

TOLLAND BOARD OF EDUCATION  
Hicks Municipal Center  
**Council Chambers**  
Tolland, CT 06084

***Meeting is In-Person for those who wish to attend and will also be offered through Zoom for those who wish to attend remotely***

### **VISION STATEMENT**

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

### **BOE GOALS**

- Ensure the completion and implementation of the Portrait of a Graduate Report.
- Foster a culture and climate that supports high levels of learning and engagement, promotes mental and physical wellbeing, and leads to individual student success.
- Assess our district needs and advocate for resources to meet them, while pursuing non-traditional sources of revenue, ensuring a quality education for all students.
- Nurture and support an inclusive community where every person, regardless of their identity, is acknowledged and respected. This will ensure that Tolland students have the necessary resources to thrive at school, in the community, and in our diverse world.

REGULAR MEETING

7:30 PM

AGENDA  
June 22, 2022

<https://us02web.zoom.us/j/86358441213?pwd=dUJpbnVDV3BoZW1MT1ZlZ1F1K21XZz09>  
Meeting ID: 863 5844 1213  
Passcode: 5FgfFH

Dial by your location  
+1 929 436 2866 US (New York)  
Meeting ID: 863 5844 1213  
Passcode: 582724

Find your local number: <https://us02web.zoom.us/j/86358441213?pwd=dUJpbnVDV3BoZW1MT1ZlZ1F1K21XZz09>

A. CALL TO ORDER, PLEDGE OF ALLEGIANCE

- B. ACKNOWLEDGEMENTS
- C. APPROVAL OF THE AGENDA
- D. APPROVAL OF MINUTES

June 8, 2022

- E. PUBLIC PARTICIPATION (2-minute limit)  
*The members of the Tolland Board of Education welcome members of the public to share their thoughts and ideas at this time. When appropriate to do so, members of the Board and the administration may respond to comments during "Points of Information". However, in consideration of those in attendance and in an effort to proceed in a timely manner, follow-up discussion may need to take place outside of the meeting setting.*
- F. CORRESPONDENCE
- G. POINTS OF INFORMATION
- H. STUDENT REPRESENTATIVES' REPORT – Emily Pereira and Nathalie Mitchell
- I. SUPERINTENDENT'S REPORT
  - I.1 Monthly Financial Report
  - I.2 Field Trip Report
  - I.3 Obsolete and Surplus Equipment
  - I.4 Policy 4050- Employment Checks
  - I.5 Policy 5160- Fundraising Activities
- J. COMMITTEE & LIAISON REPORTS
- K. CHAIRPERSON'S REPORT
- L. BOARD ACTION
- M. PUBLIC PARTICIPATION (2-minute limit)  
*Comments must be limited to items on this agenda.*
- N. POINTS OF INFORMATION  

Tolland Town Council – June 9, 2022  
Tolland Town Council – June 14, 2022
- O. FUTURE
- P. NEW BUSINESS
- Q. ADJOURNMENT

# TOLLAND BOARD OF EDUCATION

Hybrid Meeting  
Council Chambers  
Tolland, CT 06084

REGULAR MEETING – June 8, 2022

Members Present: Ashley Lundgren, Chair; Sophia Shaikh, Vice Chair; Jacob Marie, Secretary; Jennifer Gallichant, Christine Griffin, Tony Holt, Dana Philbin, Christina Plourd, Jayden Regisford (Arrived at 8:35PM; Zoom)

Members Absent: none

Administrators Present: Dr. Walter Willett, Superintendent of Schools

A. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Ms. Lundgren called the meeting to order at 7:05 PM.

B. ACKNOWLEDGEMENTS

Archie Tanner, a member of the Consulting Committee for the Agricultural Science & Technology Program, was in attendance.

He introduced Savannah Battles who is graduating from the program this year and Ashley Lanz, a staff member, and graduate, of the program.

Savannah introduced herself. She is from Tolland and is a senior in the Rockville Agricultural Science & Technology Program. She has taken classes including animal behavior, veterinary science, and livestock management which have positively impacted her high school experience. The program allowed her to further explore all aspects of animal science which she is passionate about, and she was able to develop leadership and communication skills that will help her in her future. Going into the program she wanted to improve her public speaking skills and be surrounded by people who would help her with her endeavors in agricultural business. Savannah explained that she flourished in the environment, accomplished her dreams, and will continue to improve upon these skills when she attends UCONN. She will take these experiences with her and plans to pursue a degree in animal science. With her degree, she hopes to be employed by the USDA and work in its facilities. Savannah thanked the Board for supporting her education by allowing her to attend the program. The Board's continued support has allowed her to have opportunities she will never forget.

Mr. Tanner presented Savannah with a certificate.

He noted that 4 Tolland students will be in the freshman class of the program next year.

Dr. Willett asked Savannah what she believed to be the number one item she got from the program. She responded that it would be the public speaking and leadership abilities. She was a Chapter Officer for the past 2 years and has grown a lot as a person handling the responsibilities which will help her not only in college but also in her career.

The Board congratulated Savannah.

Ms. Lanz invited the Board to tour the facilities.

Dr. Willett noted that new art has been put on display in Council Chambers and they honor the students and their creativity.

He thanked the following students for allowing their art to be on display:

*Cecilia Martens, grade 8*

*Ayli Nickerson, grade 8*

*Colton Andrews, grade 8*

*Victoria Polgun, grade 8*

*Olivia Clousel, grade 7*

*Kayla House, grade 8*

*Lewis Bode, grade 7*

*Chad Lincoln, grade 7*

*Nadya Shapiro, grade 7*

*Calvin Cordero, grade 7*

*Aiden Lindsey, grade 7*

*Rayan Sadracui, grade 7*

*Tiana Zhang, grade 7*

*Mason Bishop, grade 6*

*Evan Hickey, Grade 6*

*Victoria Salerno, grade 8*

C. APPROVAL OF THE AGENDA - none

D. APPROVAL OF MINUTES

- May 25, 2022 – Special Meeting
- May 25, 2022

*Mr. Marie motioned to approve the minutes of the May 25<sup>th</sup> meetings.*

*Mr. Holt seconded the motion.*

*Discussion – none*

*All were in favor. Motion passed unanimously.*

E. PUBLIC PARTICIPATION - none

F. CORRESPONDENCE

- E-mail expressing concern over current school security measures and protocols
- E-mail from the Ellington Board of Education notifying all CT school boards of recently passed laws that in its opinion are harmful to students and local school boards
- E-mail expressing frustration with the excessively long time students spend on the bus each day
- E-mail asking if the district has considered banning cell phones in classrooms
- E-mail asking the district to revisit its Covid-19 vaccination requirements for field trips; author does not want students excluded from field trips over this policy

G. POINTS OF INFORMATION

- Ms. Griffin asked if the Board would discuss or do something similar to what Ellington did in regard to the letter. She explained that Dr. Willett noted that what was referenced in the letter would significantly impact the 4 minutes in the beginning. Dr.

Willett noted that CAPSS (Connecticut Association of Public School Superintendents) provided a communication to the state with respect to this and he believes CABA (Connecticut Association of Boards of Education) did as well. While the Board may write a letter, typically CAPSS and CABA communicate directly with the state on their behalf and have expressed disappointment. Dr. Willett explained that while some items are useful, others are very impactful, and he can assist the Board draft communication if it wishes to do so. Ms. Griffin asked if CAPSS received a reply. Dr. Willett responded that he understands that the state received the communication, was unaware of the impact, and would review it. He noted that the district is in the process of starting to make plans to adjust the schedule accordingly. Ms. Griffin believes the Board should send a brief communication. Dr. Willett explained that boards and superintendents are being represented but a letter may be sent by the Board as well.

- Ms. Plourd noted that it would be interesting to see what CAPSS wrote as well. Dr. Willett noted that he would provide this information. Ms. Plourd noted the Policy Committee reviewed the field trip policy and will do so again. She asked if there are any field trips coming up next year that will have Covid vaccination requirements. Dr. Willett responded that the district would not impose any vaccination requirements but noted that the DPH will be meeting over the summer and will provide guidance to districts. Ms. Plourd noted that if students will be required to be vaccinated to go on field trips, she would like this to be part of the process and decision. Dr. Willett explained that reporting will no longer be required as of the end of this year and is hoping that the district's Continuity of Learning Plan is no longer in force in which case the district would return to business as usual.

H. STUDENT REPRESENTATIVES' REPORT – Nathalie Mitchell and Emily Pereira

Dr. Willett presented a graduation gift to Nathalie who was in attendance this evening.

- Class Day for seniors – Monday
- Class Night for seniors – Friday
- Award Ceremony – held last night
- Student Council Officers Election – June 13<sup>th</sup>

[Technical difficulties with the internet connection were experienced throughout the meeting.]

*Ms. Philbin motioned to table the remainder of the agenda this evening due to the technical difficulties they are experiencing.*

*Mr. Marie seconded the motion.*

*Discussion: none*

*All were in favor. Motion passed unanimously.*

*[Mr. Regisford was not yet in attendance.]*

[The Board addressed item N.]

I. SUPERINTENDENT'S REPORT

I.1 Monthly Financial Report

I.2 Policy 4050 – Employment Checks

I.3 Policy 5160 – Fundraising Activities

J. COMMITTEE & LIAISON REPORTS

K. CHAIRPERSON'S REPORT

L. BOARD ACTION

M. PUBLIC PARTICIPATION

N. EXECUTIVE SESSION FOR THE PURPOSE OF SUPERINTENDENT EVALUATION/Compensation

*Mr. Marie motioned to go into executive session for the purpose of the Superintendent evaluation and compensation discussion at 7:46PM and invited Dr. Willett to attend.*

*Mr. Holt seconded the motion.*

*Discussion: none*

*All were in favor. Motion passed unanimously.*

*[Mr. Regisford was not yet in attendance.]*

*The Board exited executive session at 9:44PM.*

*Mr. Holt motioned to approve the changes to the Superintendent 2022-2023 contract as specified in the June 8, 2022 Board of Education meeting, with a Teacher Retirement contribution increased by \$5,000 and an additional salary component of \$1,761.00.*

*Mr. Marie seconded the motion.*

*Discussion: none*

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

*Mr. Holt motioned to extend the contractual agreement between the Board of Education and Superintendent Walter Willett for three years from July 1, 2022 through July 30, 2025 and update Section 3: Terms of Agreement in the Superintendent's contract accordingly.*

*Ms. Philbin seconded the motion.*

*Discussion: none*

*A roll call vote was taken.*

*In favor: Shaikh, Philbin, Regisford, Gallichant, Lundgren*

*Opposed: Holt, Plourd, Marie, Griffin*

*Abstentions: none*

*Motion passed.*

O. POINTS OF INFORMATION

- Tolland Town Council – May 24, 2022

P. FUTURE - none

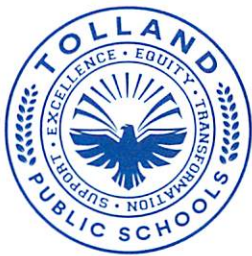
Q. NEW BUSINESS - none

R. ADJOURNMENT

*Ms. Philbin motioned to adjourn at 9:49PM.*

*Mr. Marie seconded the motion.  
Discussion: none  
All were in favor. Motion passed.*

Respectfully submitted,  
Lisa Pascuzzi  
Clerk



# TOLLAND PUBLIC SCHOOLS

51 TOLLAND GREEN • TOLLAND, CONNECTICUT 06084  
860-870-6850 • FAX: 860-870-7737

OFFICE OF THE  
SUPERINTENDENT OF SCHOOLS

Walter Willett, Ph.D.  
Superintendent

**TO:** Board of Education I.1

**FROM:** Mark S. McLaughlin, Tolland Public Schools Business Director

**RE:** Monthly Financial Report for May 2022

**Date:** June 3, 2022

**CC:** Walter Willett, Ph.D. Superintendent of Schools

Please find the attached financial report for the FY 2021-2022 fiscal year. The month of May 2022 is the 11th month of the 2021-2022 fiscal year. The monthly financials for this school year are atypical as the district contends with the COVID pandemic. The attached report is only a temporary financial snapshot identifying eleven months of activity. The balance does reflect both excess cost grant payments from the State of Connecticut, totaling \$790,622 applied to special education lines. The financial attachment is provided in an object format to clearly show the adopted budget and the YTD expenditures. This summary report provides the essential groups of accounts so the BOE can better understand the functional areas of the budget. The object line items follow the reporting format required by the State Dept. of Education. The line items show the approved budget, 11 months of expenses, encumbrances and available balances as generated through the financial software.

The attached May 2022 financial report shows a current available balance of \$108,589 or .27% of the BOE's current budget. As previously stated, these amounts, encumbrances and balances will change as we close the year. This year the district has faced increased incurrence of special education accountabilities earlier in the fiscal year. This balance reflects the impact of special education transportation and special education tuitions.

Health Insurances can continue to be booked as staff are hired, vacancies are filled. Substitute expenses started in September, special education student tuitions will continue to be incurred, transportation routes can be adjusted and have not been fully booked, and instructional supplies will be spent as needed for the balance of the year. Some line items cannot be encumbered and will always have available balances such as substitutes, overtime, course reimbursement, consultants, unemployment compensation, workers compensation, and severance.

In a typical year, the budget is built 18-20 months from implementation, based on the best know data and assumptions from the town, State of Ct, grants, interest rates, market conditions, contacts, negotiations, Department of Ed. Mandates, and professional services etc.



The Budget for FY21-22 was Town Council approved for \$40,819,289. The BOE is anticipating spending the allocated budget by year-end in accordance with CGS 10-222. As in the past, any balances may be returned to the town or the BOE will request to transfer the balance to the Educational Reserve Fund after final approval.

# Tolland Public Schools

## MM OBJ A Expenditure Report Summary (by OBJ - ???)

From Date: 7/1/2021

To Date: 5/31/2022

Fiscal Year: 2021-2022

- Subtotal by Collapse Mask   
  Include pre encumbrance   
  Print accounts with zero balance   
  Filter Encumbrance Detail by Date Range  
 Exclude Inactive Accounts with zero balance

