

**TOWN OF CROMWELL - TOWN COUNCIL
TOWN HALL COUNCIL CHAMBERS
41 WEST STREET, CROMWELL, CT 06416
AMENDED SPECIAL MEETING MINUTES**

Monday, April 15, 2024 - 7:00 p.m.

Present: Mayor James Demetriades, Julia Aurigemma, Brian Bonneau,
Stacy Dabrowski, Jack Henehan, Paula Luna, Al Waters

Also Present: Town Manager Salvatore, Finance Director Sharon DeVoe, Chief of
Police Sifodaskalakis, Public Works Director Lou Spina

A. CALL TO ORDER

Mayor Demetriades called the meeting to order at 7:04 p.m.

B. PLEDGE OF ALLEGIANCE

The Council stood to recite the Pledge of Allegiance.

C. APPROVAL OF AGENDA

MOTION made by B. Bonneau and **SECONDED** by J. Henehan to move Item L.
Citizen Comments to after Item E. Presentation of Proclamations.

All in favor.

MOTION made by J. Henehan and **SECONDED** by A. Waters to approve the
agenda as amended.

All in favor.

D. COMMISSION CHAIRMAN REPORTS/LIAISON REPORT/STAFF REPORTS

Alan Schumann, liaison, Board of Education was in attendance and reported:

- The Board of Education had a Special Meeting on March 6th and voted (in collaboration with the Town Council) to pull out \$270,000 in large capital items and move the items to the Town. This reduced the Board of Education budget from 6.63% to 5.88%
- BOE retained EMG group after obtaining a revised proposal that is split between the School District and the Town. The BOE approved the portion which includes student focus groups and consultations plus some professional development. The Town side will consist of a community lead forum with the Town's DEI Commission. The BOE supports this.
- The BOE has hired the Principal for WIS as their Director of Finance. They are currently working on his replacement as Principal at WIS.
- The District has received complaints regarding to flooding occurring from the Cromwell High School Property related to a pond that needs maintenance. The BOE has referred that issue to the Town.

Councilman Henehan attended the Recreation Commission. They discussed the condition of the fields in Town. He suggested getting the stakeholders together such as the Field Committee, Recreation Commission, and Town Staff to discuss information regarding where we are as a town relative to our athletic fields. The meeting will take place on Wednesday. He plans to have more to report at the next meeting.

Councilwoman Aurigemma attended the Zoning Commission, they discussed the Plan of Conservation and Development and the small number of people who participated in the survey. She reported Zoning Board of Appeals met for 25 minutes and approved two (2) variances.

Councilwoman Dabrowski attended the CMS Building Committee Meeting and they discussed unexpected fees that were invoiced.

Councilwoman Luna attended the Library Commission Meeting.

Councilman Waters attended the Redevelopment Agency Meeting and the tax abatement for 76 Berlin Road was discussed.

E. PRESENTATION OF PROCLAMATIONS

Mayor Demetriades presented proclamations to the Boys and Girls Indoor Track Teams.

L. CITIZEN COMMENTS

Mayor Demetriades read the attached letter from Mike Cannata into the record. See Attachment A.

Jamin De Proto, 50 Hicksville Road read the attached letter into the record. Please see Attachment B.

F. MAYOR'S UPDATE

The Mayor provided the following updates:

- He attended the Economic Development Commission Meeting. They discussed beginning highlighting a business of the month, the Town updated the businesses listing on the website, they discussed having brochures around town of things to do and businesses and restaurants to visit, etc.
- He attended the Recreation Commission meeting. There was discussion about meeting and regrouping with the Athletic Field Committee to talk about next steps and plans moving forward for athletic fields in town. The meeting was scheduled for April 17th.
- He attended the Ribbon Cutting for Goldfish Swim School. It is an impressive and stunning facility.
- He attended CCD's Paint by Number Celebration

- He mentioned that he had some less than positive comments and conversations on one of his Facebook posts on a community page recently. He explained that it really showed divisiveness. We need to be practicing love and inclusion in the face of adversity. He added that there were many positive comments also and we were able to get several volunteers to either apply to be on the LGBTQ Committee or be “friends” of the Committee.
- He attended the Friends of the Library Book Drive. They need volunteers. Their book sale is April 16th and 17ths. May 9th from 1-7, May 10th from 10 a.m. to 5 p.m. and on May 11th from 10 a.m. to 3 p.m.

