



General Assembly

Amendment

January Session, 2015

LCO No. 9471



Offered by:

REP. JUTILA, 37th Dist.
SEN. CASSANO, 4th Dist.
SEN. LOONEY, 11th Dist.
SEN. FORMICA, 20th Dist.
REP. MILLER, 36th Dist.
REP. MEGNA, 97th Dist.
REP. MILLER P., 145th Dist.
REP. TONG, 147th Dist.
REP. SIMMONS, 144th Dist.
REP. SANCHEZ, 25th Dist.

REP. TERCYAK, 26th Dist.
REP. LOPES, 24th Dist.
SEN. GERRATANA, 6th Dist.
REP. CURREY, 11th Dist.
REP. ROJAS, 9th Dist.
REP. GENGA, 10th Dist.
REP. DEMICCO, 21st Dist.
REP. REBIMBAS, 70th Dist.
REP. LABRIOLA, 131st Dist.
REP. WILLIS, 64th Dist.

To: Subst. House Bill No. 6998

File No. 593

Cal. No. 383

"AN ACT CONCERNING THE CONVEYANCE OF CERTAIN PARCELS OF STATE LAND."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (*Effective from passage*) (a) Notwithstanding any provision
4 of the general statutes, the Commissioner of Transportation shall
5 convey to the city of New Haven a parcel of land located in the city of
6 New Haven, at a cost equal to the administrative costs of making such
7 conveyance. Said parcel of land has an area of approximately 4.5 acres

8 and is identified as the parcel of land located at 101 College Street,
9 bounded by Church Street, Martin Luther King Jr. Boulevard, College
10 Street and South Frontage Road, and further identified as a portion of
11 the parcel on the map entitled "Connecticut Department of
12 Transportation, Bureau of Highways, Right of Way Map, Town of
13 New Haven, Oak Street Connector, From Howe Street Easterly to the
14 Connecticut Turnpike, dated February 20, 1975, Map Number 92-10,
15 Sheet No. 2 of 3." The conveyance shall be subject to the approval of
16 the State Properties Review Board.

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

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

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

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

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

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

39 of such conveyance.

40 Sec. 2. (*Effective from passage*) (a) Notwithstanding any provision of
41 the general statutes, the Commissioner of Education shall convey to
42 the city of Stamford a parcel of land and any improvements upon said
43 parcel located in the city of Stamford, at a cost equal to the
44 administrative costs of making such conveyance. Said parcel of land
45 has an area of approximately 6.6 acres and is identified as a portion of
46 the 18.6-acre parcel located in Lot 3 Block 242 of Stamford Tax
47 Assessor's Map 114 and contains the Cubeta Stadium. Said parcel is
48 further identified as the parcel depicted on a map entitled "J.M. Wright
49 Technical School, Stamford, Conn., Revised Location of Baseball
50 Diamond and Bleachers, Drawing No. 156-506, dated May 15, 1958,
51 prepared by Francis L. Mayer, Architect". The conveyance shall be
52 subject to the approval of the State Properties Review Board.

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

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

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

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

60 the parcel shall revert to the state of Connecticut.

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

65 (d) The State Properties Review Board shall complete its review of
66 the conveyance of said parcel of land not later than thirty days after it
67 receives a proposed agreement from the Department of Education. The

68 land shall remain under the care and control of said department until a
69 conveyance is made in accordance with the provisions of this section.
70 The State Treasurer shall execute and deliver any deed or instrument
71 necessary for a conveyance under this section, which deed or
72 instrument shall include provisions to carry out the purposes of
73 subsections (b) and (c) of this section. The Commissioner of Education
74 shall have the sole responsibility for all other incidents of such
75 conveyance.

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

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

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

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

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

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

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

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

124 the pier shall revert to the state of Connecticut.

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

131 and deliver any deed or instrument necessary for a conveyance under
132 this section, which deed or instrument shall include provisions to carry
133 out the purposes of subsection (b) of this section. The Commissioner of
134 Energy and Environmental Protection shall have the sole responsibility
135 for all other incidents of such conveyance.

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

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

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

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

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

154 the parcel shall revert to the state of Connecticut.