Account Number	Description	GL Budget	Range To Date	YTD	Balance	Encumbrance	Budget Balance	% Bud
0100.0000.110.00.000.1	Salaries	\$23,366,979.52	\$19,189,574.59	\$19,189,574.59	\$4,177,404.93	\$3,939,829.76	\$237,575.17	1.02%
0100.0000.120.00.000.1	Substitutes	\$367,228.00	\$306,560.17	\$306,560.17	\$60,667.83	\$33,521.31	\$27,146.52	7.39%
0100.0000.130.00.000.1	Overtime	\$218,871.00	\$199,096.22	\$199,096.22	\$19,774.78	\$5,607.85	\$14,166.93	6.47%
0100.0000.150.00.000.1	Stipends	\$394,028.03	\$235,397.03	\$235,397.03	\$158,631.00	\$180,385.46	(\$21,754.46)	-5.52%
0100.0000.190.00.000.1	Pension/Severance	\$160,374.00	\$10,902.42	\$10,902.42	\$149,471.58	\$0.00	\$149,471.58	93.20%
0100.0000.200.00.000.1	Employee Benefits	\$513,000.00	\$490,022.02	\$490,022.02	\$22,977.98	\$1,375.00	\$21,602.98	4.21%
0100.0000.210.00.000.1	Health/Life/Disabl Ins	\$5,303,181.00	\$4,900,431.78	\$4,900,431.78	\$402,749.22	\$405,524.70	(\$2,775.48)	-0.05%
0100.0000.220.00.000.1	FICA/MED/Soc Sec	\$729,822.57	\$576,298.84	\$576,298.84	\$153,523.73	\$97,428.97	\$56,094.76	7.69%
0100.0000.240.00.000.1	Retirement (ICMA)	\$258,273.09	\$226,341.22	\$226,341.22	\$31,931.87	\$27,268.88	\$4,662.99	1.81%
0100.0000.250.00.000.1	Course Reimbursement-Degree Ch	\$50,000.00	\$22,950.00	\$22,950.00	\$27,050.00	\$0.00	\$27,050.00	54.10%
0100.0000.260.00.000.1	Unemployment Compensation	\$56,471.00	\$0.00	\$0.00	\$56,471.00	\$3,000.00	\$53,471.00	94.69%
0100.0000.270.00.000.1	Workers' Compensation	\$278,892.00	\$269,754.21	\$269,754.21	\$9,137.79	\$0.00	\$9,137.79	3.28%
0100.0000.300.00.000.1	Purch Prof & Tech Servcs	\$57,788.41	\$32,666.67	\$32,666.67	\$25,121.74	\$0.00	\$25,121.74	43.47%
0100.0000.310.00.000.1	Benefits Consultant Services	\$65,280.00	\$40,950.00	\$40,950.00	\$24,330.00	\$13,650.00	\$10,680.00	16.36%
0100.0000.320.00.000.1	Prof Educ Servcs	\$305,191.00	\$395,091.90	\$395,091.90	(\$89,900.90)	\$147,226.61	(\$237,127.51)	-77.70%
0100.0000.330.00.000.1	Professional Tech Svcs	\$34,482.00	\$14,458.10	\$14,458.10	\$20,023.90	\$2,632.30	\$17,391.60	50.44%
0100.0000.340.00.000.1	Legal/Audit/Consult Servcs	\$213,145.00	\$183,259.17	\$183,259.17	\$29,885.83	\$25,110.20	\$4,775.63	2.24%
0100.0000.350.00.000.1	Tech Services	\$530,180.72	\$439,781.85	\$439,781.85	\$90,398.87	\$87,973.79	\$2,425.08	0.46%
0100.0000.410.00.000.1	Sewer/Water	\$35,465.00	\$35,307.00	\$35,307.00	\$158.00	\$0.00	\$158.00	0.45%
0100.0000.420.00.000.1	Cleaning/Rubbish Services	\$136,558.00	\$139,793.33	\$139,793.33	(\$3,235.33)	\$25,353.68	(\$28,589.01)	-20.94%
0100.0000.430.00.000.1	Repair and Maint Servs (Facili	\$251,990.00	\$142,695.45	\$142,695.45	\$109,294.55	\$47,623.85	\$61,670.70	24.47%
0100.0000.440.00.000.1	Rentals	\$172,885.00	\$152,697.51	\$152,697.51	\$20,187.49	\$9,142.96	\$11,044.53	6.39%
0100.0000.510.00.000.1	Student Transp Svcs	\$2,621,994.00	\$1,944,703.23	\$1,944,703.23	\$677,290.77	\$733,433.28	(\$56,142.51)	-2.14%
0100.0000.520.00.000.1	Property/Liability Insurance	\$233,202.00	\$222,653.02	\$222,653.02	\$10,548.98	\$20,000.00	(\$9,451.02)	-4.05%
0100.0000.530.00.000.1	Telephone/ Postage	\$84,788.00	\$88,904.33	\$88,904.33	(\$4,116.33)	\$7,958.04	(\$12,074.37)	-14.24%
0100.0000.540.00.000.1	Advertising	\$26,500.00	\$19,055.51	\$19,055.51	\$7,444.49	\$5,388.81	\$2,055.68	7.76%
0100.0000.550.00.000.1	Printing and Binding	\$19,947.00	\$11,431.03	\$11,431.03	\$8,515.97	\$1,792.73	\$6,723.24	33.71%
0100.0000.560.00.000.1	Tuition Educ Agency	\$1,601,733.00	\$1,624,281.03	\$1,624,281.03	(\$22,548.03)	\$274,723.64	(\$297,271.67)	-18.56%
0100.0000.580.00.000.1	Travel and Conference	\$30,675.00	\$13,871.36	\$13,871.36	\$16,803.64	\$2,065.00	\$14,738.64	48.05%
0100.0000.590.00.000.1	Public Officers & State Troopre	\$91,994.00	\$46,578.19	\$46,578.19	\$45,415.81	\$9,147.16	\$36,268.65	39.43%
0100.0000.600.00.000.1	General Supplies	\$165,553.00	\$165,357.52	\$165,357.52	\$195.48	\$8,447.03	(\$8,251.55)	-4.98%
0100.0000.610.00.000.1	Instr Supplies/Mat'ls	\$276,312.88	\$227,377.75	\$227,377.75	\$48,935.13	\$85,273.35	(\$36,338.22)	-13.15%
0100.0000.620.00.000.1	Energy	\$1,672,270.00	\$1,614,049.27	\$1,614,049.27	\$58,220.73	\$61,689.56	(\$3,468.83)	-0.21%
0100.0000.640.00.000.1	Textbooks	\$189,074.62	\$159,796.49	\$159,796.49	\$29,278.13	\$11,443.27	\$17,834.86	9.43%
0100.0000.650.00.000.1	Films and Videos Supl	\$500.00	\$0.00	\$0.00	\$500.00	\$500.00	\$0.00	0.00%
0100.0000.660.00.000.1	Computer Software	\$48,794.24	\$49,359.29	\$49,359.29	(\$565.05)	\$605.00	(\$1,170.05)	-2.40%
0100.0000.690.00.000.1	Misc Supplies	\$56,478.21	\$48,014.82	\$48,014.82	\$8,463.39	\$19,586.68	(\$11,123.29)	-19.69%
0100.0000.730.00.000.1	Equip Instruct - New	\$136,640.89	\$81,577.84	\$81,577.84	\$55,063.05	\$37,993.21	\$17,069.84	12.49%
0100.0000.760.00.000.1	Equip - Spec Ed - Instr - New	\$850.00	\$0.00	\$0.00	\$850.00	\$0.00	\$850.00	100.00%
0100.0000.810.00.000.1	Dues and Fees	\$61,897.00	\$51,821.18	\$51,821.18	\$10,075.82	\$3,779.75	\$6,296.07	10.17%
0100.0000.890.00.000.1	Misc Expense	\$0.00	\$1,356.60	\$1,356.60	(\$1,356.60)	\$0.00	(\$1,356.60)	0.00%
<b>Grand Total:</b>		\$40,819,289.18	\$34,374,217.94	\$34,374,217.94	\$6,445,071.24	\$6,336,481.83	\$108,589.41	0.27%

End of Report

**SUPERINTENDENT'S AGENDA ITEM BACKGROUND**

**ITEM:** Field Trip Report

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

**FOR BOE MEETING:** June 22, 2022

**ITEM SUMMARY:** The following is a listing of field trips approved during the 2021-2022 school year.

THS -Bentley & Bryant Tour -Tolland Business Academy Students

THS - Carnegie Hall - Chamber Choir and invited students from Treble Choir

THS - Atlanta, Ga – DECA National Competition and Leadership Seminars

THS - Boston, Massachusetts DECA Regional Power Trip Conference Competition

THS - Radio City-New York City -Students went to see a Broadway Production

TMS - Washington, DC – TMS Students

**FINANCIAL SUMMARY:**

N/A

**BOARD ATTORNEY REVIEW:**

N/A

**BOE ACTION DESIRED:**

Review

**SUPPORTING MATERIALS ATTACHED:**

N/A

**SUPERINTENDENT'S AGENDA ITEM BACKGROUND**

**ITEM:** Obsolete and Surplus Equipment

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

**FOR BOE MEETING:** June 22, 2022

**ITEM SUMMARY:** The Administration requests that the Board of Education declare the below items as obsolete and turn the items over to the Town Council in accordance with Board of Education Policy 3040, Disposal of Obsolete, or Surplus Equipment/Materials.

**BOARD ATTORNEY REVIEW:** N/A

**BOE ACTION DESIRED:** Proposed Motion: *Motion to declare the below items as obsolete and turn the items over to the Town in accordance with the Board of Education Policy 3040*

**SUPPORTING MATERIALS/INFORMATION:**

**TMS**

36 student books and 1 teacher copy

Name of the book -The Language of Literature

Age of books-10-15 years

Reason of discard-no longer use, not part of our curriculum, have not used in years

Common Core Progress Monitor / Student Benchmark Assessments

30 copies

8 - 10 years

Not part of our curriculum - Not used in years

Common Core Progress Workbook

26 copies

8 - 10 years

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**Facilities**

Assorted Unused machine scrubbing pads from old BGP

Inventory:

20" Natural Burnish Pads-Hillyard46020- 4 pieces

20" Yellow pads-15 pieces

20" Hair Pads- 4 pieces

20" Scotch Brite Blue Cleaner Pad- 10 pieces

17" Red Buffing Pad Hillyard 42217-15 pieces

14" 3M 7300 black pads- 48 pieces

14" ACS Red Buffing pads-26 pieces

14" 3M 5300 blue cleaner pad- 15 pieces

13" 3M 7200 black stripper pads- 30 pieces

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**Food Service**

**TMS**

Veryfine Beverage Cooler

Model GDM-26

**Mark Ruede-Science**

Apollo Multimedia Projector- Model QE-400- Serial # 97100079  
Apollo Projector in carrying case- Model- QE465- Serial # A810935S0ADCA1033  
CTX EZPro Projector in carrying case- Model- EZPro 550- Serial # B803019S0ABCR1505  
50+ Gallon Aquarium  
Aeroshot- Waterless Food Warmer with Sectional Infinite Switch Controls  
Sharp Microwave- Model # R-7350- Serial # 12580  
Sylvania TV on cart- Model # SST4272- Serial # V04362889  
Digiscope- Model DS-300- Item # SB020254  
3M 1800 Series Projector- Model- 120 V~- Serial # 80081686  
Sylvania Radio- Model SRC 236  
Southwestern Bell Freedom Phone w/ Chargers- Qty 4  
Pasco PASPort Explorer- Model PS 2000- Qty 13  
Pasco Spark Element w/ Chargers and Airlinks- Model Mini Mill V2- Qty 20

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**THS**

Jessica Fontaine -The ProFinish Laminating and Mounting System by Varitronics has been discontinued so the company no longer makes supplies for it. There is no model number or serial number on it that I can see.

Ruth Leary - Calculators - Scientific and Graphing. We have about 50 that have stopped working, have cracked screens or other maladies. It is a variety of models.

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**IT-Adam Sher**

**(see attached spreadsheet)**

Qty	Make	Model	Serial
1	HP	Chromebook 11 G8 EE	5CD039GLM7
1	Apple	Ipad Air 2	DMPPR17FG5VY
1	Lenovo	11e Chromebook	0azxx3
1	Lenovo	11e Chromebook	0a9zvc
1	Lenovo	11e Chromebook	03xqju
1	Lenovo	11e Chromebook	oa9zwl
1	Lenovo	11e Chromebook	1S20J00000USLR0AZXWD
1	Lenovo	11e Chromebook	1S20J00000USLR0AZY02
1	Lenovo	11e Chromebook	1S20J00000USLR0AYS7
1	Lenovo	11e Chromebook	oayslp
1	Lenovo	11e Chromebook	1S20J00000USLR0AZXVX
1	Lenovo	11e Chromebook	1S20J00000USLR0AYSMG
1	Lenovo	11e Chromebook	1S20GF0003USLR099QWN
1	Lenovo	11e Chromebook	1S20J00000USLR0A9ZXB
1	Lenovo	11e Chromebook	0a9g0c
1	Lenovo	11e Chromebook	1S20DU0009USLR03XS7
1	Lenovo	11e Chromebook	1S20DU0009USLR04N85T
1	Lenovo	11e Chromebook	1S20J00000USLR0AZXWN
1	Lenovo	11e Chromebook	03xtol
1	Lenovo	11e Chromebook	08zn7g
1	Lenovo	11e Chromebook	p20456p
1	Lenovo	11e Chromebook	p203c11b
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1	Lenovo	11e Chromebook	05zms3
1	Lenovo	11e Chromebook	1S20DU0009USLR04N888
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1	Lenovo	11e Chromebook	092zny
1	Lenovo	11e Chromebook	050yuc
1	Lenovo	100e laptop	YD04K4NK
1	Lenovo	100e laptop	YD03TZFN
1	Lenovo	100e laptop	YD03TZ7V
1	Lenovo	100e laptop	YD03TZNQ
1	Lenovo	Thinkpad 11e laptop	yd03tzar
1	Lenovo	Thinkpad 11e laptop	yd02nr8y
1	Lenovo	Thinkpad 11e laptop	yd03tz4t
1	Lenovo	Thinkpad 11e laptop	Yd02mlul
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1	Lenovo	Thinkpad 11e laptop	1S20GB000NUSLR05F4TY
1	Lenovo	Thinkpad 11e laptop	1S20GB000NUSLR05F4VE
1	Lenovo	Thinkpad 11e laptop	1S20GB000NUSLR05F4TR
1	Lenovo	Thinkpad 11e laptop	1S20GB000NUSLR05F4WB
1	Lenovo	Thinkpad 11e laptop	1S20GB000NUSLR05F4ZK
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1	Lenovo	Thinkpad 11e laptop	1S20GB000NUSLR05F4XK
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1	Lenovo	Thinkpad 11e laptop	1S20GB000NUSLR05F4V5
1	Lenovo	11e Chromebook	08znbt
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1	Lenovo	11e Chromebook	HY3a91kd119410v
1	Lenovo	11e Chromebook	08znbs
1	Lenovo	11e Chromebook	03xt21
1	Lenovo	11e Chromebook	0A9nk4
1	Lenovo	11e Chromebook	0a4n86s
1	Lenovo	11e Chromebook	hy3a91kd119260r
1	Lenovo	11e Chromebook	04n867
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1	Lenovo	11e Chromebook	0449wt
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1	Lenovo	11e Chromebook	093fmn
1	Lenovo	11e Chromebook	04n7zx
1	Lenovo	11e Chromebook	05zm19
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1	Lenovo	11e Chromebook	04n856
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1	Lenovo	11e Chromebook	08zna6
1	Lenovo	11e Chromebook	04n887
1	Lenovo	11e Chromebook	05rh8d
1	Lenovo	11e Chromebook	05zmx f
1	Lenovo	11e Chromebook	05rh8g
1	Lenovo	11e Chromebook	05rhc5
1	Lenovo	11e Chromebook	05zmvc
1	Lenovo	11e Chromebook	05rgu6
1	Lenovo	11e Chromebook	08znco
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	Lenovo	11e Chromebook	04n8bk
	Lenovo	11e Chromebook	0aysmr
	Lenovo	11e Chromebook	1S20GF0001USLR05ZMZP
	Lenovo	11e Chromebook	1S20GF0001USLR05ZMSJ
	Lenovo	11e Chromebook	1S20J00000USLR0AYSNN
	Dell	Optiplex 3010	DXBF7V1
	Dell	Optiplex 3010	6SL57Y1
	Dell	Optiplex 3010	6SZ57Y1
	Dell	Optiplex 780	D8FYXQ1
	Dell	Optiplex 3010	C9B8KB2
	Dell	Optiplex 3010	392WS52

	Dell	Latitude 3310	BshW663
	Dell	Optiplex 3050	CWNFY32
	Dell	Optiplex 3010	DXFQ7V1
	Dell	Optiplex 7020	3B8VS52
4	Mitsubishi		
1	HP	Compaq	2UA9290800
1	HP	Compaq	KP721AV
1	Dell	Optiplex 3010	DXBP7V1
1	HP	1320n Printer	CNHC65X103
1	HP	1320n Printer	CNHC65S1FK
1	HP	1320n Printer	JPRC66D0HP
1	HP	1320n Printer	FCNHC57M02G
1	HP	1320n Printer	CNHC65X0QN
1	HP	1200 printer	CNBJD59151
1	HP	1300 printer	JPBGH01148
1	HP	1301 printer	JPBGH01117
1	HP	1302 printer	JPBGH00528
1	HP	1303 printer	JPBGH00084
1	HP	1320n printer	CNDC52843C
1	HP	400 color printer	CNDF366306
1	HP	1320n printer	CNHC65S1G9
1	HP	1320n printer	JPBGH01118
1	HP	1320n printer	CNHC65X0PX
1	HP	m428fdw	CNDRP3T118
1	HP	1300 printer	CNBRJ48043
1	hp	proliant ML330H6	USE106N7Z3
1	Dell	Poweredge 2850	GNDG6B1
1	Dell	Poweredge 2850	C947CB1
1	Dell	Poweredge 2950	8DG79K1
1	Dell	Power edge R610	6DZXTL1
1	Dell	Poweredge r330	7CJXNL1
1	Dell	Power edge R610	7CJXNL1
1	Dell	Poweredge 26501	HNDG6B1
1	Cooler Master		c06250444944
1	Dell	Poweredge r330	4MSVJB2
1	Dell	Power edge R610	7ZJKML1
1	hp	proliant ML330H6	USE032NFAC
1	EMC Corporation		FCNEV130300109
1	Dell	Optiplex 780	64JBSM1
84	HP	Monitors	
1	HP	1160n	CNL1D03641
1	hp	2600n	cnfc57x1bj
1	hp	1022	cnbc64m1sf

8th Grade Chromebooks

Asdet Tag	Make	Model	Serial Number
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300785	Lenovo	Lenovo 100e Chromebook 2nd Gen	PF2KRWZ9
300760	Lenovo	Lenovo 100e Chromebook 2nd Gen	PF2KNW84
300790	Lenovo	Lenovo 100e Chromebook 2nd Gen	PF2KR4QL
300185	Lenovo	Lenovo 300e Chromebook 2nd Gen MTK	P204XXJN
300146	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20456WS
300128	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20456Y1
300030	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P204575M
300016	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20456YP
300112	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20456SC
300063	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20451EL
300042	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P2045MJ5
300096	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P205Q9CW
300097	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20456FS
300144	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20456NH
300094	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P204543C
300117	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P204576Y
300007	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P204576J
300024	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P204576V
300794	Lenovo	Lenovo 100e Chromebook 2nd Gen	PF2KRH3K
300124	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20456V3
300786	Lenovo	Lenovo 100e Chromebook 2nd Gen	PF2KQPS6
300147	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20456HV
300054	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20456SK
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300119	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P204575A
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300091	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P2045MFT
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300780	Lenovo	Lenovo 100e Chromebook 2nd Gen	PF2KRAKK
300770	Lenovo	Lenovo 100e Chromebook 2nd Gen	PF2KRY1E
300792	Lenovo	Lenovo 100e Chromebook 2nd Gen	PF2KQYQH
300788		Chromebook	
300787	Lenovo	Lenovo 100e Chromebook 2nd Gen	PF2KS00A
T0190216		Chromebook	
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300086	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P2045733
300088	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P2045Q8A
300039	lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P2045782
300161	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P204575X
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300037	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20456QM
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300136	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20456XG
300155	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	p204571h
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300045	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P2045QBG
300154	Dell	Dell Chromebook 3100	43NM7F3
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300149	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P2044MMU
300068	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P2045CF5
300172	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20456WQ
300038	Dell	Dell Chromebook 3100	D8MB983
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300056	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P2045QD3
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300137	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P204577T
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300077	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20456P2
300313	Dell	Dell Chromebook 3100	3KQC983
300029	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P2045MSU
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300201	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P205Q8PW
300023	Lenovo	Lenovo 100e Chromebook 2nd Gen	PF2KRTYM