G. TOWN MANAGER'S UPDATE

The Town Manager's report was included in the agenda packet. He provided the following updates in addition to his report:

- He informed the Council that the Town has been experiencing some issues with emails and we were advised by our IT Consultant to switch to Microsoft Office 365. Therefore, the Board of Finance approved the \$31,780 for the cost of this. It will eliminate the CNR cost of \$23,000 for the new email server and will eliminate any anticipated future costs that reoccur to upgrade our Microsoft software.
- A meeting is scheduled with CCM, Mr. Keith Chapman, Consultant and the Fire District to discuss exploring shared services between the Town and Fire District to save money.
- A meeting between members of the Athletic Field Committee, Recreation Commission, Town Council and Board of Finance with Town Staff will be held on April 17th to discuss next steps and plans for athletic fields in town.
- He reported that he attended a meeting regarding the removal of the traffic lights on Route 9. He added that they are proposing a roundabout at the end of Main Street. He informed the Council that he put a request into DOT for a northbound ramp to be put in there as well.
- He made the correction in his report that he attended the Paint by Number CCD Celebration, not the “Wings” celebration.

A brief discussion took place regarding the Cromwell Middle School and invoices received that were more money than the Town planned for. Councilman Bonneau asked if there were trust issues between the Town and the contractor. The Town Manager explained that there are no trust issues as of right now. He explained that when there is a question regarding the amount we are billed for (if we are billed for something that we considered part of the contract), he, the Finance Director, and the Town Engineer carefully review each invoice and we reach out to the Owner's representative to discuss this.

H. TOWN COUNCIL LIAISON REPORTS

The Council gave their Liaison reports during Item D.

I. FINANCIAL/FINANCE DIRECTOR'S UPDATE

1. Budget Report

Finance Director Sharon DeVoe was in attendance to present her report to the Council and answer questions.

2. Discussion and possible action regarding proposed tax abatement extension for 76 Berlin Road

Umesh Vaidya of AVA Realty his Attorney Candace Cunningham were in attendance to present to the Council their request for an extension to the tax abatement. Attorney Cunningham referenced the attached document in her presentation. See Attachment C.

Attorney Cunningham explained that the Town and AVA Realty did not realize that a 10-year abatement was available at the time this agreement was negotiated. If they had known that 10 years was allowable by State Statute, they would have asked for a 10-year abatement.

The Council took a brief recess at 8:23 p.m.
The Council reconvened at 8:35 p.m.

After a brief discussion, the Council took no action on this item.

3. Discussion and possible action to approve a supplemental appropriation in the amount of \$6,250 for a Diversity, Equity, and Inclusion Consultant and waive the bidding requirement as outlined in the Town's Purchasing Policy.

The Town Manager and the Mayor explained that the Board of Education has hired this company to address these issues in the schools. The Board of Education carved out this piece of the services for the Town specifically so that the Town and the Schools can work to address this issue together.

The Diversity, Equity, and Inclusion Committee was in attendance and expressed their support for this funding. They expressed the need for guidance and direction to learn how to effectively address these issues when residents bring them to their Committee. They said just being an ear and feeling heard is sometimes enough for people who reach out. However, they are trying to spread the awareness that their Committee exists and are available. The Council asked several questions and a lengthy discussion was held.

MOTION made by A. Waters and **SECONDED** by J. Henahan to approve the supplemental appropriation in the amount of \$6,250 for a Diversity, Equity, and Inclusion Consultant to attempt to get this problem under control.