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

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

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

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

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

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

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

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

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

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

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

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

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

224 Released to- By the State of Connecticut Department of Transportation,
225 Danbury Road (U.S. Routes 7 & 202) at Sullivan Road, Scale 1:500,
226 Thomas A. Harley, P.E., December 2014, Town No. 95, Project No. 95-
227 219, Serial No. 24A, Sheet 1 of 1". The conveyance shall be subject to
228 the approval of the State Properties Review Board.

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

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

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

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

234 the parcel shall revert to the state of Connecticut.

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

246 Sec. 9. (*Effective from passage*) (a) Notwithstanding any provision of
247 the general statutes, (1) the Commissioner of Emergency Services and
248 Public Protection shall convey to the Department of Transportation
249 eight parcels of land located in the town of East Hartford, and (2) the
250 Department of Transportation shall convey said eight parcels of land
251 to the town of East Hartford, at a cost equal to the administrative costs
252 of making such conveyance. The first parcel of land has an area of
253 approximately 1.76 acres and is identified as Lot 6A on East Hartford

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

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

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

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

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

281 the parcel at issue shall revert to the state of Connecticut. Any sale or
282 lease of said parcels in accordance with this section shall be for the fair
283 market value of the property or lease of said property, as determined
284 by the average of the appraisals of two independent appraisers

285 selected by the commissioner. Any funds received by the town of East
286 Hartford from a sale or lease of said parcels in accordance with this
287 section shall be transferred to the State Treasurer for deposit in the
288 Special Transportation Fund.

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

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

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

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

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

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

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

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

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

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

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

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

341 (2) Notwithstanding any provision of the general statutes, the
342 Department of Transportation shall grant the Bridgeport Port
343 Authority a right of way from Stratford Avenue, Connecticut Route
344 130, directly to and from said parcel, at a place to be determined by the
345 department.

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

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

360 That [all of] the electors [of this state, who own real estate located in
361 and who have been domiciled for two months during the year last past
362 in the town of Old Saybrook and within] described in section 2 of
363 number 271 of the special acts of 1899, in relation to the territory
364 included within the following limits, to wit: Bounded north by the
365 South Cove, so called; east by Connecticut River; south by Long Island
366 sound; and west by the east line of land of Daniel C. Spencer, said east
367 line running about south from said South Cove to Long Island sound,
368 the territory comprised within said boundaries being situated on the
369 peninsula of Lynde's Point, and known as New Saybrook and so
370 designated on a map thereof on file in the office of the town clerk of
371 Old Saybrook; are hereby declared to be, and shall forever continue to
372 be, a body politic and corporate within said town of Old Saybrook, by
373 the name of the borough of Fenwick; and by that name they and their
374 successors shall have perpetual succession, and shall be a person in
375 law, capable of suing and being sued, pleading and being impleaded
376 in all courts of whatsoever nature; and also of purchasing, holding,
377 and conveying any estate, real or personal; and shall have a common
378 seal and may change and alter the same at pleasure.

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

381 [All of the electors aforesaid, domiciled within said limits for two
382 months during the year last past, and owners of real estate located
383 within said limits, and all] Electors of the borough of Fenwick shall
384 include (1) all electors of the town of Old Saybrook who actually reside
385 within the limits of the said borough, [shall be freemen at the first
386 election of officers under this act and for the year next ensuing; and
387 every elector of this state who shall thereafter have been domiciled
388 within the limits of said borough for a period of two months during
389 any year and who shall have owned real estate located in said borough
390 during said time shall be a freeman of said borough for the year during
391 which he has so owned real estate and been so domiciled for two
392 months and for the year ensuing and all electors of the town of Old
393 Saybrook who actually reside within the limits of said borough shall
394 also be freemen of said borough] (2) every citizen of the United States
395 of the age of eighteen years or older who is liable to said borough for
396 taxes assessed against such citizen on an assessment of not less than
397 one thousand dollars on the last-completed grand list used in
398 connection with the assessment of taxes by said borough, or who
399 would be so liable if not entitled to a statutory exemption, (3) each
400 beneficiary of a trust which is a holder of record of an interest in real
401 property located within said borough who (A) has been a resident for
402 at least two months during any calendar year in the borough, (B) is a
403 citizen of the United States, and (C) is eighteen years of age or older,
404 and (4) each member of a Connecticut limited liability company which
405 is a holder of record of an interest in real property located within said
406 borough who (A) has been a resident for at least two months during
407 any calendar year in the borough, (B) is a citizen of the United States,
408 and (C) is eighteen years of age or older. Any [freeman] elector of said
409 borough who votes in [the] said borough under the provisions of [this
410 act] number 271 of the special acts of 1899, but whose permanent
411 residence is not within the limits of the town of Old Saybrook, may
412 vote at all elections in any town in this state where he or she

