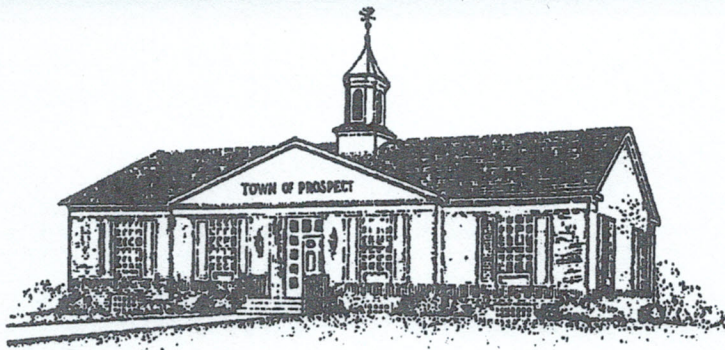


# PROSPECT BUDGET-FISCAL YEAR-2021-2022

TOWN COUNCIL	2020-2021	2021-2022
	ADOPTED	PROPOSED
6050-00	Salaries	\$ 10,800.00
6050-01	Meeting Clerk	\$ 5,850.00
6050-02	Conferences	
6050-03	Sub Committee Clerk	
<b>TOTAL</b>	<b>\$ 16,650.00</b>	

TC 1-19-2021  
 Packet #5  
 10 PSS





OFFICE OF THE MAYOR • TOWN OF PROSPECT, CT 06712-1699  
ROBERT J. CHATFIELD, MAYOR  
758-4461  
WWW.TOWNOFPROSPECT.COM

December 28, 2020

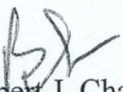
Dear Elected Officials, Boards, Department Heads, Commission Members and Town Employees:

As I present this budget request to you, I want to take this opportunity to thank you for your help and cooperation this past year. 2020 presented us with new challenges and obstacles, yet they were met with professionalism by all Town of Prospect employees and board members.

As we prepare the budget for 2021, I again ask that you keep the taxpayer in mind as you determine your needs for the next year. Every year I ask you to be considerate of our residents and every year you do your best to comply with my requests. Please return your requests to my office before February 9, 2021.

Again, I thank you for all you do and wish you a happy, healthy, and wonderful New Year.

Very truly yours,

  
Robert J. Chatfield  
Mayor

*An Equal Opportunity Employer*





## RE: Available Lands

Jessica Demar <Jessica.Demar@ctwater.com>

Tue 1/5/2021 1:13 PM

To: Town of Prospect <info@townofprospect.org>

Mayor Chatfield,

Per the letter I sent on 12/2, now that 12/31 is past, I'm just checking in to see if you would still like to pursue property 1.7. If so, I will include that property in the batch of appraisals I am in the process of ordering now.

Thanks,

Jessica

*Jessica Demar*

*Environmental & Regulatory Compliance Coordinator*

*Connecticut Water Company*

*860-664-6190*

---

**From:** Jessica Demar

**Sent:** Wednesday, December 2, 2020 10:37 AM

**To:** 'Town of Prospect' <info@townofprospect.org>

**Subject:** RE: Available Lands

Attached please find an extension letter addressed to Mayor Chatfield with other important information regarding the water company land sales in Prospect. Please let me know if you have any questions. Please confirm receipt.

Thanks,

Jessica

*Jessica Demar*

*Environmental & Regulatory Compliance Coordinator*

*Connecticut Water Company*

*860-664-6190*

---

**From:** Town of Prospect [<mailto:info@townofprospect.org>]

**Sent:** Monday, September 28, 2020 1:30 PM

**To:** Jessica Demar <Jessica.Demar@ctwater.com>

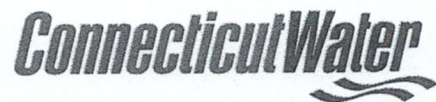
**Subject:** Available Lands

**Please note: THIS EMAIL ORIGINATED FROM AN EXTERNAL SOURCE.**

Attached please find a letter from Mayor Chatfield regarding the Town of Prospect's interest in land north of Moody Reservoir.



Connecticut Water Company  
93 West Main Street  
Clinton, CT 06413-1600  
Customer Service: 800.286.5700



VIA EMAIL

December 2, 2020

Robert J. Chatfield, Mayor  
Town of Prospect  
36 Center St  
Prospect, CT 06712

**Re: CT Water Company Parcel of Interest #1.7**

Mr. Chatfield,

The Connecticut Water Company (CWC) received written notice from the Town of Prospect (the Town) consistent with the Memorandum of Agreement (the "Agreement") between CWC and Save the Sound (formerly CT Fund for the Environment). The letter from the Town dated September 25, 2020 expressed your interest in acquiring property #1.7 as described in the CWC's invitation letter, dated April 3, 2020.