In favor: J. Demetriades, J. Henahan, P. Luna, A. Waters

Opposed: J. Aurigemma, B. Bonneau, S. Dabrowski

Motion passed.

MOTION made by P. Luna and **SECONDED** by A. Waters to waive the bidding requirement for the Diversity, Equity, and Inclusion Consultant.

In favor: J. Demetriades, J. Henehan, P. Luna, A. Waters

Opposed: J. Aurigemma, B. Bonneau, S. Dabrowski

Motion passed.

4. Discussion and possible action to approve a supplemental appropriation in the amount of \$750 for the Diversity, Equity, and Inclusion Committee application fee for the Middletown Juneteenth Parade and Festival

The Town Council skipped this item as the DEI Committee requested to withdraw their request.

5. Tax Refunds

MOTION made by A. Waters and **SECONDED** by J. Henehan to approve Tax Refunds 1-20. **All in favor.**

J. CHIEF OF POLICE'S UPDATE

Chief Sifodaskalakakis was in attendance to present his report to the Town Council. In addition to his report he provided the following information:

- There will be a Swearing-In Ceremony in the Belden Room of the Library on Monday, April 29th at 11 a.m. for the new police officer. Chief informed the Council that after this officer, they will be fully staffed.

K. PUBLIC WORKS DIRECTOR'S UPDATE

Public Works Director Lou Spina was in attendance to present his report. He added the following update:

- The Public Works Department is in Spring mode. They have been busy cleaning up after the winter. They are working on getting all the fields and venues ready for the season.
- Earth Day Clean-up is on Sunday, April 21st and is funded through NIP Fund. Town staff and volunteers. Anyone interested in participating should call the Public Works Office.
- Paving scheduled for May 13th:
 - Industrial Park Road (Rt 372 to bridge)
 - Nooks Hill (Main Street to Summit)
 - Filed Road (Nooks Hill to Center Wood)
 - Oakridge Drive
 - Wexford Lane
- Drainage at the High School Pond – Public Works checked on Monday and there were no blockages. They will monitor a couple times annually moving forward.

Councilman Bonneau questioned work logs that were requested to be filled out by one employee and only for one department. Director Spina and Town Manager Salvatore explained that there was a request for an additional seasonal employee and complaints from the Parks Division that they were four weeks behind. As a result, the Public Works Director asked that the Parks Division and the Highway Division complete Work Activity Logs so the Town can see areas where more manpower is needed, that way help can be requested from other departments. The Town is looking into implementing this for other division as well.

M. UNFINISHED BUSINESS

1. Discussion and possible action of Climate and Culture Study Town Council Recommendations

Mayor Demetriades explained that the spreadsheet included in the packet is the Town's status with implementing the Town Council's recommendation. This spreadsheet will be added to the agenda packet each time there is an update.

2. Review of Meeting Minutes from February 14, 2024

Councilman Henehan explained that anonymous letter should have never been allowed to be read into the record. He provided an example from previous years where this was allowed and did not turn out well. He cited Roberts Rules stating this is not the proper way to conduct business. He continued to explain that people can say anything and throw information about Town employees and there will be no one to question as they do not include a name. Councilman Henehan requested that this to be withdrawn from the meeting minutes of February 14th. Councilwoman Dabrowski asked what the appropriate action of the Council should be when they receive an anonymous letter. Councilman Henehan replied to respond to the email stating that the letter cannot be read into the record unless it has their name on it.

MOTION made by J. Henehan and **SECONDED** by J. Aurigemma to remove Attachment F from the Meeting Minutes of February 14, 2024.
All in favor.

N. NEW BUSINESS

1. Update on Video Monitor Policy

Mayor Demetriades explained that he has reached out to a few towns to see if they had any video camera monitoring policies in place and where their video camera monitors were located. He did not have any luck receiving replies with the information he was looking for. After a brief discussion, the Town Manager suggested that Amanda would reach out to CCM to have them gather policies.