413 permanently resides, and the fact that any person is registered as [a
414 voter] an elector in the borough of Fenwick shall not deprive him or
415 her of the right to register and vote in any town in this state where he
416 or she has a permanent residence.

417 Sec. 13. Section 3 of number 271 of the special acts of 1899, as
418 amended by section 1 of number 256 of the special acts of 1943, section
419 1 of number 325 of the special acts of 1951 and number 28 of the special
420 acts of 1957, is amended to read as follows (*Effective from passage*):

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

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

436 The board of warden and burgesses shall hold its first regular
437 meeting in each year within two weeks after the annual meeting, and
438 thereafter meetings of said board may be called at any time by the
439 warden or any four burgesses by leaving notice of such meeting with
440 or at the usual place of domicile in said borough of the warden and
441 each burgess, at least twenty-four hours before such special meeting or
442 by sending such notice at least five days before any such meeting to
443 any other mailing or electronic mailing address of the warden and
444 each burgess designated by the warden or burgesses. A majority of the

445 board of warden and burgesses shall constitute a quorum at any
446 meeting. Each burgess shall have one vote, except as hereinafter
447 provided, and a majority of the burgesses present and voting at any
448 meeting shall be necessary to pass any act or resolution, except in the
449 case of a tie vote, as hereinafter provided.

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

453 The clerk shall be clerk of the borough and clerk of the board of
454 warden and burgesses, and shall act as such at all meetings of the
455 voters of said borough, and at all meetings of said board of warden
456 and burgesses; and it shall be his duty to make and keep all the records
457 of such meetings, and he shall be the custodian of all books, papers,
458 and documents belonging to said borough and said warden and
459 burgesses, except such books and documents as the treasurer shall be
460 required to keep. All books, papers and documents so kept by the clerk
461 shall be open to the inspection of any inhabitant of said borough at all
462 reasonable times. He shall also post and serve all notices which may be
463 required by the board of warden and burgesses, and shall perform
464 such other clerical duty as may be required by said board or the voters
465 of the borough, at any legal meeting. In the absence of the clerk, a clerk
466 pro tempore may be appointed by the warden of the borough, and
467 such clerk pro tempore, while acting as clerk, shall have all the powers
468 and be subject to all of the duties of clerk; it shall also be the duty of
469 the clerk, or in his absence the clerk pro tempore, to prepare a list of all
470 the electors within the borough at the last preceding electors' meeting
471 in said borough, forty-eight hours previous to the annual or any
472 special meeting of the voters of the borough for the election of officers,
473 to be used as a check list at such meeting; and no person shall vote at
474 any such meeting unless his name shall be on such list; [, or unless his
475 right to vote at such meeting shall have matured under section two, by
476 a continuous domicile of two months within the limits of said
477 borough;] and if such list cannot be prepared, then the list used at the

478 last meeting of the voters of the borough for the election of officers
479 shall, on the morning of the annual meeting, be revised by the wardens
480 and any two burgesses, or in the absence or inability of the warden, by
481 the clerk and any two burgesses, and be used until a certified list can
482 be prepared. The name of any elector omitted from said list by clerical
483 error [, and the name of any elector whose right to vote shall have
484 matured under section two,] may be added on election day by the
485 presiding officer.