Plan Submission Deadline Extension

Per the Agreement, the Town had 180 days from the date of your initial notification of interest to submit a Plan to secure the parcel(s), including identifying a means and timeline for financing the acquisition (the "Plan"), provided the Company agrees it would be prepared to dispose of such property within three years of receipt of such notice of interest.

The original 180 days would end on March 24, 2021, however, this letter is to notify you that the CWC has extended that deadline for submittal of a Plan to April 27, 2021, to provide you with additional information to assist in developing that Plan.

CWC Readiness to Sell Subject Parcel

The CWC has considered the Town's intent to pursue the acquisition of parcel #1.7 and would be prepared to dispose of that parcel within three years.

Estimated Value of Subject Parcel

The CWC has obtained a Cost Market Analysis (CMA) for parcel #1.7 as a means to provide the Town with a rough estimate of the current market value. This figure is not based on a formal appraisal and is only an estimate, intended to give you a starting point for determining your



interest and developing your Plan. The estimated value from the CMA is provided in the table below:

Parcel ID	Parcel Name	Acres	Estimated Market Value
#1.7	N of Moody Reservoir Prospect	15	\$165,000

### The Regulatory Process and Right to Acquire Water Company Land

Disposition of water company lands are subject to various requirements of the Connecticut Department of Public Health (DPH) and the Public Utilities Regulatory Authority (PURA). The regulatory requirements are in addition to the provisions of the Agreement, which is a specific process established by CWC for eligible entities to express interest and identify a means to secure certain properties. Any water company land that CWC would agree to sell to an eligible entity pursuant to the Agreement would require further review and approval under the existing regulatory framework, which includes priority standing for certain entities to acquire such lands. Please see Attachment A for additional details on the statutory priority for acquisitions and how water supply, open space or municipal use is considered in that process. Any land transaction that does not meet the statutory criteria for items for water supply, open space or municipal use would be open for sale at fair market value to any other purchaser in the market.

### Donation or Bargain Sale

There are a number of incentives in place in Connecticut to support/encourage conservation of water company lands by a conservation buyer. These include state open space funding programs, tax credits and shareholder allocation benefits according to percentage of land conserved.

These incentives typically require the buyer to place a conservation restriction on the land, thereby limiting activities to open space or recreational uses, or for the case of a municipality, educational uses as described in the Attachment.

If you determine that you are still interested in the property after you have considered the estimated value, we can further explore opportunities for the transaction. The CWC can consider the potential to enter into a bargain sale, based on the availability of tax credits and statutory incentives for conservation and municipal sales. To the extent that a transaction is structured in a way that can provide comparable economic benefits for the company, its shareholders, and its ratepayers as would a fair market value sale, the CWC will give priority to such a transaction structure. Unfortunately, we cannot commit at this time the extent to which a bargain sale might be an option for the Town for these parcels as we need to understand the interest of all the eligible entities and determine if any such opportunities will be available



based on our tax status and, if so, how best to allocate any such economic benefits between entities.

You may also want to explore the Open Space and Watershed Land Acquisition (OSWA) Grant Program, offered by the CT Department of Energy and Environmental Protection, which provides financial assistance to municipalities and nonprofit land conservation organizations to acquire land for open space. Please visit <https://portal.ct.gov/DEEP/Open-Space> for more information.

### Next Steps

If after reviewing the estimated market value provided here and any other relevant information, the Town is still interested in pursuing parcel #1.7, please notify the CWC in writing prior to December 31, 2020. CWC can then order an appraisal of the property to formally establish the fair market value and help you as you further develop your approach.

The Town has until April 27, 2021 to submit a Plan that identifies a means and timeline for financing the acquisition and a proposal for the structure of the sale. Within 180 days of receiving the Plan, the CWC will review the Plan to determine if it is reasonable, practical, and meets the intent of the Agreement, and approve or reject the Plan. If a Plan is approved, the process under the Agreement will continue, allowing at least 24 months for the Town to execute the Plan and secure the parcel.

Please contact Jessica Demar at 860-664-6190 or [jdemar@ctwater.com](mailto:jdemar@ctwater.com) with any questions. We look forward to developing partnerships to preserve additional open space land in Connecticut.

Sincerely,



Jessica Demar  
Environmental & Regulatory Compliance Coordinator



## Attachment A

### **Connecticut General Statutes Regarding Right to Acquire Water Company Lands**

Per CGS section 16-50(d)(f), if more than one entity gives notice of a desire to acquire water company lands, the right to acquire is subject to the following order:

1. Water company for use for water supply purposes
2. Municipality for water supply, open space, or recreational purposes
3. State for open space or recreational purposes
4. Land trust for open space or recreational purposes
5. Municipality for any public purpose, including educational use
6. State for any public purpose
7. Any other purchaser

For the purposes here, “open space or recreational purposes” means use of lands for agriculture, parks, natural areas, forests, camping, fishing, wetlands preservation, wildlife habitat, reservoirs, hunting, golfing, boating, swimming and hiking.