O. APPROVAL OF MINUTES

1. March 6, Special Meeting Minutes

2. **March 13, 2024 Special Meeting Minutes**
3. **March 13, 2024 Regular Meeting Minutes**
4. **March 26, 2024 Public Hearing Minutes**
5. **March 26, 2024 Special Meeting Minutes**

MOTION made by J. Henehan and **SECONDED** by J. Aurigemma to approve Agenda Items O. 1-5. **All in favor.**

P. APPOINTMENTS/REAPPOINTMENTS/RESIGNATIONS

1. Appointments

- a. Sean Condon (U), Senior Services Commission, regular member for a term expiring 4/1/2026

MOTION made by A. Waters and **SECONDED** by J. Henehan to approve Item P.1.a. **All in favor.**

- b. Rachel Duffy (D), LGBTQ Committee, regular member for a term expiring 4/1/2026
- c. Kristine Haswell (R), LGBTQ Committee, regular member for a term expiring 4/1/2026
- d. Jordan Lane (D), LGBTQ Committee, regular member for a term expiring 4/1/2026
- e. Cassandra Manning (D), LGBTQ Committee, regular member for a term expiring 4/1/2026

MOTION made by A. Waters and **SECONDED** by J. Henehan to approve Items P. 1. b. - e. **All in favor.**

Q. INFORMATIONAL ITEMS

1. Memo from HR Executive Assistant Regarding Wellness Initiative and Employee Recognition Program Update
2. Email from DEEP regarding Cromwell Creek and South Street

Town Manager Salvatore informed the Council that they received information in their packets regarding both informational items. He asked if there were any questions regarding the items. There were no questions.

The Town Manager referenced comments that were read into the record at the last Town Council meeting urging the Town Council to follow the law and called to their attention the apparent lack of timely internet publication of Town Council minutes and referenced part of the FOIA which reads, "...Not later than seven days after the date of the session to which such minutes refer, such minutes shall be available for public inspection and posted on such public agency's internet

website, if available..." and "the vote of each member of any public agency upon any issue before such public agency shall be reduced to writing and made available for public inspection within forty-eight hours"

The Town Manager pointed out the second part of the sentence regarding posting minutes on the website (referenced above) reads, "...except that no public agency of a political subdivision of the state shall be required to post such minutes on an Internet web site". He explained that Cromwell is a political subdivision of the state, and is therefore not required to post meeting minutes on the internet website. While we make every effort to be sure the minutes are posted, it is not a requirement.

The Town Manager also pointed out that his staff member reduces the votes from each meeting to writing and has them available in the Town Manager's office within 48 hours of each Town Council meeting. He informed the Council that his office spoke with Mr. Russell Blair, FOIA Director of Education and Communications for the State of Connecticut and he confirmed that having the votes available, written on an agenda or other document in an office of the Town within 48 hours of the meeting is sufficient for the requirement of the votes being reduced to writing and made available for public inspection.

R. ADJOURN

MOTION made by A. Waters and **SECONDED** by J. Aurigemma to adjourn.
All in favor.

The meeting adjourned at 10:31 p.m.

Respectfully submitted,



Amanda M. Calve
Secretary

Attachment A

On Mon, Apr 15, 2024, 1:35 PM cannata-const Cannata <cannata-const@msn.com> wrote:

Good afternoon Mr. Mayor and council....I noticed that citizens comments is after two funding requests so I respectfully request that this email be read into the record during discussion on those two funding requests.

1. request for monies to enter the Middletown parade and celebration...

I do not feel that it is appropriate or fair to the Cromwell taxpayers as a group to fund a special interest group or committee application to marching and participateing in a parade and event, especially in another town. My feeling is that if any group in town would like to participate, in any celebration in or outside of town that requires funding, it should be their responsibility to gather donations, etc., to fund their initiative. If we were talking about education or training that required application fees, etc., for the duties of boards or commissions, then I fully support that funding, but that is not the case here this is purely recreational.