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

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

504 (b) Eligibility: Every individual, corporation, trust, partnership,
505 limited liability company or other legal entity, who owns or who may
506 hereafter become the owner of any land within said limits, while they
507 continue to be owners of such land, shall automatically be a member of
508 said association in the manner hereinafter provided. When the
509 ownership of any land in the association is in the name of more than
510 one individual, each co-owner shall be deemed a member of the

511 association. When the ownership of any land is in the name of a
512 corporation, trust, partnership, limited liability company or other legal
513 entity, said entity may designate a member representative by notifying
514 the association secretary of such designation in writing. Each member
515 or member representative and his or her legal spouse shall be eligible
516 for any office in said association, provided they are at least part-time
517 residents of any land within the limits of the association.

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

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

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

536 The first meeting of the members of said association shall be held
537 not later than September 8, 1941, at such time and place within the
538 limits of said association as the committee hereinafter named shall
539 appoint in a notice warning such meeting, for the purpose of electing a
540 governing board to consist of seven members of the association. Two
541 of such members shall be elected for a term of one year, two of such
542 members shall be elected for a term of two years and three of such

543 members shall be elected for a term of three years, unless they or any
544 of them shall sooner cease to be property owners within the limits of
545 said association. At each annual meeting thereafter, the successors to
546 the members of the governing board whose terms expire shall be
547 elected for terms of [three] two years. Said governing board shall elect
548 from among its members a president, one or more vice presidents and
549 such other officers as are deemed necessary. Said board shall appoint a
550 secretary and a treasurer and define their duties. Neither of such
551 appointees shall, necessarily, be a member of the board and both
552 positions may be held by one person. Annual meetings shall thereafter
553 be held not later than September eighth, in each subsequent year at
554 such time and place as the governing board shall direct and warn.

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

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

571 (b) The governing board may, at its discretion, identify in the call of
572 any regular or special association meeting matters on which a member
573 or a duly authorized representative of a member may vote by absentee
574 ballot. In addition, the governing board, at its discretion, may conduct
575 a vote of the association solely by absentee ballot, provided a meeting

576 of the association has first been conducted to discuss the proposed
577 vote. The types of matters for which absentee ballots may be used are
578 (1) the annual operating budget of the association, (2) capital projects
579 not exceeding fifteen thousand dollars, and (3) disposition of
580 association assets. Voting by absentee ballot shall be conducted in the
581 manner prescribed in the association bylaws.

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

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

595 Said association may purchase, acquire or own real estate or any
596 interest therein, and the governing board may enact such by-laws and
597 ordinances as may be incident to and necessary for the functioning of
598 such governing board in carrying out the powers with which it is
599 vested, to prescribe the salaries or compensations of all officers and
600 employees of said association and for the following purposes: To
601 regulate travel over the highways within the limits of the association
602 when, in the opinion of said board, the free and unrestricted use of
603 said highways may become dangerous or inconvenient; to protect by
604 suitable means property within its limits from theft or injury; to
605 appoint at its expense one or more special policemen or watchmen
606 who shall have the powers and duties within its limits in relation to
607 criminals and criminal offenses that constables have in towns,
608 including the power to arrest for violation of any regulation or by-law

609 of said association, or any law, and the judiciary shall punish for
610 resistance to or obstruction of such special policemen or watchmen
611 while in the proper performance of their official duties in the same
612 manner as though they were duly constituted police officers of the
613 town of East Lyme; to clean and improve any and all ditches; to care
614 for beaches and water fronts; to keep the streets and all public places
615 within the limits of said association quiet and free from noise; to
616 regulate the parking of motor vehicles; to build, repair and improve
617 highways, roads, sidewalks, piers, docks and breakwaters within the
618 limits of said association; to require owners or lessors of land or
619 buildings within the limits of said association to remove leaves and
620 other inflammable material or obstructions from the highway adjacent
621 to or in front of property owned, leased or occupied by them; to
622 prevent the deposit upon the property within the limits of said
623 association of any refuse, garbage or waste material of any kind which,
624 in the opinion of said board, may endanger the public health or safety
625 or which may become a nuisance; to remove garbage, filth, nightsoil,
626 ashes and other refuse matter within said limits, and to authorize such
627 persons as the board may designate to make entry on any private
628 property within said limits for the purpose of taking and removing all
629 filth, garbage, ashes, nightsoil or any other offensive matters; to
630 establish building lines; to protect any property from danger by fire,
631 including the regulation of the number of cottages and structures that
632 may be erected or placed on a single building lot within said limits; to
633 zone the area within the limits of said association, thereby regulating
634 and restricting the height, number of stories, size of buildings, per cent
635 of lot that may be occupied, the size of yards, courts and other open
636 spaces, the location and use of buildings, structures and land for trade,
637 industry, residence and other purposes, and establishing the
638 boundaries of the districts for said purposes and providing penalties
639 for violations of restrictions; to regulate the carrying on, within the
640 limits of said association, of any business that will, in the opinion of
641 said board, be prejudicial to public health or dangerous to or constitute
642 an unreasonable annoyance to those living or owning property in the
643 vicinity thereof, which regulations shall be uniform for each class or