300115	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P204579C
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300069	Lenovo	Lenovo 100e Chromebook	P203LG51
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300059	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20451FR
300061	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P2045QED
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300051	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20451EH
300033	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20456YK
300032	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20455UD
300176	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P204572W
300002	Dell	Dell Chromebook 3100	16NDVC3
300159	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P204577N
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300071	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P2045QBH
300073	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P204570T
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300151	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P2045796
300174	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20455RQ
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300102	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P204575E
300114	Lenovo	Lenovo ThinkPad 11e 4th Gen Chromebook	1S20J00000USLR0AZVX
300053	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P2045QEM
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300074	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P2045PXU
300184	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P204576Z
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300058	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20451FM
300098	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P204570V
300104	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P204576P
300164	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20456Q7
300192	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P2043WX9

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300129	HP	Chromebook 11 G8 EE	5CD039GLM2
300070	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P2045C8R
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301004	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P2043X63
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300057	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P2045QGH
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300062	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P2045QE5
300187	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P2045773
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300179	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P204573X
300049	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20451K4
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300006	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20456Z0
300095	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P2042Y7D
300779	Lenovo	Lenovo 100e Chromebook 2nd Gen	PF2KS1Q2
300025	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P2045Q1R
300177	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P204574D
300168	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20456Q0
300173	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20456GD
300028	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20456Z1
300181	Dell	Dell Chromebook 3100	2QLM7F3
300082	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P2045QBY
300180	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20456SV
300195	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P2045QB4
300784	Dell	Dell Chromebook 3100	43NM7F3
300108	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P2045QGS
300736	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P2045QD4
300739	Lenovo	Lenovo 100e Chromebook 2nd Gen	PF2KR TYM
300110	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20452CL
300040	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P20456VV
300060	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P2045QGS

300773	Lenovo	Lenovo 100e Chromebook 2nd Gen	PF2KPAQM
300776	Lenovo	Lenovo 100e Chromebook 2nd Gen	PF2KRRED
T0000191	Lenovo	Lenovo 100e Chromebook 2nd Gen MTK	P204564P





Broken

Broken

Obsolete - broken

Broken

Obsolete/not working

Does support bitlocker

Does support bitlocker

Does support bitlocker

Obsolete/not working

Obsolete/not working

Obsolete/not working

Obsolete/not working

Obsolete/not working

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Obsolete/not working

Does support bitlocker

Obsolete/not working

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Does support bitlocker

Does support bitlocker

Obsolete/not working

Obsolete/not working

Obsolete/not working

Obsolete/not working



**SUPERINTENDENT'S AGENDA ITEM BACKGROUND**

**ITEM:** Policy Committee

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

**FOR BOE MEETING:** 6/22/2022

**ITEM SUMMARY:**

Policy 4050 was last updated in 2012. This is a full replacement and updating of the policy in consultation with our Chief Personnel Officer.

**FINANCIAL SUMMARY:**

N/A

**BOARD ATTORNEY OR LEGAL CONSIDERATIONS:**

Conn. Gen. Stat. § 10-212

Conn. Gen. Stat. § 10-221d

Conn. Gen. Stat. § 10-222c

Conn. Gen. Stat. § 31-40x

Conn. Gen. Stat. § 31-51i

Conn. Gen. Stat. § 31-51tt

Elementary and Secondary Education Act, reauthorized as the Every Student Succeeds Act,

Pub. L. 114-95, codified at 20 U.S.C. § 1001 *et seq.*

Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.*

**BOE ACTION DESIRED:**

Second read.

When ready: *Motion to approve and accept the changes to Policy 4050 as presented in (item #) of the (date) Board of Education meeting.*

**SUPPORTING MATERIALS ATTACHED:**

4050 Replacement policy, and original policy, below.

**DRAFT REPLACEMENT for POLICY 4050**  
**EMPLOYMENT AND STUDENT TEACHER CHECKS**

As set forth below, each applicant for a position with the district, and each student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing his or her student teaching experience in the district, shall be asked to provide in writing: (1) whether he/she has ever been convicted of a crime; (2) whether there are any criminal charges pending against him/her at the time of the application and, if charges are pending, to state the charges and the court in which such charges are pending; and (3) whether the applicant is included on the Abuse and Neglect Registry of the Connecticut Department of Children and Families (“DCF”) (the “Registry”). Applicants shall not be required to disclose any arrest, criminal charge or conviction that has been erased. In addition, the district shall conduct an employment history check for each applicant for a position, as set forth below. For the purposes of this policy:

“Sexual misconduct means” any verbal, nonverbal, written, or electronic communication, or any other act directed toward or with a student that is designed to establish a sexual relationship with the student, including a sexual invitation, dating or soliciting a date, engaging in sexual dialog, making sexually suggestive comments, self-disclosure or physical exposure of a sexual or erotic nature, and any other sexual, indecent, or erotic contact with a student.

“Abuse or neglect” means abuse or neglect as described in Conn. Gen. Stat. § 46b-120, and includes any violation of Conn. Gen. Stat. §§ 53a-70 (sexual assault in the first degree), 53a-70a (aggravated sexual assault in the first degree), 53a-71 (sexual assault in the second degree), 53a-72a (sexual assault in the third degree), 53a-72b (sexual assault in the third degree with a firearm), or 53a-73a (sexual assault in the fourth degree).

“Former employer” means any person, firm, business, educational institution, nonprofit agency, corporation, limited liability company, the state, any political subdivision of the state, any governmental agency, or any other entity that such applicant was employed by during any of the previous twenty years prior to applying for a position with a local or regional board of education.

I. Employment History Check Procedures

A. The district shall not offer employment to an applicant for a position, including any position that is contracted for, if such applicant would have direct student contact, prior to the district:

1. Requiring the applicant:

- a. to list the name, address, and telephone number of each current employer or former employer (please note the definition of “former employer” above, including the applicable twenty year reporting period) during any of the previous twenty years, if:
- (i) such current or former employer is/was a local or regional board of education, council of a state or local charter school, interdistrict magnet school operator, or a supervisory agent of a nonpublic school, and/or
  - (ii) the applicant’s employment with such current or former employer caused the applicant to have contact with children.

b. to submit a written authorization that

- (i) consents to and authorizes disclosure by the employers listed under paragraph I.A.1.a of this policy of the information requested under paragraph I.A.2 of this policy and the release of related records by such employers,
- (ii) consents to and authorizes disclosure by the Department of Education of the information requested under paragraph I.A.3 of this policy and the release of related records by the department, and
- (iii) releases those employers and the Department of Education from liability that may arise from such disclosure or release of records pursuant to paragraphs I.A.2 or I.A.3 of this policy; and

c. to submit a written statement of whether the applicant

- (i) has been the subject of an abuse or neglect or sexual misconduct investigation by any employer, state agency or municipal police department, unless the investigation resulted in a finding that all allegations were unsubstantiated,
- (ii) has ever been disciplined or asked to resign from employment or resigned from or otherwise separated from any employment while an allegation of abuse or neglect was pending or under investigation by DCF, or an allegation of sexual misconduct was pending or under investigation or due to an allegation substantiated pursuant to Conn. Gen. Stat. § 17a-101g of abuse or neglect, or of sexual misconduct or a conviction for abuse or neglect or sexual misconduct, or
- (iii) has ever had a professional or occupational license or certificate suspended or revoked or has ever surrendered such a license or certificate while an

allegation of abuse or neglect was pending or under investigation by DCF or an investigation of sexual misconduct was pending or under investigation, or due to an allegation substantiated by DCF of abuse or neglect or of sexual misconduct or a conviction for abuse or neglect or sexual misconduct;

2. Conducting a review of the employment history of the applicant by contacting those employers listed by the applicant under paragraph I.A.1.a of this policy. Such review shall be conducted using a form developed by the Department of Education, which shall request the following:
  - a. the dates employment of the applicant, and
  - b. a statement as to whether the employer has knowledge that the applicant:
    - (i) was the subject of an allegation of abuse or neglect or sexual misconduct for which there is an investigation pending with any employer, state agency, or municipal police department or which has been substantiated;
    - (ii) was disciplined or asked to resign from employment or resigned from or otherwise separated from any employment while an allegation of abuse or neglect or sexual misconduct was pending or under investigation, or due to a substantiation of abuse or neglect or sexual misconduct; or
    - (iii) has ever had a professional or occupational license, certificate, authorization or permit suspended or revoked or has ever surrendered such a license, certificate, authorization or permit while an allegation of abuse or neglect or sexual misconduct was pending or under investigation, or due to a substantiation of abuse or neglect or sexual misconduct. Such review may be conducted telephonically or through written communication.  
Notwithstanding the provisions of subsection (g) of Conn. Gen. Stat. § 31-51i, not later than five (5) business days after the district receives a request for such information about an employee or former employee, the district shall respond with such information. The district may request more information concerning any response made by a current or former employer for information about an applicant, and, notwithstanding subsection (g), such employer shall respond not later than five (5) business days after receiving such request.
3. Requesting information from the Department of Education concerning:
  - a. the eligibility status for employment of any applicant for a position requiring a certificate, authorization or permit,
  - b. whether the Department of Education has knowledge that a finding has been substantiated by DCF pursuant to Conn. Gen. Stat. § 17a-101g of abuse or neglect or of sexual misconduct against the applicant and any information concerning such a finding, and
  - c. whether the Department of Education has received notification that the applicant has been convicted of a crime or of criminal charges pending against the applicant and any information concerning such charges.
- B. Notwithstanding the provisions of subsection (g) of Conn. Gen. Stat. § 31-51i, if the district receives information that an applicant for a position with or an employee of the board has been disciplined for a finding of abuse or neglect or sexual misconduct, it shall notify the Department of Education of such information.
- C. The district shall not employ an applicant for a position involving direct student contact who does not comply with the provisions of paragraph I.A.1 of this policy.
- D. The district may employ or contract with an applicant on a temporary basis for a period not to exceed ninety (90) calendar days, pending the district's review of information received under this section, provided:
  1. The applicant complied with paragraph I.A.1 of this policy;
  2. The district has no knowledge of information pertaining to the applicant that would disqualify the applicant from employment with the district; and
  3. The applicant affirms that the applicant is not disqualified from employment with the district.
- E. The district shall not enter into a collective bargaining agreement, an employment contract, an agreement for resignation or termination, a severance agreement, or any other contract or agreement or take any action that:
  1. Has the effect of suppressing information relating to an investigation of a report of suspected abuse or neglect or sexual misconduct by a current or former employee;
  2. Affects the ability of the district to report suspected abuse or neglect or sexual misconduct to

- appropriate authorities; or
3. Requires the district to expunge information about an allegation or a finding of suspected abuse or neglect or sexual misconduct from any documents maintained by the district, unless, after investigation, such allegation is dismissed or found to be false.
- F. The district shall not offer employment to a person as a substitute teacher, unless such person and the district comply with the provisions of paragraph I.A.1 of this policy. The district shall determine which such persons are employable as substitute teachers and maintain a list of such persons. The district shall not hire any person as a substitute teacher who is not on such list. Such person shall remain on such list as long as such person is continuously employed by the district as a substitute teacher, as described in paragraph III.B.2 of this policy, provided the district does not have any knowledge of a reason that such person should be removed from such list.
- G. In the case of an applicant who is a contractor, the contractor shall require any employee with such contractor who would be in a position involving direct student contact to supply to such contractor all the information required of an applicant under paragraphs I.A.1.a and I.A.1.c of this policy and a written authorization under paragraph I.A.1.b of this policy. Such contractor shall contact any current or former employer (please note the definition of “former employer” above, including the applicable twenty year reporting period) of such employee that was a local or regional board of education, council of a state or local charter school, interdistrict magnet school operator, or a supervisory agent of a nonpublic school, or if the employee’s employment with such current or former employer caused the employee to have contact with children, and request, either telephonically or through written communication, any information concerning whether there was a finding of abuse or neglect or sexual misconduct against such employee. Notwithstanding the provisions of subsection (g) of Conn. Gen. Stat. § 31-51i, such employer shall report to the contractor any such finding, either telephonically or through written communication. If the contractor receives any information indicating such a finding or otherwise receives any information indicating such a finding or otherwise has knowledge of such a finding, the contractor shall, notwithstanding the provisions of subsection (g) of Conn. Gen. Stat. § 31-51i, immediately forward such information to the district, either telephonically or through written communication. If the district receives such information, it shall determine whether such employee may work in a position involving direct student contact at any school in the district. No determination by the district that any such employee shall not work under any such contract in any such position shall constitute a breach of such contract.
- H. Any applicant who knowingly provides false information or knowingly fails to disclose information required in subdivision (1) of subsection (A) of this section shall be subject to discipline by the district that may include
1. denial of employment, or
  2. termination of the contract of a certified employee, in accordance with the provisions of Conn. Gen. Stat. § 10-151.
- I. If the district provides information in accordance with paragraph I.A.2 or I.G of this policy, the district shall be immune from criminal and civil liability, provided the district did not knowingly supply false information.
- J. Notwithstanding the provisions of Conn. Gen. Stat. § 10-151c and subsection (g) of Conn. Gen. Stat. § 31-51i, the district shall provide, upon request by another local or regional board of education, governing council of a state or local charter school, interdistrict magnet school operator, or supervisory agent of a nonpublic school for the purposes of an inquiry pursuant to paragraphs I.A.2 or I.G of this policy or to the Commissioner of Education pursuant to paragraph I.B of this policy any information that the district has concerning a finding of abuse or neglect or sexual misconduct by a subject of any such inquiry.
- K. Prior to offering employment to an applicant, the district shall make a documented good faith effort to contact each current and any former employer (please note the definition of “former employer” employer above, including the applicable twenty year reporting period) of the applicant that was a local or regional board of education, governing council of a state or local charter school, interdistrict magnet school operator, or supervisory agent of a nonpublic school, or if the applicant’s employment with such current or former employer caused the applicant to have contact with children in order to obtain information and recommendations that may be relevant to the applicant’s fitness for employment. Such effort, however, shall not be construed to require more than three telephonic requests made on three separate days.
- L. The district shall not offer employment to any applicant who had any previous employment contract terminated by a local or regional board of education, council of a state or local charter school, interdistrict magnet school operator, or a supervisory agent of a nonpublic school, or who resigned from such employment, if the person has been convicted of a violation of Conn. Gen. Stat. § 17a-101a, when an allegation of abuse or neglect or sexual assault has been substantiated.

## II. DCF Registry Checks

Prior to hiring any person for a position with the district, and where possible before a student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing his or her student teaching experience with the district, begins such student teaching experience, the district shall require such applicant or student to submit to a records check of information maintained on the Registry concerning the applicant.

The district shall request information from the Registry promptly, and in any case no later than thirty (30) calendar days from the date of employment. Registry checks will be processed according to the following procedure:

- A. No later than ten (10) calendar days after the Superintendent or his/her designee has notified a job applicant of a decision to offer employment to the applicant, or as soon thereafter as practicable, the Superintendent or designee will either obtain the information from the Registry or, if the applicant's consent is required to access the information, will supply the applicant with the release form utilized by DCF for obtaining information from the Registry.
- B. If consent is required to access the Registry, no later than ten (10) calendar days after the Superintendent or his/her designee has provided the successful job applicant with the form, the applicant must submit the signed form to DCF with a copy to the Superintendent or his/her designee. Failure of the applicant to submit the signed form to DCF or its out of state equivalent within such ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.
- C. Upon receipt of Registry information indicating previously undisclosed information concerning abuse or neglect investigations concerning the successful job applicant/employee, the Superintendent or his/her designee will notify the affected applicant/employee in writing of the results of the Registry check and will provide an opportunity for the affected applicant/employee to respond to the results of the Registry check.
- D. If notification is received by the Superintendent or designee that that the applicant is listed as a perpetrator of abuse or neglect on the Registry, the Superintendent or designee shall provide the applicant with an opportunity to be heard regarding the results of the Registry check. If warranted by the results of the Registry check and any additional information provided by the applicant, the Superintendent or designee shall revoke the offer of employment and/or terminate the applicant's employment if he or she has already commenced working for the district.