2. With regard to hiring a consultant, at over \$6000, to tell us of a perceived problem and solution at the high school that has been very clearly brought to light, it is also my feeling that this funding should not be approved. We have a superintendent of schools, making a quarter of \$1 million a year that I'm sure is very capable of recognizing and handling problems that come her way. In that same vein of thought, if our superintendent and surrounding staff is not capable of handling this problem, then replacements should possibly be sought , and letters of resignation where appropriate should be requested. Taxpayers should not be saddled with paying consultants thousands of dollars to address issues that should be handled within our system at zero cost to the taxpayers.

Thank you for your time and willingness to put my comments on the record.

Michael Cannata 136 Nook Hill Rd. Cromwell

Sent from my iPhone

Greetings Esteemed Members of Town Council,

Treating people with decency should be something we all learned to do as children. Othering people because of immutable characteristics is simply wrong. Bullying and stereotyping is wrong regardless of motivation. The golden rule once sufficed. But hold on, now we have something even better! Behold: Diversity, equity, and inclusion! These are words that conjure positive ideas. It could bring us together, show how we all have far more in common than different, how we all struggle, suffer, and can conquer challenges. But be warned, ideological subversion is slow and insidious. DEI can be Orwellian in nature; vileness with a veneer of virtue. It has been used to teach unsupported doctrines that seek to divide using money, race, sex, and religion.

DEI experts such as Dante King proclaim that "Whites are psychopaths. And their behavior represents an underlying, biologically transmitted proclivity with roots deep in their evolutionary history". DEI practitioner Maria Graciela Alc   summarized: "Decolonizing white-supremacy-culture thinking is the ongoing act of deconstructing, dismantling, disrupting those colonial ideologies and the superiority of Western thought." Perfectionism, punctuality, urgency, niceness, worship of the written word, progress, objectivity, rigor, individualism, capitalism and liberalism are some of the characteristics in need of elimination. The Smithsonian National Museum of African American History and Culture recently declared that "objective, rational, linear thinking," "quantitative emphasis," "hard work before play," and various other values are aspects and assumptions of whiteness. Does any of this sound unifying? Why would elimination of practices like objectivity, urgency, or liberty improve anything?

Strangely, while some DEI practitioners promulgate anti-capitalist sentiment, they are very eager to capitalize on the industry they have created and insist must be part of all commerce, education, government, entertainment, and every other corner of life. However some have started questioning the efficacy of all of this. Corporations such as Disney, Microsoft, Google, and so on have begun dismantling their DEI apparatus and market-wide DEI hiring has plummeted.

I am left to ask, are we getting the kind of DEI that will bring people together or the DEI of division, exclusion, and inequity? Is it even effective? Why not use our local resources and non-profits? Our schools have unprecedented numbers of social workers, psychologists, behavior analysts, and \$15K annually on equity training. Is there any accountability, oversight, or metrics for "success"? Without knowing exactly what kind of DEI we are buying, it's scope and mandate, I cannot support funding this proposal.

Sincerely,

Dr. Jamin DeProto

Here are a few worthwhile facts:

* 94% of Americans approve of interracial marriage (supporting document "A" - "U.S. Approval of Interracial Marriage at New High of 94%")

* Nigerians are among the most successful immigrant groups. (supporting document "B" - particularly 3rd to last paragraph as to ~why~ they are successful - "Why Nigerian Immigrants Are One of The Most Successful Ethnic Group in the U.S.")