644 kind of buildings or structures, or class of business; to regulate
645 peddling as provided for in towns under the general statutes; to
646 restrict the right of entry on the property of said association except
647 upon the highways and to promote the planting of trees and shrubbery
648 and other work leading to the improvement of the general appearance
649 of the community. Said association shall have exclusive charge and
650 control of all roads within the limits and shown on the maps referred
651 to in section two which are not under town or state control. Said
652 governing board may fix a penalty for each violation of any such by-
653 laws, ordinances or regulations [, of not more than twenty dollars for
654 each offense,] and the penalties may be recovered in any action
655 brought for the purpose in the name of The Giants Neck Beach
656 Association before any court having jurisdiction, for the use and
657 benefit of said association. No by-law or ordinance shall take effect
658 until ten days after its passage nor until it shall have been posted on a
659 signpost within the limits of the association, to be designated by the
660 governing board, for at least seven days. A certificate of the secretary
661 of said association of the posting of any by-laws or ordinance as
662 provided herein shall be prima facie evidence of such posting. The
663 association may acquire by lease or purchase any part or all of the
664 property, real or personal, of The Giants Neck Land and Improvement
665 Company.

666 Sec. 20. Section 8 of number 399 of the special acts of 1941, as
667 amended by section 2 of number 278 of the special acts of 1947, section
668 2 of number 471 of the special acts of 1951 and number 173 of the
669 special acts of 1959, is amended to read as follows (*Effective from*
670 *passage*):

671 The territorial limits of said association shall constitute a separate
672 taxing district within the town of East Lyme, and the secretary of the
673 association shall, in the manner directed by the association or the
674 governing board, make an assessment list of all the real estate within
675 the limits of said association as shall appear by the assessment list of
676 the town of East Lyme then last completed or next thereafter to be

677 completed, and the list so prepared by the secretary shall correspond
678 in description, amount and value of such real estate, with such town
679 list. When real estate so entered in the town list shall be located partly
680 within and partly without the limits of said association, and there shall
681 be no distinct and separate value put by the assessors of the town upon
682 the part lying within said association, the secretary of said association
683 shall assess the part within said association upon the basis of the
684 proportion which the part within the association shall bear to the
685 whole tract or property so assessed, using his best judgment as to such
686 value. When the title to any property shall have changed before the
687 time of laying any tax, such property shall be listed by the secretary in
688 the name of the person owning it at the time of the laying of such tax.
689 Said secretary shall, within such time as may be limited by the
690 governing board, return such list duly signed and sworn to by him, to
691 the governing board of said association, which shall revise such list,
692 and, if such board shall find that the same fails to correspond with the
693 assessment list of the town of East Lyme, or if said board shall find that
694 there are any errors in the proportional valuation of such parts of any
695 piece of property partly within and partly without the association, said
696 board shall correct the same and such list, when so revised shall be
697 adopted by said board and shall then constitute the assessment list for
698 the association. Any person aggrieved by the doings of the secretary of
699 said board or said board in preparing such list, shall have the right of
700 appeal [to the court of common pleas] as is provided by the general
701 statutes for appeals from boards of tax review, [to the court of common
702 pleas.] Said board of governors shall prepare and submit to said
703 association, at each annual meeting, a budget and recommend a tax for
704 the purpose of and based on such budget and the assessment list of the
705 association then last completed or next thereafter to be completed,
706 which budget and tax rate shall be posted on the signpost of said
707 association not less than five days before such annual meeting. Said
708 association, at any meeting, shall have the power to increase or
709 decrease such budget and rate of taxation so recommended by said
710 board of governors. The rate of taxation so recommended by said
711 board of governors shall be final unless increased or decreased by the