## III. **Criminal Records Check Procedure**

- A. Each person hired by the district shall be required to submit to state and national criminal record checks within thirty (30) calendar days from the date of employment. Each student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing his or her student teaching experience with the district, shall be required to submit to state and national criminal record checks within sixty (60) calendar days from the date such student begins to perform such student teaching experience. Record checks will be processed according to the following procedure:\*

  1. No later than five (5) calendar days after the Superintendent or his/her designee has notified a job applicant of a decision to hire the applicant, or as soon thereafter as practicable, the Superintendent or his/her designee will provide the applicant with a packet containing all documents and materials necessary for the applicant to be fingerprinted. This packet shall also contain all documents and materials necessary for the police department to submit the completed fingerprints to the State Police Bureau of Identification for the processing of state and national criminal record checks. The Superintendent or his/her designee will also provide each applicant with the following notifications before the applicant obtains his/her fingerprints: (1) Agency Privacy Requirements for Noncriminal Justice Applicants; (2) Noncriminal Justice Applicant's Privacy Rights; (3) and the Federal Bureau of Investigation, United States Department of Justice Privacy Act Statement.
  2. No later than ten (10) calendar days after the Superintendent or his/her designee has provided the successful job applicant with the fingerprinting packet, the applicant must arrange to be fingerprinted. Failure of the applicant to have his/her fingerprints taken within such ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.
  3. Any person for whom criminal records checks are required to be performed pursuant to this policy must pay all fees and costs associated with the fingerprinting process and/or the submission or processing of the requests for criminal record checks. Fees and costs associated with the fingerprinting process and the submission and process of requests are waived for

- student teachers, in accordance with state law.
4. Upon receipt of a criminal record check indicating a previously undisclosed conviction, the Superintendent or his/her designee will notify the affected applicant/employee in writing of the results of the record check and will provide an opportunity for the affected applicant/employee to respond to the results of the criminal record check. The affected applicant/employee may notify the Superintendent or his/her designee in writing within five (5) calendar days that the affected applicant/employee will challenge his/her criminal history record check. Upon written notification to the Superintendent or his/her designee of such a challenge, the affected applicant/employee shall have ten (10) calendar days to provide the Superintendent or his/her designee with necessary documentation regarding the affected applicant/employee's record challenge. The Superintendent or his/her designee may grant an extension to the preceding ten-day period during which the affected applicant/employee may provide such documentation for good cause shown.
  5. Decisions regarding the effect of a conviction upon an applicant/employee, whether disclosed or undisclosed by the applicant/employee, will be made on a case-by-case basis. Notwithstanding the foregoing, the falsification or omission of any information on a job application or in a job interview, including but not limited to information concerning criminal convictions or pending criminal charges, shall be grounds for disqualification from consideration for employment or discharge from employment.
  6. Notwithstanding anything in paragraph III.A.5 of this Policy, above, no decision to deny employment or withdraw an offer of employment on the basis of an applicant/employee's criminal history record shall be made without affording the applicant/employee the opportunities set forth in paragraph III.A.4 of this Policy, above.

**B. Criminal Records Check for Substitute Teachers:**

A substitute teacher who is hired by the district must submit to state and national criminal history record checks according to the procedures outlined above, subject to the following:

1. If the state and national criminal history record checks for a substitute teacher have been completed within one year prior to the date the district hired the substitute teacher, and if the substitute teacher arranged for such prior criminal history record checks to be forwarded to the Superintendent, then the substitute teacher will not be required to submit to another criminal history record check at the time of such hire.
2. If a substitute teacher submitted to state and national criminal history record checks upon being hired by the district, then the substitute teacher will not be required to submit to another criminal history record check so long as the substitute teacher is continuously employed by the district, that is, employed for at least one day of each school year, by the district, provided a substitute teacher is subjected to such checks at least once every five years.

**IV. Sex Offender Registry Checks**

School district personnel shall cross-reference the Connecticut Department of Public Safety's sexual offender registry prior to hiring any new employee and before a student who is enrolled in a teacher preparation program, as defined in section 10-10a of the Connecticut General Statutes, and completing his or her student teaching experience with the district, begins such student teaching experience. Registration as a sexual offender constitutes grounds for denial of employment opportunities and opportunities to perform student teaching experiences in the school district.

**V. Notice of Conviction**

**If, at any time, the district receives notice of a conviction of a crime by a person holding a certificate, authorization or permit issued by the State Board of Education, the district shall send such notice to the State Board of Education. In complying with this requirement, the district shall not disseminate the results of any national criminal history records check.**

**VI. School Nurses**

School nurses or nurse practitioners appointed by, or under contract with, the district shall also be required to submit to a criminal history records check in accordance with the procedures outlined above.

**VII. Personal Online Accounts**

For purposes of these Administrative Regulations, "personal online account" means any online account that is used by an employee or applicant exclusively for personal purposes and unrelated to any business purpose of the district, including, but not limited to, electronic mail, social media and retail-based Internet web sites. "Personal

online account” does not include any account created, maintained, used or accessed by an employee or applicant for a business purpose of the district.

- A. During the course of an employment check, the district may not:
  - 1. request or require that an applicant provide the district with a user name and password, password or any other authentication means for accessing a personal online account;
  - 2. request or require that an applicant authenticate or access a personal online account in the presence of the district; or
  - 3. require that an applicant invite a supervisor employed by the district or accept an invitation from a supervisor employed by the district to join a group affiliated with any personal online account of the applicant.
- B. The district may request or require that an applicant provide the district with a user name and password, password or any other authentication means for accessing:
  - 1. any account or service provided by district or by virtue of the applicant’s employment relationship with the district or that the applicant uses for the district’s business purposes, or
  - 2. any electronic communications device supplied or paid for, in whole or in part, by the district.
- C. In accordance with applicable law, the district maintains the right to require an applicant to allow the district to access his or her personal online account, without disclosing the user name and password, password or other authentication means for accessing such personal online account, for the purpose of:
  - 1. conducting an investigation for the purpose of ensuring compliance with applicable state or federal laws, regulatory requirements or prohibitions against work-related employee misconduct based on the receipt of specific information about activity on an applicant’s personal online account; or
  - 2. conducting an investigation based on the receipt of specific information about an applicant’s unauthorized transfer of the district’s proprietary information, confidential information or financial data to or from a personal online account operated by an applicant or other source.

VIII. Policy Inapplicable to Certain Individuals

This policy shall also not apply to:

- A. A student employed by the district who attends a district school.
- B. A person employed by the district as a teacher for a noncredit adult class or adult education activity, as defined in Conn. Gen. Stat. § 10-67, who is not required to hold a teaching certificate pursuant to Conn. Gen. Stat. § 10-145b for his or her position.

IX. Falsification of Records

Notwithstanding any other provisions of this policy, the falsification or omission of any information on a job application or in a job interview, including but not limited to information concerning abuse or neglect investigations or pending criminal applications, shall be grounds for disqualification from consideration for employment or discharge from employment.

Legal References: Conn. Gen. Stat. § 10-212

Conn. Gen. Stat. § 10-221d

Conn. Gen. Stat. § 10-222c

Conn. Gen. Stat. § 31-40x

Conn. Gen. Stat. § 31-51i

Conn. Gen. Stat. § 31-51tt

Elementary and Secondary Education Act, reauthorized as the Every Student Succeeds Act, Pub. L. 114-95, codified at 20 U.S.C. § 1001 *et seq.*

Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.*

ADOPTED: \_\_\_\_\_

REVISED: \_\_\_\_\_

11/19/2020

TOLLAND PUBLIC SCHOOLS  
Tolland, Connecticut

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BOARD POLICY

REGARDING:  
EMPLOYMENT CHECKS

Number: 4050  
Personnel

Approved: 2/12/03  
Revised: 5/11/05  
Revised: 1/25/12

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Each applicant for a position with the district shall be asked whether he/she has ever been convicted of a crime, whether there are any criminal charges pending against him/her at the time of application and whether the applicant is included on the abuse and neglect registry of the Connecticut Department of Children and Families (“DCF”) (“the Registry”) or an equivalent database maintained in another state if the applicant’s current or most recent employment occurred out of state. Applicants shall not be required to disclose any arrest, criminal charge or conviction that has been erased.

A. Reference Checking Procedures

Prior to hiring any person, the district shall make a documented good faith effort to contact previous employers of the applicant in order to obtain information and recommendations that may be relevant to the applicant’s fitness for employment.

B. DCF Registry Checks

Prior to hiring any person for a position requiring a certificate, authorization or permit issued by the State Board of Education, the District shall require such applicant to submit a records check of information maintained on the Registry concerning the applicant.

**Prior to hiring any person for any other position, if the District does not have access to the information on the Registry without the consent of the applicant, the district shall request that the applicant provide the district with authorization to access information maintained on the registry**

**Concerning the applicant. Refusal to permit the district to access such information shall be considered grounds for rejecting any applicant for employment.**

**On and after July 1, 2012, prior to hiring any person for any position, including one that does not require a certificate, authorization or permit issued by the State Board of Education, the District shall require such applicant to submit to a records check of information maintained on the Registry concerning the applicant.**

For any applicant whose current or most recent employment occurred out of state, the District shall request that the applicant provide the District with authorization to access information maintained concerning the applicant by the equivalent state agency in the state of most recent employment, if such state maintains information about abuse and neglect and has a procedure by which such



information can be obtained. Refusal to permit the district to access such information shall be considered grounds for rejecting any applicant for employment.

The district shall request information from the Registry or its out of state equivalent promptly, and in any case no later than thirty (30) days from the date of employment. Registry checks will be processed according to the following procedure:

- 1) No later than ten (10) calendar days after the Superintendent or his/her designee has notified a job applicant of a decision to offer employment to the applicant, or as soon thereafter as practicable, the Superintendent or designee will either obtain the information from the Registry or, if the applicant's consent is required to access the information, will supply the applicant with the release form utilized by DCF, or its out of state equivalent when available, for obtaining information from the registry.
- 2) If consent is required to access the registry, no later than ten (10) calendar days after the Superintendent or his/her designee has provided the successful job applicant with the form, the applicant must submit the signed form to DCF or its out of state equivalent, with a copy to the Superintendent or his/her designee. Failure of the applicant to submit the signed form to DCF or its out of state equivalent within such ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.
- 3) Upon receipt of Registry or out of state registry information indicating previously undisclosed information concerning abuse or neglect investigations concerning the successful job applicant/employee, the Superintendent or his/her designee will notify the affected applicant/employee in writing of the results of the registry check and will provide an opportunity for the affected applicant/employee to respond to the results of the registry check.
- 4) **If notification is received by the Superintendent or designee that that the applicant is listed as a perpetrator of abuse or neglect on the Registry, the Superintendent or designee shall provide the applicant with an opportunity to be heard regarding the results of the registry check. If warranted by the results of the registry check and any additional information provided by the applicant, the Superintendent or designee shall revoke the offer of employment and/or terminate the applicant's employment if he or she has already commenced working for the district.**

#### C. Criminal Records Check Procedure

Each person hired by the district shall be required to submit to state and national criminal record checks within 30 days from the date of employment. Each worker placed within a school under a public assistance employment program, or employed by a provider of supplemental services pursuant to the No Child Left Behind Act, or in a nonpaid, noncertified position completing preparation requirements for issuance of an education certificate, who performs a service involving direct student contact shall also be required to submit to state and national criminal record checks with 30 days from the date such worker begins to perform such service. Record checks will be processed according to the following procedure:

- 1) No later than ten calendar days after the Superintendent or his/her designee has notified a job applicant of a decision to hire the applicant, or as soon thereafter as practicable, the Superintendent will supply the applicant with a packet containing all documents and materials necessary for the applicant to be fingerprinted by the Tolland police department or by the police department, Resident Trooper, State Police Troop for the town in which the successful applicant resides. This packet shall also contain all documents and materials necessary for the police department to submit the completed fingerprints to the State Police Bureau of Identification for the

processing of state and national criminal record checks.

2) No later than ten calendar days after the Superintendent has provided the successful job applicant with the fingerprinting packet, the applicant must arrange to be fingerprinted by the Tolland police department or by the police department/Resident Trooper/State Police Troop for the town in which the successful applicant resides. Failure of the applicant to have his/her fingerprints taken within such ten-day period, without good cause, will be grounds for the withdrawal of the offer of employment.

3) Any person for whom criminal records checks are required to be performed pursuant to this policy must pay all fees and costs associated with the fingerprinting process and/or the submission or processing of the requests for criminal record checks.

4) Upon receipt of a criminal record check indicating a previously undisclosed conviction, the Superintendent or his/her designee will notify the affected applicant/employee in writing of the results of the record check and will provide an opportunity for the affected applicant/employee to respond to the results of the criminal record check.

5) Decisions regarding the effect of a conviction upon an applicant/employee, whether disclosed or undisclosed by the applicant/employee, will be made on a case-by-case basis. Notwithstanding the foregoing, the falsification or omission of any information on a job application or in a job interview, including but not limited to information concerning criminal convictions or pending criminal charges, shall be grounds for disqualification from consideration for employment or discharge from employment.

#### D. Notice of Conviction

If, at any time, the board of education receives notice of a conviction of a crime by 1) a person holding a certificate, authorization or permit issued by the or permit issued by the State Board of Education, or 2) a person employed by a provided of supplemental services, the Board shall send such notice to the State Board of Education.

#### E. School Nurses

School nurses or nurse practitioners appointed by, or under contract with, the Board of Education shall also be required to submit to a criminal history records check in accordance with the procedures outlined above.

#### F. Substitute Teachers

A substitute teacher who is hired by the district must submit to state and national criminal history record checks according to the procedures outlined above, subject to the following:

1.) If the state and national criminal history record checks for a substitute teacher have been completed within one year prior to the date the district hired the substitute teacher, and if the substitute teacher arranged for such prior criminal history record checks to be forwarded to the Superintendent, then the substitute teacher will not be required to submit to another criminal history record check at the time of such hire.

2.) If a substitute teacher submitted to state and national criminal history record checks upon being hired by the district, then the substitute teacher will not be required to submit to another

criminal history record check so long as the substitute teacher is continuously employed by the district, that is, employed for at least one day of each school year, by the district.

G. Policy Inapplicable to Operators of School Transportation Vehicles.

1) This policy shall not apply to an operator of a school transportation vehicle who is already required to submit to a criminal history records check pursuant to Connecticut General Statutes § 14-44 (d).

2) This policy shall also not apply to a student employed by the local or regional school district in which the student attends school.

H. Falsification Of Records

**The falsification or omission of any information on a job application or in a job interview, including but not limited to information concerning abuse or neglect investigations or pending criminal applications, shall be grounds for disqualification from consideration for employment or discharge from employment.**

Legal References:

Conn. Gen. Stat. § 10-221d. Criminal history records checks of school personnel. Fingerprinting. Termination or dismissal.

Conn. Gen. Stat. § 10-212. School Nurses and Nurse Practitioners (As Amended by Public Act 04-181)

No Child Left Behind Act of 2001, Public Law 107-110

Public Act 11-93, An Act Concerning the Response of School Districts and the Departments of Children and Families to Reports of Child Abuse and Neglect and the Identification of Foster Children Within a District.

**SUPERINTENDENT’S AGENDA ITEM BACKGROUND**

**ITEM:** Policy 5160 – Fundraising Activities  
**ITEM SUBMITTED BY:** Walter Willett, Ph.D., Superintendent  
**FOR BOE MEETING:** 6/22/2022

**ITEM SUMMARY:**  
Legal reference needs to be updated for Policy 5160.

**FINANCIAL SUMMARY:**  
N/A

**BOARD ATTORNEY OR LEGAL REFERENCES:**  
[Conn. Gen. Stat. § 10-215f](#)

**BOE ACTION DESIRED:**  
Second read.  
When ready: *Motion to approve and accept the changes to Policy 5160 as presented in (item #) of the (date) Board of Education meeting.*

**SUPPORTING MATERIALS ATTACHED:**  
See removed language in ~~blue highlight and strikeout.~~  
*See additions in yellow highlight and italics.*

RECOMMENDED UPDATE:  
**TOLLAND PUBLIC SCHOOLS**  
Tolland, Connecticut

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BOARD POLICY REGARDING: Fundraising Activities  
Number: 5160  
Students  
Approved: 12/16/02  
Revised: 6/13/07

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Students may engage in raising funds for school-sponsored activities, subject to the provisions of regulations to be developed by the Superintendent. No such fund-raising activities may involve door-to-door solicitation in the community by students.

The Board of Education will not be responsible for any fundraising activities that are not approved in accordance with the procedures set forth in this policy and the accompanying regulations.

Any fundraising activities must comply with all applicable state and federal laws and regulations, including those provisions relating to the sale of healthy foods and beverages on school grounds or at school-sponsored events.

Legal References:  
~~Public Act 06-63 An Act Concerning Healthy Food And Beverages In Schools~~  
[Conn. Gen. Stat. § 10-215f](#) *Certification that food meets nutrition standards*

**SPECIAL MEETING MINUTES  
TOLLAND TOWN COUNCIL  
HYBRID MEETING**

**June 9, 2022 – 6:30 P.M.**

**Members Present:** Steve Jones, Chair; John Reagan, Vice Chair; Sami Khan, Lou Luba (Zoom; arrived in person at 6:37PM), Katie Murray, Tammy Nuccio (Zoom); Colleen Yudichak

**Members Absent:** none

**Also Present:** Mike Wilkinson, Director, Administrative Services; Lisa Hancock, Interim Town Manager (Zoom); John Littell, Fire Chief/Director of Public Safety; Barbara Pettijohn, Director, Library Services; Jason Lawrence, Assessor

1. Call to Order: The Chair called the meeting to order at 6:30P.M.
2. Consideration of a resolution appointing Brian J. Foley as Town Manager for an indefinite term with a start date of June 27, 2022 and approval of an Employment Agreement fixing annual compensation of \$150,000 and other terms and conditions.

Mr. Wilkinson provided background information.

Ms. Hancock has filled in as the Interim Town Manager since August. The town hired SGR and there were 17 candidates for the position of Town Manager. Mr. Foley took part in a 2-day interview process (May 18<sup>th</sup> and 19<sup>th</sup>) which included an interview, a meet and greet with staff, a meet and greet with residents, and a tour. He was selected by the Council and the resolution under consideration would approve a contract which would start on June 27<sup>th</sup>.