* Men live shorter lives, account for most workplace deaths, and white men account for the vast majority of suicides (supporting documents "C 1" - "Suicide Data and Statistics | Suicide Prevention | CDC", "C 2" - "Table 1. Fatal occupational injuries by selected demographic characteristics, 2018-2022 A01 Results", "C 3" - "Number of fatal work injuries by race or ethnic origin")

* Asians, not whites, have the highest median household income (supporting document "D" - "median-household-income-race-us" source: <https://www.statista.com/statistics/1086359/median-household-income-race-us/>)

* There are increasingly more whites living in poverty than blacks (supporting document "E" - "tableA1_pov_characteristics" source: US Census)

* Blacks are 12% of the population (see supporting document "F" - "improved-race-ethnicity-measures-reveal-united-states-population-much-more-multiracial-figure-5" source: US Census)

Examples of DEI that are divisive:

* Just last week a Berkeley owned community garden banned white people on Saturdays (supporting document "G" - "UC Berkeley accused of segregation by allegedly banning whites from community farm")

* Some employers feel completely justified and comfortable declaring that they do not hire whites (supporting document "H" - "Ex-Sweet Baby Inc. Employee And Current EA's 'Marvel's Black Panther' Narrative Designer Seen Proudly Bragging That Previous Title 'ValiDate' Had 'No White People' On Dev Team - Bounding Into Comics")

* Some employers feel completely justified and comfortable with differential treatment of candidates and staff based on race and sex (supporting document "I 1" - "Federal lawsuit filed claiming UW-Eau Claire employee was demoted from DEI position because she is white - WPR", "I 2" - "Aviva CEO Amanda Blanc announces that white male new hires must be personally signed off by herself, as part of the firm's aims to improve diversity | Fortune Europe")

* Grading and punishments scaled according to race and other novel methods ("J 1" - "OPRF to implement race-based grading system in 2022-23 school year | West Cook News", "J 2" - "Woke Kindergarten's contract in Bay Area school terminated.")

GALLUP

SEPTEMBER 10, 2021

U.S. Approval of Interracial
Marriage at New High of 94%

BY JUSTIN MCCARTHY



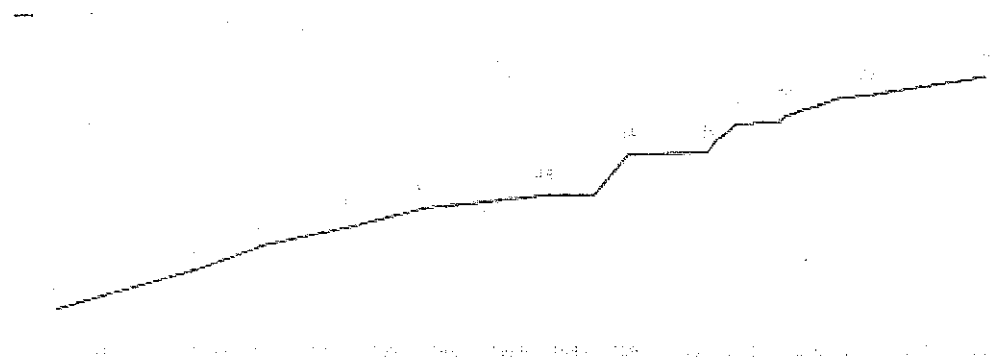
STORY HIGHLIGHTS

Approval was at just 4% in 1958, when Gallup first polled on the question The racial gap in approval of interracial marriage has nearly closed
Age and regional gaps in approval have also shrunk

WASHINGTON, D.C. -- Ninety-four percent of U.S. adults now approve of marriages between Black people and White people, up from 87% in the prior reading from 2013. The current figure marks a new high in Gallup's trend, which spans more than six decades. Just 4% approved when Gallup first asked the question in 1958.

U.S. Approval of Marriages Between Black People and White People, 1958-2021

Source: Gallup, 1958-2021. Data as of September 9-10, 2021. Margin of error: ±3 percentage points.



U.S. Approval of Marriages Between Black People and White People, 1958-2021

Source: Gallup, 1958-2021. Data as of September 9-10, 2021. Margin of error: ±3 percentage points.

The latest figure is from a Gallup poll conducted July 6-21. Shifts in the 63-year-old trend represent one of the largest transformations in public opinion in Gallup's history -- beginning at a time when interracial marriage was nearly universally opposed and continuing to its nearly universal approval today.

