subject to the approval of the State Properties Review Board.

822 (b) The State Properties Review Board shall complete its review of
823 the conveyance of said parcel of land not later than thirty days after it
824 receives a proposed agreement from the Department of
825 Transportation. The land shall remain under the care and control of

826 said department until a conveyance is made in accordance with the
827 provisions of this section. The State Treasurer shall execute and deliver
828 any deed or instrument necessary for a conveyance under this section.
829 The Commissioner of Transportation shall have the sole responsibility
830 for all other incidents of such conveyance.

831 Sec. 24. Section 3 of special act 14-23 is repealed. (*Effective from*
832 *passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>from passage</i>	PA 12-2 of the June Sp. Sess., Sec. 150
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>from passage</i>	New section
Sec. 10	<i>from passage</i>	SA 07-11, Sec. 15
Sec. 11	<i>from passage</i>	Number 271 of the special acts of 1899, Sec. 1
Sec. 12	<i>from passage</i>	Number 271 of the special acts of 1899, Sec. 2
Sec. 13	<i>from passage</i>	Number 271 of the special acts of 1899, Sec. 3
Sec. 14	<i>from passage</i>	Number 271 of the special acts of 1899, Sec. 8
Sec. 15	<i>from passage</i>	Number 271 of the special acts of 1899, Sec. 11

Sec. 16	<i>from passage</i>	Number 399 of the special acts of 1941, Sec. 1
Sec. 17	<i>from passage</i>	Number 399 of the special acts of 1941, Sec. 4
Sec. 18	<i>from passage</i>	Number 399 of the special acts of 1941, Sec. 5
Sec. 19	<i>from passage</i>	Number 399 of the special acts of 1941, Sec. 7
Sec. 20	<i>from passage</i>	Number 399 of the special acts of 1941, Sec. 8
Sec. 21	<i>from passage</i>	New section
Sec. 22	<i>from passage</i>	PA 09-04 of the September Sp. Sess., Sec. 4
Sec. 23	<i>from passage</i>	New section
Sec. 24	<i>from passage</i>	Repealer section