Mr. Foley thanked the Council. He looks forward to the opportunity and commented that he sincerely hopes he can meet the expectations. He noted that there will be good times and bad, but he expects they will all get through them and be no worse for wear on the other side. Mr. Foley thanked Ms. Hancock for her stewardship through a tumultuous time and believes his success relies heavily upon her. He will work to ensure that happens. Mr. Foley thanked the Council again and noted that he loves the town dearly. He attended classes in the Hicks Memorial Municipal Offices (Town Hall) and looks forward to continuing the proud traditions of Tolland. He thanked the Council for the opportunity.

Mr. Jones thanked Ms. Hancock for all the of the work she has done over the past several months. They look forward to her and Mr. Foley having a strong working relationship.

Ms. Nuccio thanked Mr. Foley for going through the process. She looks forward to working with him and thinks he will do great. There will be strong leadership. His crew is made up of many experts who will be able to help. Ms. Nuccio encouraged Mr. Foley to reach out and speak to them and looks forward to seeing what everyone can do together.

Mr. Foley thanked Ms. Nuccio.

Mr. Reagan congratulated Mr. Foley and welcomed him to the Town Manager position. He explained that Mr. Foley excelled in a talented pool of candidates and floated to the top. The Council spent many hours speaking about the candidates. He noted that Mr. Foley did an excellent job presenting himself, his resume is strong, and he is looking forward to seeing what Mr. Foley does for the town. Mr. Reagan thanked Ms. Hancock for stepping into the Interim Town Manager position and for her work while concurrently managing the Finance Department. She did a tremendous job. Mr. Reagan noted that it was difficult decision. He thanked Ms. Hancock and congratulated Mr. Foley.

Mr. Foley thanked Mr. Reagan and noted that he is flattered and honored.

Ms. Yudichak thanked Ms. Hancock for doing an outstanding job while performing in 2 positions at one time. She still expects great things from Ms. Hancock who excels in her finance role. Ms. Yudichak explained that the Town Manager search was a long process that took many hours. She is sure that Mr. Foley's great communication skills and leadership illustrated in the documents the Council received will show.

Mr. Foley thanked Ms. Yudichak.

Mr. Khan thanked Ms. Hancock for everything. She took over when the town needed someone and did a good job. She guided him when he joined the Council, and he is grateful. Mr. Khan welcomed Mr. Foley and looks forward to working together to put Tolland first.

Mr. Foley thanked Mr. Khan.

Ms. Murray noted that she echoes the comments that came before her. Ms. Hancock took on a challenging role and was exemplary in it. They appreciate her stepping in and navigating the interim role which is difficult to do. To Mr. Foley, Ms. Murray commented that there are high expectations and he set them high, and she has every faith that he will excel and more than meet the expectations.

Mr. Foley thanked Ms. Murray. He is excited to develop a relationship with the Council members and move everyone forward.

*Ms. Murray motioned:*

*BE IT RESOLVED that the Town Council shall appoint Brian J. Foley as Town Manager for an indefinite term with a start date of June 27, 2022 and approve an Employment Agreement with Brian J. Foley fixing annual compensation of \$150,000 and other terms and conditions and authorizing the Tolland Town Council Chairman to execute said Employment Agreement.*

*Mr. Luba seconded the motion.*

*Discussion: Mr. Luba congratulated Mr. Foley. He explained that it was a hard choice and there were many great candidates. Given Mr. Foley's leadership skills and qualifications, Mr. Luba believes he will do an outstanding job and looks forward to working with him.*

*Mr. Foley thanked Mr. Luba.*

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

Mr. Foley thanked the Council members for their faith in him.

3. Adjournment


*Mr. Luba motioned to adjourn the meeting at 6:39PM*

*Ms. Yudichak seconded the motion.*

*Discussion: none*

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

Respectfully submitted,



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Lisa Pascuzzi  
Town Council Clerk

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Town Council Chair

## MINUTES

### TOLLAND TOWN COUNCIL

#### HYBRID MEETING

June 14, 2022 – 7:00 P.M.

**Members Present:** Steve Jones, Chair; John Reagan, Vice Chair (arrived at 8:36PM), Sami Khan, Lou Luba, Katie Murray, Tammy Nuccio, Colleen Yudichak (arrived at 7:23PM)

**Members Absent:** none

**Also Present:** Mike Wilkinson, Director, Administrative Services; Lisa Hancock, Interim Town Manager; Bev Bellody, Director, Human Services; John Littell, Fire Chief/Director of Public Safety; Carl Dojan, Assistant Fire Chief

1. **CALL TO ORDER:** The Chair called the meeting to order at 7:03PM.
2. **PLEDGE OF ALLEGIANCE:** Recited
3. **MOMENT OF SILENCE:** Observed
4. **PROCLAMATIONS/PRESENTATIONS:** none
5. **PUBLIC PETITIONS, COMMUNICATIONS, AND PUBLIC PARTICIPATION** *(on any subject within the jurisdiction of the Town Council) (2-minute limit)*

Heather McCann, 62 Crossen Drive, thanked Ms. Hancock for her hard work as the Interim Town Manager. Her work will be continued through the onboarding of the new Town Manager. Ms. McCann commented that members of the community regardless of gender, identity, class, sexual orientation, disability, race, or religion deserve a safe and equitable existence in Tolland and beyond. All people have a human right to be included in conversations and literature. To exclude, say less than, or that they do not matter and that they are inferior people and to deny their history or story is to deny their existence. She explained that youth who identify as LGBTQ and who are being denied acknowledgment, recognition, and inclusion are either contemplating or committing suicide at alarming rates. It is not because of their identity; it is because how others treat them as less than. Tolland must not contribute to this problem and be part of the solution. It needs to keep the conversations going striving for better inclusion and offering better representation in the library and all services. It needs to stop treating the LGBTQ community as something perverse or unseen.

Kenny Trice, 53 Doe Run, addressed Ms. Hancock and noted that his words would be feeble compared to what she has been able to do in terms of keeping the town going. He thanked her for what she has done. He appreciates it. Mr. Trice noted that it is a simple statement compared to the monumental task she has done. *Ms. Hancock responded that he is very welcome, and it has been her pleasure. She thanked him.*

Samantha Lee, 35 High Ridge Drive, commented that she is the Intellectual Freedom Chair of the CT Library Association. She provides support to libraries and library workers as they deal with censorship issues and challenges. She addressed the Council and commented that libraries have an obligation to protect intellectual freedom – especially for the most vulnerable populations including the LGBT community. Representation needs to be seen in the collection, on books, and on shelves constantly. Ms. Lee commended the library staff for having the books and creating a welcoming space.

Lindsay Semerzaki, 127 Anthony Road, commented that she understands there is concern about LGBTQIA books in the library and that LGBTQ youth suicide rates are insane. She noted that she works in

behavioral health and has had to deal with client suicides, and it is not easy. The suicides do not happen because people are LGBTQ but because they are not accepted by their communities and peers. It starts at home with the values they are raised with. Ms. Semerzaki addressed the Council and commented that if the books are being considered to be banned, the blood of the children who commit suicide will be on their hands.

6. **PUBLIC HEARING ITEMS:** none

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

Birch Grove Building Committee – Ms. Murray noted that process to reclaim the field where the modulars were located is ongoing. It is expected that the field will be available for use as early as the fall subject to the effects of weather. It will take several years for the grass to be fully established. The project close out is moving forward.

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

- Agricultural Commission – Ms. Murray provided an update.
- Conservation Commission – Mr. Jones provided an update of the June 9<sup>th</sup> meeting.
- Library Foundation – Mr. Jones provided an update of the June 13<sup>th</sup> meeting.
- Planning & Zoning Commission – Mr. Luba referred to the minutes of the June 13<sup>th</sup> meeting.
- Veterans Recognition Commission – Mr. Luba provided an update and noted the next meeting is on June 16<sup>th</sup>.

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

8.1 Consideration of a resolution to approve the revised Personnel Policies and Procedures and Substance Abuse Policy.

Patrick McHale, Tolland's Labor Attorney, was in attendance.

The Personnel Polices and Procedures document was referenced under this item.

Mr. Wilkinson explained that changes to the document were recommended by Attorney McHale's office to comply with recent changes in state and federal law. He summarized the changes on pages 2, 28, 52, and 55 and noted that the language is consistent with state law PA-21-2. He noted that the Substance Abuse Policy is also being updated and put into the body of the Personnel Policies and Procedures document. Effective July 1<sup>st</sup>, the workplace regulations regarding recreational marijuana go into effect and the changes in the Substance Abuse Policy take this into account conforming it to the new law. Mr. Wilkinson explained that most drug tests are pre-employment, and an adverse action cannot be done based only on a positive marijuana test. If someone tests positive, they would have to prove it was based on medicinal need and meet several other criteria.

Mr. Luba asked about the Substance Abuse Policy, Subsection A (§A174-63) (page 19), "An employee reporting to work ~~who is visibly~~ impaired is unable to properly perform required duties. ~~He or she~~ and will not be allowed to work." His concern is the definition of "impaired" and that it is nebulous. It needs clarity in terms of what would constitute "impaired" to properly perform required duties. Mr. Luba provided examples and noted that granularity needs to be added. Attorney McHale responded that there are 2 circumstances under which the town could conclude someone is impaired: employee admits impairment or the employee, based on reasonable suspicion of the employer, is tested for drugs and alcohol and the test confirms that the employee is impaired. Under the language, the employee would not be allowed to work. The "reasonable



suspicion” on page 20 addresses under what circumstances an employer has the right to require an employee to submit to a test. The conditions come from the new statute regarding substance abuse and drug testing. The intention of the language is to apply to where there is confirmation of impairment – through admission or a positive drug test.

Mr. Luba confirmed that only if a person admits they are impaired or under the reasonable suspicion standard that the employee is sent for a test. Attorney McHale noted these are the 2 occasions where the employer can confirm impairment. Mr. Luba asked about situations where the employer believes one is impaired and unable to perform aspects of their duty, but they do not rise to the reasonable suspicion standard. Attorney McHale explained that a drug test may be done if there is reasonable suspicion. An employee can always be sent home with pay if there is concern regarding fitness for duty. Mr. Luba asked how testing would be done. Attorney McHale responded that a testing facility could go to the premises of the workplace to test the employee, or an employee could be driven to the testing facility. Mr. Luba noted that he wanted the standard and the reason to be clear on the record.

Ms. Nuccio asked if there is an immediate test for THC. She believes it still tests if THC is in one’s system for 9 days and asked how an accurate determination could be made. Attorney McHale explained that testing has not caught up with the distinguishing factors provided for in the law. If the employer, with articulable reasonable suspicion, believes someone is impaired and sends them to be tested, the employer has the right to put them out of work if they test positive. Ms. Nuccio asked if the employee would need to be paid. Attorney McHale responded that it is a function of the collective bargaining agreement. Language is included in the agreement regarding putting people out of work if they are not fit for duty. Whether paid or unpaid is dependent on the contract language. Ms. Nuccio expressed concern about testing which would show if a substance has been in a person’s system in the past 2 weeks and does not believe it would be conclusive. Attorney McHale noted that they cannot test with specificity, as they can with alcohol, when it comes to THC. Ms. Nuccio noted that as contracts come up, she would like the language to be reviewed.

Ms. Murray asked about item B, Substance Abuse Testing, Pre-Employment and commented that the new language seems to indicate that applicants may be denied employment if they test positive for cannabis. Attorney McHale cited the new language and noted that there is an exception for the positive test caused by medical marijuana use in accordance with the law. Someone with a medical marijuana card who tests positive at a pre-employment drug test cannot be denied employment solely on this basis; whereas someone who uses recreational marijuana, under the terms of the policy, could. Ms. Murray asked what the reason is behind this. Attorney McHale responded this is because medical marijuana is not a voluntary decision. It is a decision that is a result of a medical determination about the need for the palliative use of marijuana. The law has always allowed management to provide the tests and disqualify an applicant as long as the applicant is put on notice that it is a condition of hire – that a pre-employment drug test is taken that reveals no existence of drugs or alcohol. Exceptions are included in the various provisions of the policy. Attorney McHale noted that while CT has opened up to the idea of recreational marijuana, the federal government has not and has regulations on the types of positions that are disqualified in terms of the applicant or employee who tests positive such as those who as a condition of hire are required to have a commercial driver’s license (CDL). If such employees test positive, whether recreational or medicinal, they are disqualified from hire. Ms. Murray asked why the town is considering not hiring someone if they test positive for a legal substance without a medical card. Attorney McHale responded that it is because it can. The town does not have to have the policy and could say that any pre-employment testing that reveals marijuana use is not a disqualifier. He

noted that the policy that they recommend to clients would consider it a disqualifier, but it is a discretionary action of the employer. Ms. Murray asked why this is recommended. Attorney McHale responded that most of their clients are concerned, although the law has changed, about employees being under the influence of drugs or alcohol and having it in their systems. Prior to the CT law, there was never a question. Ms. Murray asked if there are other legal substances that people are not allowed to have in their system. Attorney McHale responded that he was unsure. Ms. Murray commented that she is unsure about the distinction on cannabis. Attorney McHale responded that they do not have to have the distinction. It was drafted in this policy, as his firm has drafted in all other municipal policies, because generally clients have wanted it. The policy can be modified at the discretion of the Council. Ms. Murray asked for examples of other towns that have this in their policy. Attorney McHale responded that he cannot share this information due to confidentiality rules but all the towns his firm represents have adopted the language shown. Ms. Murray asked Mr. Wilkinson if other towns have a similar policy. Mr. Wilkinson responded that he assumes they do but will research this. His recommendation is that the presented language is used because they have concern about people going to work with alcohol or drugs in their systems particularly when they are in the process of hiring a new employee. Ms. Murray asked if there was a track record of employees not being fit to work due to being under the influence. Mr. Wilkinson responded that there have been 2-3 situations since he started 16 years ago. Ms. Murray commented that she is not comfortable with the town having a pre-employment requirement that applicants cannot use a legal substance. The legality of the substance is not in the purview of the Council.

Mr. Jones asked about the language and if “may” has been consistent compared to “shall”. Attorney McHale explained that when policies are drafted they like to give discretion to the town to be able to consider unique circumstances. “May” allows for this discretion. Mr. Jones confirmed that the denial would be based on who is the ultimate hiring authority. Attorney McHale noted that it would be based on the decision of the Town Manager.

Ms. Yudichak commented that she is confused why Mr. Wilkinson would not have the information about other towns’ policies available for the Council. She noted that she is torn – they would not want employees, especially firefighters or public works employees, to go to work intoxicated or drunk and this would be similar to being high from marijuana. She understands marijuana is a legal substance as is alcohol. She asked if this would be the same for those who take prescribed pain medication and if it would be the same if they tested positive. Ms. Hancock responded they try to find out the reason something is in one’s system if they test positive. Once they have the information, then a decision is made. The use of “may” rather than “shall” provides this opportunity. Ms. Yudichak asked if an employee was pulled over due to concern about their driving and tested if the town would be responsible. Ms. Hancock responded that it would be, and this is one reason they take precautions regarding use of drugs or alcohol while working.

Mr. Luba explained that if someone who is going in for pre-employment screening cannot stay clean long enough to be able to pass the test, it draws and creates an issue as far as if this is someone the town wants to be in the position. He noted that different screening companies have different screening levels for what is considered a positive test. Mr. Luba added that testing is accepted across a spectrum of various employers and would like to know how many other towns follow this but feels it is reasonable and rational given the concerns.

Mr. Jones asked Mr. Wilkinson if the policies are publicly posted and if applicants are made aware in advance of the need to test for drug screening. Mr. Wilkinson responded that the personnel rules are on the website. They are given to all new employees and current employees will receive updated copies. When they hire someone, they are given a letter that states that they are required to take a pre-employment physical and drug screen. This usually takes place 2-3 weeks before someone starts work.

Ms. Nuccio commented that she is comfortable with the policy as written. The town has people working on the roads, working in dangerous conditions, and working with the public. She believes it is a standard practice and is not objectionable. When testing is done, a range is seen.

Ms. Yudichak asked if the town does random testing and if something is found, what happens. Mr. Wilkinson clarified that they do not randomly test employees for drugs. Only those who are part of the CDL program are randomly tested. Thus, there would need to be a suspicion which would be dealt with when needed. It would depend on many circumstances and each contract has a discipline process. Ms. Yudichak asked why random testing is only done in regard to CDL. Mr. Wilkinson noted that the testing program is run through the DOT. Attorney McHale noted that CT law does not allow for random testing unless there is a federal requirement to do so. In terms of CDL, it is a Department of Transportation regulation and is required. Ms. Yudichak commented that she would prefer random testing than pre-employment testing.

Ms. Murray referenced Item B, During Employment and the language regarding random drug testing and commented that it seems contradictory to what Attorney McHale stated. Attorney McHale responded that random drug testing is not allowed unless required. DOT and federal regulations for those with commercial drivers' licenses require them to be subjected to random testing. The sentence noted is intended to incorporate where testing is legally required, it is done. Ms. Murray asked if the pre-employment testing for cannabis is handled differently for exempt vs. non-exempt positions i.e., those positions that have the potential to impact the health or safety of employees. Attorney McHale responded that there is a prohibition on hiring those applying for a safety sensitive position specified in the regulations even with a medical marijuana card. Ms. Murray would like more information on what other towns are doing in terms of pre-employment testing for non-exempt employees. She asked if the Council could wait on approving revisions until it receives more information. Mr. Jones responded that there is urgency in applying some of the changes because the law noted takes effect July 1<sup>st</sup>. Mr. Wilkinson noted that the policy can be changed at any time. It was presented so it would be in line with the law taking effect July 1<sup>st</sup>. His recommendation is that a vote is taken but it is up to the Council.