The U.S. Supreme Court legalized interracial marriage nationwide in the 1967 *Loving v. Virginia* case. A year after that decision, Gallup found support for the practice increasing, but still only a small minority of 20% approved.

Approval of interracial marriage continued to grow in the U.S. in periodic readings Gallup took over the following decades, finally reaching majority level in 1997, when support jumped from 48% to 64%. Support has increased in subsequent measures, surpassing 70% in 2003, 80% in 2011 and 90% in the current reading.

White, Non-White Americans Now Similarly Approve of Interracial Marriage

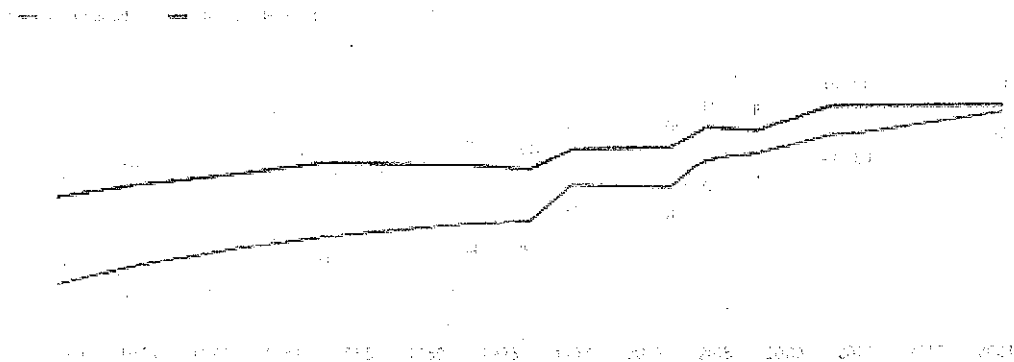
Non-White Americans have been consistently more approving of interracial marriages than White Americans -- but that gap has narrowed over time and, in the latest reading, has nearly closed.

Previous measures from 1968 to 2013 found double-digit gaps in approval between White and Non-White adults. Today, the three percentage points that separate approval among White (93%) and Non-White adults (96%) is within the poll's margin of error.

Recent growth at the national level has been driven by increasing approval among White Americans, as approval among Non-White Americans has been unchanged over the past decade.

Majorities of non-White adults since 1968 have approved of interracial marriage. It was not until 1997 that a majority of White adults held that opinion.

Approval of Interracial Marriage, by Age Group



Source: Gallup Organization, 1991-2021. Data for 1991, 2002, 2011, and 2021. The graph shows the percentage of U.S. adults who approve of interracial marriage, broken down by age group. The 18-29 age group consistently shows the highest approval, while the 50+ age group shows the lowest approval. Over time, approval has increased for all age groups, and the gap between the youngest and oldest groups has narrowed.

Generational Differences in Views on Interracial Marriage Shrink

Younger adults in the U.S. have consistently been more likely than their older peers to approve of marriages between Black people and White people. But these generational differences have shrunk, as older adults are now nearly as supportive of interracial marriages as younger adults are.

But Americans in all age groups today are more supportive of Black-White marriages than adults in the same age group were in the past, particularly among older adults. In 1991, 27% of U.S. adults aged 50 and older approved of interracial marriages, compared with 91% today.

Approval of Interracial Marriage, by Age Group

	1991	2002	2011	2021
	% Approve	% Approve	% Approve	% Approve
18-29	64	86	97	98
30-49	56	75	91	97
50+	27	44	78	91

GALLUP

Regional Differences in Views on Interracial Marriage Now Gone

In previous decades, Americans living in the East, Midwest and West were generally more approving of marriages between Black people and White people than those living in the South.

At this point in the trend, however, approval of interracial marriage is nearly universal across all regions, almost closing the regional gaps that existed in earlier parts of the trend.