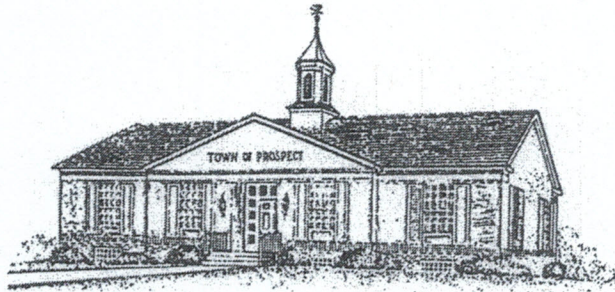
Any properties to be acquired for open space or recreational purposes must have appropriate conservation restrictions in place at the time of conveyance to permanently protect the land for open space or recreational purposes.

Per CGS section 47-42a, “conservation restriction” means a limitation, whether or not stated in the form of a restriction, easement, covenant or condition, in any deed, will or other instrument executed by or on behalf of the owner of the land described therein, including, but not limited to, the state or any political subdivision of the state, or in any order of taking such land whose purpose is to retain land or water areas predominantly in their natural, scenic or open condition or in agricultural, farming, forest or open space use. For a municipality to meet the criteria for item #2, not more than 15% of the land can be used for any purpose other than open space or recreational purposes or the right to acquire would fall to item #5.

Per item #5, “educational use” means the use by any town, city or borough, whether consolidated or unconsolidated, and any school district or regional school district, for the purposes of schools and related facilities.

Any land transaction that does not meet the statutory criteria for items #1 through #6 above would be open for sale to any other purchaser in the market at fair market value.





TOWN OF PROSPECT, CONNECTICUT 06712

25 September 2020

Connecticut Water Company  
Attn.: Jessica Demar  
93 West Main Street  
Clinton, CT 06413

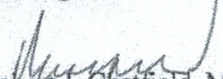
RE: 15 acre parcel "N. of Moody Reservoir"

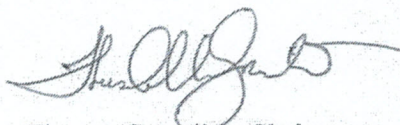
Dear Ms. Demar,

In response to the Connecticut Water Company letter from you, dated April 3, 2020 regarding land in Prospect no longer needed for public water supply, this letter serves to notify the Connecticut Water Company prior to the deadline of October 1, 2020, that the Town of Prospect may indeed have an interest in the 15-acre parcel of land in Prospect identified in the index of Available Lands as "N. of Moody Reservoir."

In conjunction with the Land Use Subcommittee of the Prospect Town Council, I would appreciate an opportunity to further discuss this parcel and the process of acquisition with you. Please feel to contact me at your convenience to schedule a possible meeting date and time.

Best regards,

  
Robert J. Chatfield, Mayor

  
Theresa Graveline, Chair  
Prospect Town Council Land Use  
Sub Committee



Law Offices of Edward F. Spinella, Esq., LLC

December 21, 2020

Mark Bobman, Executive Director  
Bristol Resource Recovery Facility Operating Committee  
27 West Main Street  
New Britain, CT 06051

Re: Extension of Acceptable Recyclables Processing Agreement (Agreement)

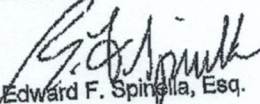
Dear Mark:

I represent Murphy Road Recycling, LLC (MRR).

The current Agreement expires June 30, 2021. Pursuant to Section 8.01, Term, MRR offers to extend the Agreement for at least two years. As we discussed, the Operating Committee and the Executive Committee on behalf of the participating member towns and MRR will negotiate some revisions to the Agreement.

I request that each participating member sign a copy of this letter to signify acceptance of the extension of the Agreement with the condition that MRR and each participating member will make reasonable efforts to execute a revised Agreement on or before February 1, 2021.

Sincerely,

  
Edward F. Spinella, Esq.

\_\_\_\_\_  
Participating Member Town



## Memorandum of Understanding

Mark Bobman <mbobman@brrfoc.org>

Fri 1/15/2021 11:22 AM

To: Town of Prospect <info@townofprospect.org>

Cc: dhardy <dhardy@carmodylaw.com>

 1 attachments (20 KB)

scan2email@usarecycle.com\_20201221\_155724.pdf;

Mayor Chatfield - please find attached the Murphy Road Recycling Memorandum of Understanding pertaining to extension of the recycling agreement which expires June 30, 2021. Note the December 21 letter from Attorney Spinella shows a date of February 1 as the deadline for execution of a revised agreement; Attorney Spinella verbally committed to accept the notice of intent with the understanding at least 3 of the participating communities will sign the agreement by February 25, thus far 5 communities indicated this is possible provided the agreement is mutually acceptable. I anticipate receiving a revised letter from Murphy Road Recycling, however if necessary you may cross out the February 1 date and write in February 25.

---

Mark Bobman  
Executive Director, BRRFOC  
27 W. Main St.  
New Britain, CT 06051  
(860) 620-3992