*Ms. Nuccio motioned:*

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

*Mr. Luba seconded the motion.*

*Discussion: none*

*A roll call vote was taken.*

*In favor: Jones, Luba, Nuccio, Yudichak*

*Opposed: Murray, Khan*

*Motion passed.*

- 8.2 Consideration of a resolution to cancel the June 28, 2022 Town Council meeting.  
Ms. Jones provided background information on this item.

*Ms. Nuccio motioned:*

**BE IT RESOLVED** by the Tolland Town Council that it hereby approves the cancellation of the June 28, 2022 Town Council meeting.

*Ms. Murray seconded the motion.*

*Discussion: none*

*All were in favor. Motion passed unanimously.*

- 8.3 Consideration of a resolution appropriating \$750,000 for purchase of fire rescue truck, appropriating \$140,000 for resurfacing of track, appropriating \$115,488 for lawn mower acquisition and appropriating \$191,878 for ADA walkway improvements, and authorizing the issuance of up to \$1,197,366 bonds and notes to finance the appropriations and the setting of a Public Hearing thereon for July 12, 2022.

Ms. Hancock noted that this is part of the normal process they do every year. The capital improvement plan included these items as potential bond funded projects. They need to go through the process of introducing this in the previous fiscal year and since the June 28<sup>th</sup> meetings has been cancelled, it is being presented this evening. A public hearing will take place in July which will allow for approval and put the bonding resolution in place which allows the town to issue the debt. Many projects are being considered for other funding sources. This resolution will not prohibit them from doing anything differently. Ms. Hancock noted that she confirmed this with the bond counsel.

Ms. Nuccio asked about end of year balances and if any could be used toward the items noted. Ms. Hancock responded that the final numbers are not yet available. Ms. Nuccio noted that she would like a high-level estimate by July 12<sup>th</sup> so they can see if any money remaining from this fiscal year can be used rather than issuing debt.

Ms. Yudichak noted that it was discussed in the ARPA subcommittee meeting and would like the \$750K to be on the subcommittee's next agenda. Ms. Hancock noted that the resolution can be passed on July 12<sup>th</sup>, and they can still choose to use the ARPA funds rather than issue debt. The next debt issuance is not until September but given what it will take to put the fire truck bid together, they would not be ready to issue debt for it at that time.

Mr. Luba confirmed that these are not new items. They have been addressed and previously approved during the capital budget discussion. Ms. Hancock noted that after they go through the budget process and referendum, the capital program is traditionally confirmed and ready to go forward July 1<sup>st</sup>.

Ms. Murray commented that this is an implementation of the budget that was passed.

Ms. Hancock noted that the charter requires the bonding resolution to be in place and this is how it is done in terms of timing.

*Ms. Yudichak motioned:*

**MOTION** that the following resolution be introduced and set down for a Public Hearing on July 12, 2022 at 7:00 p.m. via a Hybrid Meeting in the 6<sup>th</sup> Floor Town Council Chambers:

**DRAFT RESOLUTION**

**BE IT RESOLVED**, by the Tolland Town Council that it hereby appropriates as follows:

*\$750,000 for purchase of fire rescue truck, appropriating \$140,000 for resurfacing of track, appropriating \$115,488 for lawn mower acquisition and appropriating \$191,878 for ADA walkway improvements, and authorizing the issuance of up to \$1,197,366 bonds and notes to finance the appropriations. A copy of the full text of the resolution is recorded following these meeting minutes.*

*Mr. Khan seconded the motion.*

*Discussion: none*

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

*[Mr. Reagan was not yet in attendance.]*

8.4 Consideration of approval to Transfer funds from the Ambulance Reserve Fund account to the Capital project Engine Tank 240 (ET-240) refurbishment.

Ms. Hancock provided background information on this item. She noted that this item was in the capital plan to be funded with the Ambulance Reserve Fund. Historically, refurbishments etc. have been paid from this fund. Tonight, they are requesting appropriation of the funds prior to July 1<sup>st</sup> in order to get the contract in place so an order can be placed. Additionally, they are requesting a bid waiver due to consistency and familiarity with the equipment by the same vendor who recently worked on another vehicle. They went out to bid last time for the same type of vehicle and this vendor was the lowest bidder. The vendor maintains the town's equipment, is familiar with the pump systems, and has done an excellent job. Chief Littell has requested the bid waiver not only for these reasons but also due to the timing of another potential price increase at the end of June.

Ms. Yudichak asked how much is in the Ambulance Reserve Fund. Ms. Hancock noted the balance is \$627,582. Ms. Yudichak asked if ambulance replacements are needed as well. Chief Littell responded that they are, and it would be another dialog. They always maintain the balance to ensure enough funds are available and what remains is used for repairs. Ms. Hancock noted that the ambulances are the first priority for use of the fund, and one is on order. A purchase order is in place and its cost is not included in the \$627,582.

Ms. Murray asked if the specs of the refurbishment are identical to the one in 2020. Chief Littell responded that the 2020 truck was a 2000 model (ET140) and is the sister truck of the one being discussed which is a 2005 model (ET240). The vendor knows what needs to be addressed and does its servicing. He noted that a delay will have an increase in the estimate and a delay in getting parts. This is a solid truck that will provide another 10-12 years of service. Ms. Murray confirmed that the

specs for this vehicle model are identical to those that went out to bid in 2020 and that the town was satisfied with the service and wishes to use the same vendor. Ms. Murray confirmed that they do not have a written policy for the Ambulance Reserve Fund. Chief Littell provided a history of the fund which is set up to replace ambulances first. Ms. Murray confirmed that this item is not an unusual use of the fund, and they are following past precedence.

Ms. Yudichak commented that many of the fire department's items are on the ARPA subcommittee's list including ET240. She asked if it would be better to use the ARPA funds for this item. Ms. Hancock responded that she believes the best use for ARPA funds is for capital items being paid for with debt or the general fund.

*Ms. Yudichak motioned:*

***WHEREAS***, the Town of Tolland originally had scheduled this as part of a previously approved Capital Project for FY 2022-2023, the refurbishment of fire apparatus Engine Tank 240, a 1,000 gallon frontline apparatus;

***WHEREAS***, Town staff recommends that the Town agree to allow Engine Tank 240 the 2006 Pierce fire apparatus be refurbished by Fleetmasters Sales and Service Company

***WHEREAS***, historically Fleetmasters Sales and Service Company has provided the Town with exceptional service, is familiar with this apparatus and its pump, and is well-qualified to undertake a specialty project of this magnitude. Fleetmasters performed a refurbishment in 2020 on ET-140, which is the exact same type of apparatus and that work was previously bid with Fleetmasters being the most qualified bidder;

***WHEREAS***, the Town has been advised of potential pricing increases and extended lead time requirements by the vendors who perform this service;

***WHEREAS***, it is recommended to waive the formal bid requirements which is permitted under Town Policy A-176 11D(7) because it is in the best interest of the Town;

***NOW THEREFORE BE IT RESOLVED***, that the requirements for bidding the refurbishment of ET-240 a 2006 Pierce is hereby waived in accordance with Town policy A-176 11D(7) and the Town Council hereby authorizes Lisa Hancock to execute an agreement with Fleetmasters Sales and Service located in Windsor Locks, Connecticut for the refurbishment including parts, labor and materials not to exceed \$180,000 and appropriating these funds from the Ambulance Reserve fund prior to July 1, 2022. This was the original date that the funds would have been effective.

*Ms. Nuccio seconded the motion.*

*Discussion: none*

*All were in favor. Motion passed unanimously.*

- 8.5 Review of Town Council Goals that were set on December 28, 2021.  
Ms. Hancock provided background information on this item.

Ms. Hancock explained that she has tried to address as many of the Council's goals as possible and reviewed the Town of Tolland, Town Council Goals – Final 12/28/2021; 2022 through 2023 document.

- 1.a – Town Manager Search process completed May 2022. In December, they not only looked at the goals but also put together a strategic planning process based on the current town vision and mission. Part of the Council's goals was to create a new vision and mission that will be the responsibility of the new Town Manager if the Council decides to move forward on this.
- 1.b – During the budget and union negotiation processes ideas were discussed. Several offices are providing training and cross-training for succession planning. The greatest issue right now is retention.
- 1.c – A review of ARPA fund allocations took place.
- 1.d – A strict debt management plan is maintained. Use of a debt reserve fund has helped relieve the impact of debt going on the books. Tolland received one of the highest ratings in the country by Standard and Poore's for Financial Management and a strong fund balance policy is in place.
- 1.e.i – Ms. Hancock started a process with another town for possible animal control consolidation, but that town has pulled out due to situations in its community. IT services are being shared with another town and this is going very well with many talent levels available.
- 1.e.ii – They have applied for a grant to help update and increase fire EMT staff. Capital equipment has been included in the capital plan.
- 2.a – The Council and Interim Town Manager addressed current and long-term capital equipment needs during the budget process.
- 2.b – They went out to bid for Stations 340 and 440 and 6 bids were received. The lowest bid to address Stations 340 and 440 was close to \$4.8M. The bond referendum was for \$5M for 3 stations. Ms. Hancock is authorized to sign a contract to award the bid, but it will use almost the entire appropriation. Station 140 has a crumbling foundation that is being monitored and is fairly secure. The bid for 340 and 440 needs to be awarded before July 31<sup>st</sup> to reduce delays in supplies and avoid cost increases. Ms. Hancock recommended moving forward with 340 and 440. Since safety does not appear to be an issue right now, the Council may delay work on 140. The contract can still be awarded but they will have to carve out 140 as a change in scope in the original bond. They did not plan on addressing 140 until 340 and 440 were complete. The estimated cost for 140 alone is a little over \$3.2M. A number of funding scenarios can be considered such as \$1M from the state and a STEEP grant (\$500K) leaving approximately \$1.7M. Another bond referendum would be needed because it is a separate project and other debt is being issued (agenda item 8.3) if issued in the same fiscal year. If the bond is kept to \$1.2M, they would not need to go for a referendum. Another option is to wait to address 140 for a few years until debt starts falling off the books. Ms. Hancock noted that they would like to award the bid so they can move forward on 340 and 440. Mr. Jones confirmed that this has already been approved and Ms. Hancock is seeking verbal consent to move forward. Mr. Jones noted that Ms. Hancock reached out to him and Mr. Reagan regarding this and they were ok with moving forward with 340 and 440.

Ms. Nuccio confirmed that the referendum that was passed for \$5M was for 3 stations. The bid is for Stations 340 and 440. Ms. Nuccio asked if an amendment would be needed. Ms. Hancock responded that it would not be. The appropriation is in place and the bond

resolution did not split out the amounts for each station. It was agreed that the public needs to be made aware that the \$5M will only cover 340 and 440.

Ms. Murray noted that the building committee for the project is internal staff and asked if it has gone through a full value engineering (VE) review and how much was saved. Assistant Chief Dojan responded that they have, and the project is for the bare-bones and provides what is needed. Ms. Hancock noted that there really was not any savings after the VE review. Chief Littell noted that there are items they would like to include when considering the future growth of the town.

Ms. Nuccio confirmed that the \$4.8M includes a contingency.

Ms. Murray received confirmation that the building committee reviewed the plans to ensure they meet the end user needs and that any opportunity for VE has been considered. Ms. Hancock recommended that Station 140 have a formally appointed building committee.

*Mr. Luba motioned to do a straw poll to direct Ms. Hancock to move forward with Stations 340 and 440.*

Ms. Yudichak asked if there could be a situation given increased pricing where they could not cover the cost of the project. Ms. Hancock responded that once the bid is awarded, the cost is locked in unless something is unforeseen. Prices cannot be increased.

Ms. Murray asked for the contingency amount. Ms. Hancock noted it is \$424,600. Ms. Murray asked why it is so low at under 10%. Even with Station 140 broken out, the contingency is less than 15% in a volatile market. Ms. Hancock noted if the entire \$5M is used, the difference (approximately \$200K) as well as other possible funds, if available, would be added to the contingency. Ms. Murray noted the contingency, with the items noted would be 14.5% and is concerned about starting a project and not being able to finish it. Ms. Murray asked if spec reviews were done to ensure the specs will meet the needs of the project. Assistant Chief Dojan noted that the buildings will be serviceable.

Mr. Luba commented that given the magnitude of scale, he has faith in what the building committee has presented and is comfortable going forward.

Ms. Nuccio asked if the \$1M from the state is dispersed if it would become part of the available funds and how it factors into the \$5M. Ms. Hancock explained that the bond resolution states that any bonding issued would be offset by any grants received. Part of the reason they held off on Station 140 was because of the grant – different processes are necessary when there is state funding. The intent is to use the \$1M for Station 140.

Ms. Murray asked if Mr. Luba would revise the motion to have a straw poll to learn if anyone objects to Ms. Hancock moving forward which she is already authorized to do.

*Mr. Luba amended his motion for a straw poll to ask if anyone objects to Ms. Hancock moving forward.*

*Ms. Murray seconded the motion.*

*A straw poll was taken.*

*No Council members objected to having Ms. Hancock move forward.*

- 2.c – Mr. Werbner did a tremendous amount of work on this item. The goal has been met and they are always moving forward.
- 2.d – Ms. Hancock has reached out to state and federal representatives and will bring the new Town Manager up to speed. An application for a loan has been submitted.
- 2.e – A historical architectural landscaper will be at the June 29<sup>th</sup> meeting with results of the study. A “grass mat” was purchased, installed, and compliments have been received. They are looking at a contract to review ADA access at other town facilities and properties. Mr. Jones gave kudos to the donors and Public Works.
- 2.f – A Girl Scout troop is looking at other areas, along with the consultant.



- 3.a.1. – They have worked with various recreational opportunities with the Miracle League and while it did not pan out, it was a significant effort. The end result was what was in the best interest of the town. A new part-time position is being implemented in the Recreation Department that will hopefully be self-sufficient in the future.  
Ms. Yudichak commented that she is disappointed about the Miracle Field. In the paper it said that the Council made the decision, and it did not. The decision was made by leadership. They may have come to the same decision at a Council meeting, but she is disappointed in how leadership came to the decision. It should have been a Council decision.
- 4.a.1.a – An inventory was prepared of commercial open space and the Planning Department developed an interactive mapping system.
- 4.a.1.b - Ms. Hancock has worked with developers to make sewer regulations easier for all developers as well as discussed planning fees to make it more affordable.
- 4.a.2.a – A policy has been drafted which will be presented to the Council
- 4.b – They have tried to get involvement via different items including social media. Ms. Hancock worked on posting educational videos for the public.
- 4.c – The Mental Health & Substance Use Task Force continues to provide recommendations for community needs. The ARPA subcommittee will review the recommendations to determine the best way to proceed.
- 4.d – The State Legislature approved the statute to continue the use of remote and hybrid meetings.

8.6 Consideration of a resolution to amend Chapter A176-6 of the Town Code, Policy Number 6: Policy Regarding Use of Tolland Green by Groups and Organizations.

[Excerpts related to this item from the Council’s minutes of the July 28, 2020 and September 22, 2020 meetings were distributed to the Council and are attached to these minutes.]

Ms. Hancock explained that they reviewed the minutes and other documentation regarding this item. She reviewed the proposed modifications: clarification of the purpose of the policy, lessening the amount of time needed to apply for use of the Green, identification of groups allowed to use the Green, updates to the governmental structure information and waivers, allowance to park on the Green, ability for the Town Manager to waive requirements for the insurance certificate, allowance of waivers for the Town Manager to make the process more efficient with the exception of organizations that need Town Council approval.

Mr. Luba commented that he believes what is laid out captures the discussion and concerns previously voiced. He asked for the Council’s support.

Ms. Murray agreed that this is well put together. She confirmed that the amendment to Town Code does not have to go to a public hearing.

Ms. Hancock expressed special thanks to Megan Massa who did a lot of work getting all the information together and creating a draft document for Ms. Hancock to review. Ms. Hancock noted that Mr. Corcoran provided input as well.

Ms. Nuccio agreed that Ms. Massa is a rock star and appreciates all she does.

*Ms. Murray motioned:*

**BE IT RESOLVED** that the Town Council hereby amends Chapter A176-6 of the Town Code, Policy Number 6: Policy Regarding Use of Tolland Green by Groups and Organizations pursuant to the updated policy agreed upon on June 14, 2022.

*Ms. Yudichak seconded the motion.*

*Discussion: none*

*All were in favor. Motion passed unanimously.*

8.7 Appointments to vacancies on various municipal boards/commissions.

8.7.a. Appointment to the Parks and Recreation Board

*Ms. Nuccio motioned to appoint James P. Leahy for a term of 06/14/22 – 11/05/22 to the Parks and Recreation Board.*

*Mr. Luba seconded the motion.*

*Discussion: Mr. Luba commented that while there were a number of qualified applicants, Mr. Leahy had qualifications that were above and beyond. Mr. Luba encouraged those who were not selected to consider other positions. Ms. Nuccio confirmed that the 1 vacancy listed for the Parks and Recreation Board is being filled by Mr. Leahy. She added that she has known Mr. Leahy for a long time and when it comes to recreation and kids he stands out. She believes he will be an asset to the Board and highly endorses him. Mr. Jones concurred that it is difficult to think of Youth Soccer without thinking of Mr. Leahy and welcomed him. He is well-qualified and will be an asset to the Board.*

*Ms. Yudichak asked if thank you notes will be sent to those who were not selected. Ms. Hancock noted that procedures are in place so that will happen. Mr. Luba noted that it is their policy not to notify anyone until after approval.*

*All were in favor. Motion passed unanimously.*

Mr. Jones noted that anyone interested in open positions should reach out to [vacancies@tollandct.gov](mailto:vacancies@tollandct.gov).