712 association at such annual meeting or at any special meeting of the
713 association called for the purpose. In the event a budget and tax rate
714 are not adopted by the association at the annual meeting, necessary
715 expenditures shall be made and the tax rate shall be set in the manner
716 specified in sections 7-405 and 12-123 of the general statutes, until a
717 budget and tax rate are approved by the association at a special
718 meeting or until a budget and tax rate are adopted at the next annual
719 meeting. The rate of taxation of the association shall not exceed eight
720 mills on the dollar. The tax so laid shall be collected by the treasurer or
721 by any collector specially appointed by the governing board for the
722 purpose, and a rate book shall be prepared and signed by the secretary
723 of said board within such time and in such manner as may be directed
724 by said board, and warrants shall be issued for the collection of money
725 due on such rate bill pursuant to the provisions of [section 1813 of] the
726 general statutes. In addition to the assessment specified in this section,
727 the governing board may, upon approval of the association voting at a
728 regular or special meeting duly warned, enact special assessments to
729 fund capital projects. The amount of any such special assessment may
730 be made on any basis that is recommended by the governing board as
731 necessary and proper, given the nature of the project for which the
732 assessment is being made, provided such amount has been approved
733 by the association at a regular or special meeting duly warned. Said
734 association shall have the power to determine all other matters
735 pertaining to the levy or collection of taxes and special assessments
736 within the territorial limits of the association. Written notice of the rate
737 of any tax and the amount thereof, or of the assessment apportioned to
738 each member of the association, shall be sent by the treasurer or
739 collector to each member of the association before July first in each
740 year, on which date such tax shall be due and payable and in the
741 manner stated therein, and, if such tax shall not be paid when due, it
742 shall bear interest at the rate of nine per cent per annum. The treasurer
743 or other collector shall have all the powers of collectors of town taxes
744 and shall be accountable to the governing board in the same manner as
745 town collectors are accountable to selectmen. Such tax or assessment
746 shall be a lien upon the property upon which it shall be laid and may

747 be collected by suit in the name of the association by foreclosure of
748 such lien or in such manner as town taxes may be collected. Such lien
749 may be continued by certificate which shall be recorded in the land
750 records of the town or towns in which it is located, pursuant to the
751 provisions of the general statutes relating to the continuance of tax
752 liens.

753 Sec. 21. (NEW) (*Effective from passage*) (a) Notwithstanding any
754 provision of the general statutes, the Commissioner of Energy and
755 Environmental Protection shall lease to the current lessee a parcel of
756 land located in the town of Cornwall. The administrative costs of such
757 lease shall be the responsibility of the lessee. Said parcel of land is
758 known as the Mohawk Mountain Ski Area and is further described in
759 the current lease dated February 3, 1986. Such lease shall contain terms
760 deemed appropriate by the commissioner and shall be for a term not to
761 exceed thirty years and authorize the use of such premises for public
762 recreation as a commercial ski area and other recreational activities
763 deemed appropriate by the Department of Energy and Environmental
764 Protection in substantially the same manner as authorized under the
765 current lease and with the same percentage of compensation to the
766 state. The current lessee may continue to operate Mohawk Mountain
767 Ski Area under the terms and conditions of the current lease until such
768 new lease is executed, but in no case later than December 31, 2016.
769 Such lease shall be subject to the approval of the State Properties
770 Review Board.

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

778 Sec. 22. Section 4 of public act 09-04 of the September special session
779 is repealed and the following is substituted in lieu thereof (*Effective*

780 *from passage):*

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

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

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

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

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

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

811 conditions as the original lease.

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

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

833 Sec. 24. Section 3 of special act 14-23 is repealed. (*Effective from*
 834 *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 |