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

Ms. Murray commented that she was disappointed to see that an update on the Miracle Field was not included under this item.

10. **REPORT OF THE TEMPORARY TOWN MANAGER**

- Ms. Hancock thanked the Council for the opportunity. It has been her pleasure to serve Tolland for almost 9 months.
- Ms. Hancock provided information about the Miracle Field. She explained that a lot of work went into taking into account everyone's considerations for the contract. She discussed with Mr. and Mrs. Leibowitz, Mike Byam and representatives from Miracle League everything that was requested. Some items were able to be negotiated but others were not going to happen. At that point, Ms. Hancock's intention was to bring it to the Council for discussion. One of the major items was an agreement to replace the field in perpetuity and they were not willing to do so. The other portion was payment of 100% of the maintenance fees but they were only willing to pay for the time they were using the field and felt that the town would have to pay for the time it used the field. Further, the Board of Education had concerns since it was on Board property. Ms. Hancock provided background information and explained that the Miracle League looked at the

recommended location at Cross Farms as did town staff. That location would be much more costly than the area at Birch Grove recommended by David Garritt but it needed clearing. The Council discussed using ARPA funds to cover this. Ms. Hancock noted that there were also concerns about what the field would cost taxpayers in the future and discussions about liability if the field was not replaced and the impacts including how it may sit politically and publicly with the community. Her goal was to bring a contract to the Council that would be acceptable. When it reached the point where she knew it would not be what the Council wanted, she requested a meeting with leadership and asked each to reach out to their caucuses due to the time constraints and the Miracle League wanting it to be done by the end of May. Ms. Hancock noted that at the meeting she was looking for direction. It was felt that the most important items desired in the contract would not be agreed upon by the Miracle League and at that point was told it was best to let the Miracle League move on with another alternative. Ms. Hancock noted that she was in support of the field.

Mr. Reagan commented that from his perspective they asked the town attorney (Attorney Conti) to return with a contract that would be agreeable, and he was unable to do so. Thus, they did not have anything to present to the Council. Attorney Conti received the Memorandum of Understanding from East Lyme and stated that he would never sign it. Mr. Reagan explained that this was enough for him. Neither Mr. Reagan nor Mr. Jones had anything to bring to the Council. Mr. Luba asked if the Miracle League was willing to sign a binding contract. Ms. Hancock responded that she believes they would have signed a binding contract. Initially they wanted a memorandum of understanding but understood the need for a more formalized process. The concern they would never sign was being held personally liable to replace the field – they were committed to replacing it one time through fundraising. Ms. Hancock noted that there were many concerns about what the town would do if the fundraising was not done. The Board of Education had concerns, since it is on Board of Education property, if it would have to pay replace and maintain the field. Ms. Hancock noted that they were willing to make an upfront commitment of \$50K in a trust fund although field replacement would cost more but they felt they could commit to replacing the field one time but not in perpetuity.

Mr. Reagan commented that they rely on Attorney Conti and he returned saying that he would not sign the memorandum of understanding he received. Ms. Hancock confirmed that Attorney Conti did not want there to be a memorandum of understanding.

Ms. Yudichak commented that she believes Ms. Hancock should have gone back to the Council. The Council may have come to the same decision. The decision was unilaterally being made and they did not go back to the Miracle League which, according to Ms. Hancock, may have bent on some of the items. Mr. Jones noted that there are some frustrations and he apologized. Ms. Yudichak commented that leadership could have at least reached out to their caucuses for input. Mr. Jones clarified that they were invited to meet with Ms. Hancock, Dr. Willett, Attorney Conti, and Mr. Wilkinson regarding negotiations to get an update and this is when they learned the information.

Mr. Luba confirmed that the Miracle League wanted a final agreement by the end of May and the meeting took place on Thursday morning. Ms. Hancock explained that the hope was if they could get the agreed upon language to go forward in a contract that Attorney Conti could work on over the weekend so it would be available for Tuesday's meeting.

Ms. Hancock noted that she had no intent of causing any problems.

## 11. ADOPTION OF MINUTES

- 11.1 May 19, 2022, Special Meeting Minutes
- 11.2 May 24, 2022, Regular Meeting Minutes

*Mr. Luba motioned to accept the minutes as laid out in 11.1 and 11.2.*

*Ms. Nuccio seconded the motion.*

*Edits: none*

*Motion passed unanimously.*

## 12. **CORRESPONDENCE TO COUNCIL**

(9 e-mail communications were received between May 25<sup>th</sup> and tonight as of 7PM)

- E-mail regarding an ARPA funding request
- E-mail regarding Miracle Field
- Emails (2) regarding the library
- E-mail regarding vacant seats on boards and commissions
- E-mail about tennis courts
- E-mails (2) about the Town Manager
- E-mail thanking Ms. Hancock for her awesome work

## 13. **CHAIRPERSON'S REPORT**

- The Memorial Day Parade was great.
- They are looking forward to the new Town Manager coming on board. Mr. Jones expressed gratitude for Ms. Hancock's stewardship and all the work she has done including that toward the Council's goals.
- Chair Hour was held last week. He noted that there was some concern expressed about the climate in various areas of the library.

## 14. **COMMUNICATIONS AND PETITIONS FROM COUNCILPERSONS**

- Ms. Yudichak thanked Ms. Hancock for all of her hard work and noted that she is outstanding in the Finance Department. Ms. Yudichak hopes Ms. Hancock knows how much she is appreciated. She and Mr. Foley will make a great team. Ms. Yudichak commented that in as much as she is disappointed about the Miracle Field, it has brought awareness for ADA and what is needed in town. They need to listen to the community and do better. She added that Dave Garritt reached out to the Council and asked about the status of Public Works and Cross Farms in regard to the flooding. Ms. Hancock responded that Public Works has been working on this to get it resolved.
- Mr. Luba commented that Ms. Hancock did an outstanding job and got the town through difficult times with style and grace. Her leadership has been truly appreciated and her mentorship and friendship to the Council has been outstanding and they are all better for it. She put her heart and soul into everything she did for the town, and he hopes she stays on as long as possible. Mr. Foley is lucky to have her as a mentor. Ms. Hancock noted that everyone works well together as a team, and this is what is important.
- Ms. Nuccio commented that Ms. Hancock is awesome and did a great job. She appreciates that she took all their questions and phone calls. Ms. Nuccio noted that the town received the DEEP report for the wells and the Town Council needs to review it. Ms. Hancock noted that Mr. Wilkinson is managing this and will arrange an executive session. Ms. Nuccio asked that the request for the ADA accessibility be on the ARPA subcommittee agenda. She would also like to look at free youth recreation activities.
- Ms. Murray commented that in her opinion the fact that they could not come to an agreement with Miracle Field was a complete failure by Tolland. She is not interested in placing blame, rehashing the details or minutia. She knows and appreciates that many people put a lot of hard work into it, but they failed. The project was about finding a place for children with physical and

cognitive challenges to play in a safe and supportive environment and now they do not have that place in Tolland. Ms. Murray stated that she is horrified and embarrassed that the town could not make such a space available to those children. On a positive note, she called out and thanked Nicole Kowal who organized the Pride in the Park event this past weekend. It was a wonderful event, and it was great to see so many Tolland residents of different ages and backgrounds show support and a welcoming environment. Ms. Murray thanked all who participated and the THS GSA which had a great bake sale.

- Mr. Khan thanked Ms. Hancock for everything. She helped him a lot. Regarding the Miracle Field, he does not want to play the blame game, but it was a failure. It is a shame to have lost it.
- Mr. Reagan commented how thankful he is for Ms. Hancock's stewardship. He noted that he was not crazy about the entire process but appreciates everything she has done. In regard to the Miracle Field, Mr. Reagan noted that he is not ashamed or embarrassed about how it all unfolded. They did their due diligence, did their homework, and paid for a study. A lot was done. Sometimes things do not work out, but they did everything they could. Mr. Reagan noted that he knew a lot of people would not be happy about this and he did not hear one person who did not want the field in town. Everyone wanted the field in town. Sometimes things do not work out. It is unfortunate but they did their best for the town. He is happy he did what he did for the town and believes it was the right thing to do.
- Mr. Jones commented that there is still a lot of frustration regarding the field, but he believes there are opportunities for ADA accessibility in the community. It was a very difficult decision and a loss. When one door closes another opens that will bring a benefit to the town and he looks forward to moving on this with the new Town Manager and Council.

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

Lindsay Semerzaki, 127 Anthony Road, commented that they have talked a lot about ADA items and that the building [Town Hall] is extremely confusing. Often, they talk about disability as physical disability but there may be individuals with mild cognitive impairment, intellectual disability, or mental health issues. They take one step to the door and turnaround because they do not know where they are going. Ms. Semerzaki commented that the signage is awful. At the side door, she did not know if she was going in the right building and texted people to find out where to go. She commented that she did not know if a piece of paper and tape is in the budget but perhaps a sign on the door saying, "Town Council Meeting Here" and "Elevator Here" could be posted. Ms. Semerzaki commented on substance abuse. Marijuana can stay in the system for 30 days. If an individual smokes marijuana and a week and a half later a job at the town opens up for which they would be a great candidate, they would show up but have marijuana in their system. Perhaps a person with a substance use disorder had a significant amount of alcohol the night before, would the alcohol metabolites show up in the urine test? An alcohol metabolite test is usually a special order and costs a lot of money. Theoretically, both weed and alcohol are legal. If someone is tested for weed, they should also have the alcohol metabolite test because it will show alcohol and weed in the system for however many days. A person may have had alcohol the night before and gone to work hungover but not be obvious because they are not under the influence but there are secondary effects that weed may not have. Ms. Semerzaki noted that she is not saying she is pro-substances, and she is not pro-substances.

John Littell, 21 Tolland Green, commented as a department head, and that he believes he speaks for all the department heads, that they truly appreciate the work Ms. Hancock has done. If anyone goes back and forth, it is him and Ms. Hancock and she did a great job not only as the Town Manager but also managing the finances along with her staff. Ms. Hancock has heart. From his department and staff, they appreciate all her hard work and will be there for her.

16. **ADJOURNMENT**

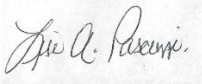
*Ms. Nuccio motioned to adjourn the meeting at 10:19 PM.*

*Ms. Murray seconded the motion.*

*Discussion: none*

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

Respectfully submitted,



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Lisa Pascuzzi  
Town Council Clerk

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Town Council Chair

## TOWN OF TOLLAND

### TOWN COUNCIL

#### **RESOLUTION APPROPRIATING \$750,000 FOR PURCHASE OF FIRE RESCUE TRUCK, APPROPRIATING \$140,000 FOR RESURFACING OF TRACK, APPROPRIATING \$115,488 FOR LAWN MOWER ACQUISITION AND APPROPRIATING \$191,878 FOR ADA WALKWAY IMPROVEMENTS, AND AUTHORIZING THE ISSUANCE OF UP TO \$1,197,366 BONDS AND NOTES TO FINANCE THE APPROPRIATIONS**

RESOLVED, (1) That the Town of Tolland (the "Town") appropriate (i) the sum of \$750,000 for the cost of purchasing a fire rescue truck (the "Fire Truck Acquisition"), (ii) the sum of \$140,000 for the cost of the resurfacing of the track located at the Tolland Middle School (the "Track Resurfacing Project"), (iii) the sum of \$115,488 for the cost of purchasing one (1) 16' Toro lawn mower (the "Lawn Mower Acquisition"), and (iv) the sum of \$191,878 for the cost of construction of an ADA-compliant walkway to provide access from the parking lot to the upper athletic fields located at the Cross Farms Recreation Center (the "Walkway Project," together with the Fire Truck Acquisition, the Track Resurfacing Project and the Lawn Mower Acquisition, collectively, the "Projects"). The appropriations may be spent for design, manufacture and construction costs, equipment, materials, the preparation of bid documents and other preliminary materials, site improvements, architects' fees, engineering fees, legal fees, net interest on borrowings, costs of issuance, and other financing costs, and other expenses related to the Projects or their financing. The Town Council is authorized to determine the scope and particulars of the Projects. The Town Council may reduce or modify the scope of the Projects if funds are insufficient to complete all of the Projects, and the appropriations authorized hereby may be spent on the Projects as so reduced or modified. The Town Council may reallocate the appropriations among the Projects so long as the aggregate amount of the appropriations is not increased.

(2) That to finance said appropriation for the Projects, the Town issue bonds or notes in an amount not to exceed \$1,197,366 (or so much thereof as may be necessary after deducting grants or other sources of funds received by the Town for said Projects). The bonds or notes shall be issued pursuant to the Charter of the Town, Chapter 109 of the Connecticut General Statutes, Revision of 1958, as amended (the "Connecticut General Statutes"), and any other enabling acts.

(3) That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the Projects or the receipt of grants for the Projects. The amount of the notes outstanding at any time shall not exceed \$1,197,366. The notes shall be issued pursuant to Section 7-378 of the Connecticut General Statutes. The Town shall comply with the provisions of Section 7-378a of the Connecticut General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(4) That the Town Manager and the Treasurer of the Town (the "Officials") be authorized to sign said bonds or notes of the Town by their manual or facsimile signatures and to determine the amounts, rates of interest, dates, maturities, dates of principal and interest payments on such bonds or notes, the form of such bonds or notes; the provisions for protecting and enforcing the rights and remedies of the holders of such bonds or notes and all other terms, conditions and particular matters regarding the

issuance and securing of such bonds or notes and to execute, sell and deliver the same, and provide all supporting documentation as may be necessary or desirable to accomplish such purposes and to comply with the requirements of the Internal Revenue Code of 1986, as amended, Securities and Exchange Commission Rule 15c2-12, and in accordance with the Connecticut General Statutes and any other applicable provision of law thereto enabling. The bonds and notes authorized hereby shall be general obligations of the Town secured by the full faith and credit of the Town.

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

(6) That the Officials are authorized to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes, including, but not limited to, entering into a continuing disclosure agreement pursuant to Securities and Exchange Commission Rule 15c2-12. If the bonds or notes authorized by this resolution are issued on a tax-exempt basis, the Officials are authorized to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes, including covenants to pay rebates of investment earnings to the United States in future years.

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

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

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

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



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

In Favor:

Opposed:

I, Lisa A. Pascuzzi, the duly elected and qualified Clerk of the Town Council of the Town of Tolland, hereby certify that the foregoing is a true copy of the Resolution adopted at the meeting of the Town Council held on July 12, 2022 authorizing an appropriation of \$750,000 for the acquisition of a fire rescue truck, an appropriation of \$140,000 for resurfacing of the track at Tolland Middle School, an appropriation of \$115,488 for the acquisition of a lawn mower, and an appropriation of \$191,878 for the construction of an ADA-compliant walkway at Cross Farms Recreation Center, and to finance such appropriations authorizing the issuance of bonds or notes in an aggregate principal amount not to exceed \$1,197,366; that said Council consists of seven members; a quorum consists of four members and the minimum number of affirmative votes required to adopt said Resolution was four; \_\_\_\_\_ members were present at said meeting; a roll call vote was taken and \_\_\_\_\_ members voted in favor of said Resolution and \_\_\_\_\_ members voted against the adoption of said Resolution; the entire meeting exclusive of executive sessions was open to the public and no one was excluded from the portion of the meeting pertaining to the consideration and adoption of said Resolution.

Dated at Tolland, Connecticut, this \_\_\_\_ day of July, 2022.

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Lisa A. Pascuzzi  
Clerk  
Town Council  
Tolland, Connecticut

***NOW, THEREFORE, BE IT RESOLVED*** by the Tolland Town Council to declare that the Wanat Senior Park is Open Space, as defined in Section 113-1 of the Town Code, thereby delegating management oversight of the park to the Tolland Conservation Commission.

*Mr. Luba seconded the motion.*

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

*Mr. Jones motioned to amend the agenda and move items 8.4 and 8.4.a to come before items 8.2 and 8.3 and become the new item 8.2.*

*Mr. Luba seconded the motion.*

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

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

Ms. Nuccio welcomed the new members to the Commission. She is overjoyed and looks forward to seeing where they go and what they start doing. She asked Mr. Rosen how the Commission will begin. Mr. Rosen explained that a first meeting will be scheduled at which time the members will select a chair who will establish a regular meeting schedule. Once sworn in by the Town Clerk the members can begin doing business.

Mr. Jones thanked Mr. Luba for the work they did together during this process. It was heartening to see how many people were interested in being involved and engaged. Everyone was cordial and motivated to stay involved regardless of whether or not they were selected.

Mr. Luba echoed what Mr. Jones stated. It was an honor and a privilege to interview the applicants and it was a very difficult process. Everyone was extraordinarily qualified in their own ways be it through professional or personal experiences. This was not an easy decision and he encouraged anyone not selected to stay involved. Volunteers will be needed to get this project up and running.

**8.2.a. Appointments to Commission on People with Disabilities**

Mr. Jones motioned to accept the appointments to the Commission on People with Disabilities as follows:

Susan Lucek-Hughes, 777 Tolland Stage Road, term 08/01/20-07/31/21

Robert Deichert, 124 Fox Ridge Lane, term 08/01/20-07/31/21

Aaron Weintraub, 167 Dockerel Road, term 08/01/20-07/31/22

Randa Utter, 571 Sugar Hill Road, term 08/01/20-07/31/22

John Molteni, 5 Eastview Terrace, term 08/01/20-07/31/23

Kim Little, 16 Carter Drive, term 08/01/20-07/31/23

Walter Glomb, Jr., 53 Old Post Road, term 08/01/20-07/31/23

Ms. Falusi seconded the motion.

A roll call vote was taken. Motion passed unanimously.

In regard to the Land Acquisition Board:

Mr. Jones motioned to appoint Jim Hutton as the Land Acquisition Board member for the Conservation Commission.

Ms. Falusi seconded the motion.

A roll call vote was taken. Motion passed unanimously.

**8.3 Discussion and review of §A176-6 of the Town Code, Policy Regarding Use of Tolland Green by Groups and Organizations.**

Mr. Rosen reviewed this item including the current policy that was last updated in 1984. He added that in terms of the current procedure, when a group or organization requests to use the Town Green there is a permit procedure. The Town Manager's office signs off on it and there are stipulations and regulations that apply to the use of the Town Green. Mr. Rosen reviewed the document that is distributed to those who request to use the Town Green and explained the reasoning. The permit is issued so they can keep track of who is using the Green and how many people as well as the materials and equipment that is brought to the Green. The Town Council, as the entity that has been delegated the stewardship and protection of the Green, is the entity that enforces it through the Town Manager's Office. It also helps with scheduling and prevents people from being unduly removed from the Green because they have been regulated to be there. Thus, it helps keep order and ensures people are not interrupted when using the Green. Further, through a permit process, it allows staff the time to plan and if it needs to come to the Council for any reason then this can be done. Additionally, it allows the Resident State Trooper's Office to be alerted in regard to traffic control. Mr. Rosen noted that there is also an insurance requirement that can be waived but is generally for larger gatherings with multiple moving parts or equipment. They ask for insurance to protect the Green. Regulations include that motor vehicles may not be parked on the Green and while tents may be erected they request that damage to turf is minimized. Portable restrooms may not be placed on the grass and the condition of the Green must be left as it was before the event. Requests for specific locations (4 locations exist) on the Green will be honored to the best of the Town's ability. Thus, multiple events may take place at the same time.

Ms. Nuccio inquired what would cause an item to need to come before the Council. Mr. Rosen explained that it would be due to items A & B. Thus, an organization not listed could petition to use the Green.

Mr. Schenher explained his reasoning behind his petition to discuss this item. This policy does not reflect the needs of Tolland and should be updated to reflect people's constitutional rights to freely assemble. He has no doubt that the original intent of the regulations and the current implementation of them was never to impede or infringe on people's rights; however, how it is written the regulations put the town, the Town Manager's Office, and possibly the citizens of Tolland in direct opposition. He would like to rectify this. Items he would like to discuss include the non-commercial use of the Town Green. He does not believe this should not be subject to any approval or permitting process that goes to Town Hall. He would prefer to see a reservation policy rather than a permitting process for groups and organizations that plan larger events and may need input from the town. When the Green is not reserved, the Green should be able to be used on a first-come-first-served basis. At the very least Mr. Schenher would like to see the removal of the 3 week/1 week item for non-commercial use. Further, he believes the proof of liability insurance is a hindrance for non-commercial use.

Ms. York asked Mr. Rosen about the 1 week/3 week timeline and what is preferable for the Town Manager's Office. Mr. Rosen explained that the General Codes states 3 weeks (1984 iteration) but in the document distributed it states 1 week. He explained the 1 week is likely adequate but if there is a for-profit organization that wishes to use the Green, or an out-of-town entity, that it would need to petition the Council and without the 3 weeks the ability to do so is lost. Ms. York recommended wording that if it is for commercial use, a for-profit organization, or an entity outside of what is listed in the applications need to be submitted within at least 3 weeks of the event so it can be reviewed by the Council. Mr. Rosen explained that as written, usage is limited to non-profit organizations or town government entities. The only way around this is in item B of the 1984 version. Ms. York suggested modifying item A to say use of Tolland Green for gatherings is open to all residents and not-for-profit organizations of Tolland on a first-come-first-served basis; any non-commercial use does not need permission by the Town. If someone is outside of this an application needs to be submitted 3 weeks before the event. She inquired if an ask would be needed. She added that all must abide by local

laws regarding alcohol, pedestrian safety and other items. In regard to liability, she suggested a blanket statement that there is an insurance requirement. Organizations are encouraged to have insurance but it can be waived yet the Town cannot be held liable for any personal injury or property damage that occurs while use of the Green takes place.

Mr. Jones commented using the prom as an example. Traditionally an organization or the Board of Education makes the reservation to use the Green for photos through the Town Manager's office. There was an incident once when it did not take place and there was a bit of chaos to ensure safety. He asked Mr. Rosen if when there is an application, after it is process and approved, if members of the Historic District need to be notified. Mr. Rosen responded that he does not believe that as part of the current permitting process that the Historic District Commission is notified. Mr. Jones would like to have a process in place for residents who live in the area of the Green to be notified. Mr. Jones supports an increased use of the Green for more social gatherings as long as the Green is protected.

Mr. Luba commented that during the discussions on the flag policy, the issue of the Town Green was discussed. Town Greens have a hallowed position for gatherings. It is a place where the townspeople would get their news, information, and exchange ideas. He is in support of reducing some of the restrictions and believes it should be able to be used as people see fit as it always has been. That said, with the first amendment issues the Town Green has, they can place certain time/place restrictions so having some type of permit requirement would be appropriate. He does not believe a 3 week notification is needed and concurred with the 1 week timeline. Mr. Luba explained that the liability issue is not just for the town but for the people holding the event. Other residents live in the area and while they have not had any major issues, the Council cannot ignore the possibility of those issues. He wants to ensure homeowners and residents in the area are properly protected as well. Mr. Luba suggested, in regard to section A, reduce "3 weeks" to "1 week" and in regard to section F, revise to say that the organizer of the event should get an insurance policy or alternatively, if they choose not to, that they sign a waiver acknowledging that first the town will not be held liable for any injuries or damages that may occur during the event and second that they assume personal liability for any issues that may occur as part of the event. Mr. Luba noted that this is a standard legal procedure. In regard to notification of the residents in the area, he recommended putting the burden on the applicant. If the permit is granted, then the organizers must provide written notification to the residents within the area of the Town Green. This takes the burden off the town and is as it is normally done when it comes to other events with which Mr. Luba has been affiliated. Lastly, he recommended adding that if a group chooses not to follow the permit policy that it would be liable for any damages or injuries that occur due to the event as well as any additional expenses for public safety or public works that may be encountered by it. Mr. Luba explained that he does not want to make this overly onerous but he does not see why they should increase the liability of the town or have additional liabilities faced by residents in the vicinity of the Town Green.

Ms. Falusi commented that the superintendent notifies the town and police when the prom is as a courtesy. It is a tradition. The Green has the opportunity to have more traditions like this over time. She agrees with reducing the 3 weeks to preferably 1 week. She does not agree with using terms that are restrictive of the types of organizations or programs that can show up on the Green such as "of the town" since there may be a chapter in the town. She provided the example of St. Matthew's Church whose home office is in Vernon and may want to do a food drive. She is against any restrictions on saying that a civic or non-profit organization needs to be from Tolland such as Food Share. She likes the idea of moving from a permit process/application to a reservation application. Ms. Falusi requested that the next packet contain the permit application. She also suggested that rather than putting the burden on organizers to notify neighbors that the Town uses an online calendar. She would also like to see an updated map of the Green. Ms. Falusi believes they need to ensure residents know they can still show up on the Green if they want to get together in a socially

distant way or sit on the Green to read a book. Ms. Falusi commented that she does not agree with having an insurance policy for everyone. It should be waived for demonstrations and/or protests. One cannot hold a college student responsible for the actions of others who show up for an event. To have them sign a waiver that they accept their own risk and personal liabilities is fine but to have them assume the risks of others is inappropriate.

Mr. Reagan asked for more clarity on the liability issue. He asked if there has ever been an incident on the Green where someone has been hurt or there has been damage. How does liability insurance work for a one day policy or a partial day policy? Is it overly burdensome in terms of expense? Mr. Rosen responded that since he has been in Tolland they have not had any issues. He asked the Public Works Director who responded that there has not been any significant damage in his recollection but they do inspect the Green after every use. Ms. Falusi commented that she had to get a policy for a personal event and it was a bit prohibitive. Mr. Luba noted that he was involved in getting a one day policy for a large scale event. There are insurance agencies that are willing to offer liability insurance at a reasonable price depending on the event. They had one for an event of over 600 people and it was not overly prohibitive in terms of cost.

Ms. Nuccio clarified that if an entity which wanted to hold an event on the Green did not fall within the existing policy then it would have to come before the Council. Mr. Rosen confirmed that this is correct – a for-profit or out-of-town organization. In terms of the timeline, Ms. Nuccio suggested that perhaps it could be scaled based on the request. She recommended delineating between those in Town who wanted to use the Green for a gathering and a for-profit entity. Ms. Nuccio posed the question that as conservators of the Green how they would handle damages if they were less restrictive across the board. She is concerned about safety and posed the examples of playing Frisbee on the Green and it hitting a car or a child chasing a ball into the road and wants to understand the liability for the town. In regard to liability insurance, a for-profit organization should be required to have insurance. She is uncertain if people gathering on the Green need insurance when considering a large group of people and the busy road. Ms. Nuccio commented that she is a little concerned that they are making it more onerous by stating that organizers must notify the residents in the area of the Green. She is in support of having a reservation system and recommending having a separate calendar listing the events on the Green. Ms. Nuccio is in support of having a 3 week timeline for for-profit entities and those in town should have preference. Someone from out of town should have to request permission and have liability insurance. It is the Tolland Town Green. If something has a chapter in town then it is a Tolland organization. Ms. Nuccio would also like to know how damages to the Green would be handled and the legal repercussions in regard to damage.

Mr. Schenher clarified that his position is that he wants everyone to need to make a reservation. In terms of liability, he posed the example of having a group hike on a trail but if they then go to the Green they are in violation of town code. This to him is unacceptable and needs to change. He wants people to be able to express themselves without going through the "rigmarole" of insurance. They do not need a permit or insurance to use Crandall. Why is the Green different? This is what he wants to change. Ms. Nuccio explained that organized sports have insurance. An organized event would need liability insurance vs. an unorganized event. Mr. Schenher asked what an organized activity entails.

Mr. Jones commented that group use of Tolland Conservation Areas requires the submittal of a form and notification including the estimated number of participants and if it is open to the public with the responsible party's name and address. This ensures trail work/maintenance would not conflict with the event and most trails are only open dawn to dusk. Mr. Jones asked about seasonality usage/limitations i.e. at certain times if the Green would be more prone to damage or in terms of night use. Mr. Rosen noted that there are not restrictions in the current policy. If it was something that was going to occur at night then special arrangements would have to be made and overtime may

be necessary and the financial aspect considered. Mr. Rosen noted that the information and application may be found at <https://www.tolland.org/town-managers-office> under Tolland Green Use Permit Procedure.

Mr. Luba commented that he is all for having the Town Green open to use as much as possible without restrictions. He is not as concerned about the liability and injuries of event participants but damages done to homes in the area. The town can always be held liable for any lack of maintenance when one is injured. If one is injured on a trail because of a known hazard, then the town is liable. Mr. Luba explained that they are legally custodians of the Green. If they allow someone to use it then as a licensee/permittee under law they assume the risk. While he wants it to be open for people to use, his main concern is the liability aspect for an organized gathering in regard to people who may be injured on the Green or damage to neighboring homes. He noted that he respectfully disagreed with Ms. Falusi in regard to not holding the organizers responsible for any liability. Organizers are always responsible. One who organizes is legally responsible. Mr. Luba explained that one has to "hope for the best and plan for the worst". To say an organizer should not be held liable or not be required to have insurance or sign a waiver – he is in disagreement. This is not what the law is. If someone is not willing to accept responsibility for what may happen at the event they are organizing then perhaps they should rethink the event. He wants people to be able to gather and protest if they choose to do so but is not willing to expose the town to potential issues. His position is consistent with what the law requires.

Ms. York commented that she reviewed the permit procedure document referenced by Mr. Rosen. It notes that insurance is required and that the Town Manager reserves the right to waive the need for the insurance. She noted that it could be added to item 8 that if an individual does not have insurance then they need to sign a waiver stating that the town is not liable. Much of what is being discussed is already in the document. Most non-profit organizations and 503c entities have liability insurance. Many items in the policy are not up to date so they could look to the permit procedure document on the website and include specificity regarding liability insurance in regard to the ability of the town manager to waive the requirement. Ms. York explained that an entity hosting a protest may choose not pull an insurance policy they may need to sign a waiver. She added that a notification for events should take place at least a week prior. She does not believe people will be playing sports on the Green. What they are talking about is a policy for use of the Green by organizations. Some edits are needed to the policy and it should be reviewed again at a future meeting to ensure that both the policy and what is online are consistent.

Ms. Falusi commented that she would like to find out from the town's attorney what kind of liability is covered on the Town Green for people using the Green. If a kid kicks around a soccer ball and breaks an ankle what is the liability? She would also like to know the difference between non-profit and not-for-profit. She wants to see less regulation when it comes to using the Green. It is public space paid for by the taxpayers and everyone should have access to use the Green and they should not put policies in place that make people feel they are unwelcome especially when it comes to expressing views or sharing time with neighbors. In regard to seasonability, at least 2 events happen on the Green during the winter and events take place during snow and rain. Holding events means they will have to reinvest in the grass and pick up after people after parades. These are the expectations of a public open space. Ms. Falusi feels they are becoming unwelcoming and some organizations may not feel welcome to use the Green. Her first amendment rights require her to pull a permit if needed but not to take out insurance. She disagrees with requiring anyone doing a protest or demonstration to take out an insurance policy. She would be interested in seeing what can be done in regard to a waiver but personal responsibility for everyone who may show up for a public event or demonstration is inappropriate. She would like to hear the town attorney's ruling on this.

Ms. Nuccio commented that she takes a bit of an exception saying that they are making the Green unwelcoming for people. Mr. Schenher brought this up because he felt the policy was too restrictive. They are looking at making it less restrictive. No one has indicated that they are trying to make it unwelcoming. Ms. Falusi commented that she is hearing phrases that sound like they are trying to restrict people by creating more policy.

Mr. Reagan spoke in regard to the spontaneous gatherings on the Green. He believes they need to differentiate between organizations that want to use the Green to deliver a message and a spontaneous gathering. They do not want to be burdensome to those who live on the Green or make people feel they cannot gather on the Green without permission. He added that organizations perhaps should take out liability insurance or sign a waiver but they should not be burdensome to people who live on the Green.

Mr. Schenher clarified that it is responsible to close parks between sunset and sunrise. As far as public safety, he would like to hear from the resident state trooper or the fire department on how this is handled and what determines if public safety is needed at an event and how it is paid for. Mr. Rosen responded that it is in the current version of the policy as item C and cited the language.

Mr. Luba commented that his one question is in regard to when talking about organizing an event and the issue of liability. What would one tell a homeowner whose property was damaged during an event? What would you tell the operator of a motor vehicle that was involved in a motor vehicle accident because of the actions of trying to avoid someone at an event? This is his concern. There needs to be a resolution in regard to the issue of liability by the event organizers. Did the homeowner assume the risk by moving to the Green? Did the driver assume the risk by driving through the Green?

Ms. Nuccio asked Mr. Rosen to quantify what has been discussed. She asked the members to review the policy and the application. She would like them to refine their suggestions for the next time this item is discussed. Mr. Rosen noted that items cannot be compiled into a singular red-lined document just yet. On an upcoming agenda all of the ideas can be presented and straw polls can be taken. He also suggested having staff such as Mr. Lappen, Chief Littell, and/or Resident State Trooper Kevin Eklund in attendance. They may be able to ask the town attorney offline if an opinion can be issued.

Mr. Jones recommended looking to other towns with town greens to find comparable language so they may be able to utilize existing practices in other towns that could be applicable to Tolland

Mr. Luba asked Mr. Rosen, in regard to the insurance issue, to check the town's liability issue and if the town authorizes an event what the liability would be by authorizing the event if damages or injuries occur.

Mr. Luba motioned to table this item until a further date and take this issue up again once Mr. Rosen has the information that has been requested.

Mr. Schenher seconded the motion.

A roll call vote was taken. Motion passed unanimously.

#### 8.4 Discussion and review of §A176-15 of the Town Code, Town Green and Fire Training Center Sign Policy.

Mr. Rosen reviewed this item. The most recent iteration is dated 2010. They generally allow up to 5 signs and they are allowed to be displayed for 2 weeks.

Ms. Nuccio explained that the language of signage policy indicates that it is for town information and announcements; it is not for for-profit organizations. She would not want to see commercial signs but