Approval of Interracial Marriage, by Region

	1991	2002	2011	2021
	% Approve	% Approve	% Approve	% Approve
East	54	67	90	94
Midwest	50	60	86	93
South	33	59	79	93
West	60	79	91	97

GALLUP

Bottom Line

Americans are now nearly unanimous in their approval of marriages between Black people and White people. The shifts over time document changes in U.S. social mores as well as differing attitudes between current and past generations of Americans.

A similar gradual change can be seen in willingness to vote for a Black presidential candidate, a trend that spans just as much time as Gallup's trend on interracial marriage. While voting for a Black candidate was unpopular in the 1950s, nearly all Americans say they would be willing to do so today. Americans' ideas about marriage, too, have changed. Solid majorities now support same-sex marriage, and larger majorities than in the past view divorce as morally acceptable.

At the same time, Americans have become less likely to say that civil rights for Black Americans have improved, and they have recently become more likely to say that new civil rights laws are needed to reduce discrimination against Black people.

Opposition to interracial marriage still exists, but it is quite small. Future measures will indicate whether 94% is the ceiling for approval, or if there is still room for growth in acceptance.

<https://news.gallup.com/poll/354638/approval-interracial-marriage-new-high.aspx>

Why Nigerian Immigrants Are One of The Most Successful Ethnic Group in the U.S.

B. Joseph



Kelechi Anyadegwu, Ime Archibong, Makinde Adeagbo, Kunbi Tunyoye, Chike Ukaegbo, Tope Awotona, Chinedu Echeruo, Ade Olonoh, Morin Oluwole, and Muoyo Okome — 10 Nigerian-Americans Making Waves in Tech. Image from UrbanGeekz.com

I was on a flight to Nova Scotia on which I met Chiasoka, a Nigerian International student, living in St. John's. She was studying nursing, having graduated in engineering.

We began discussing our parents', albeit, rigorous but potent parenting methodologies.

Coming from a Caribbean family, education in my family is celebrated at every stride, regardless how minutia the feat may be. My parents have insisted on being part of every ceremony that celebrated my scholastic performance, may it be a Dean's list reception, kindergarten mini-graduation service or my undergraduate graduation ceremony. And every chance they had to express my academic attainment to their friends and family, they would do so.

Whereas, for Chiasoka, certain academic achievements were nothing, but expected. Therefore, they were not worthy to be praised, let alone, noted. So much so that her mother refused to attend her graduation ceremony. She did not perceive her daughter's academic accomplishment as an exploit, despite being among the top 10 percent of her graduating class. It was, in her mother's

eyes, the bare minimum that was expected from her. "Until I earn a post-graduate degree, I will have to content myself with a family-less graduation ceremony" she confessed.

For many westerners, such attitude toward one's accomplishment would be perceived as callous and sadistic, at best. Yet, for Chiasoka, it is what fueled her, knowing that more is expected as the sky is far from being the limit. And every time she meets or exceeds an expectation, she would, with zeal and valor, vie the next echelon.

Though crude, this "high expectation attitude" that Nigerian parents have toward their children in everything they undertake is very much conventional in Nigerian households, and part of the rationale, explaining the success of the Nigerian-American diaspora.

A's, and nothing but A's

Now that I think of it, the Nigerian friends that I made in university, all of them, excepted for one, was on the Dean's list. Subsequently, many of them won several awards and accolades for their academic achievements. They all wound up working for reputable firms or being accepted at competitive post-graduate programs.

Education is indeed paramount to everything in Nigerian households. So much so that there is ubiquitous aphorism within the Nigerian community which asserts that the best inheritance that a parent can give to their children is not jewelry nor any other material things, but it is a good education.

The best inheritance that a parent can give to their children is not jewelry nor any other materials things, but it is a good education.

Such regard for higher education helps to explain why Nigerian-Americans are more likely to be educated than the average American.



tomichoo

@tomichoo

#youknowyourmumisnigeria when she says "the person that came first in your class, does she have two heads?"

8:21 AM · Jul 30, 2015

14 C, 31 people are talking about this

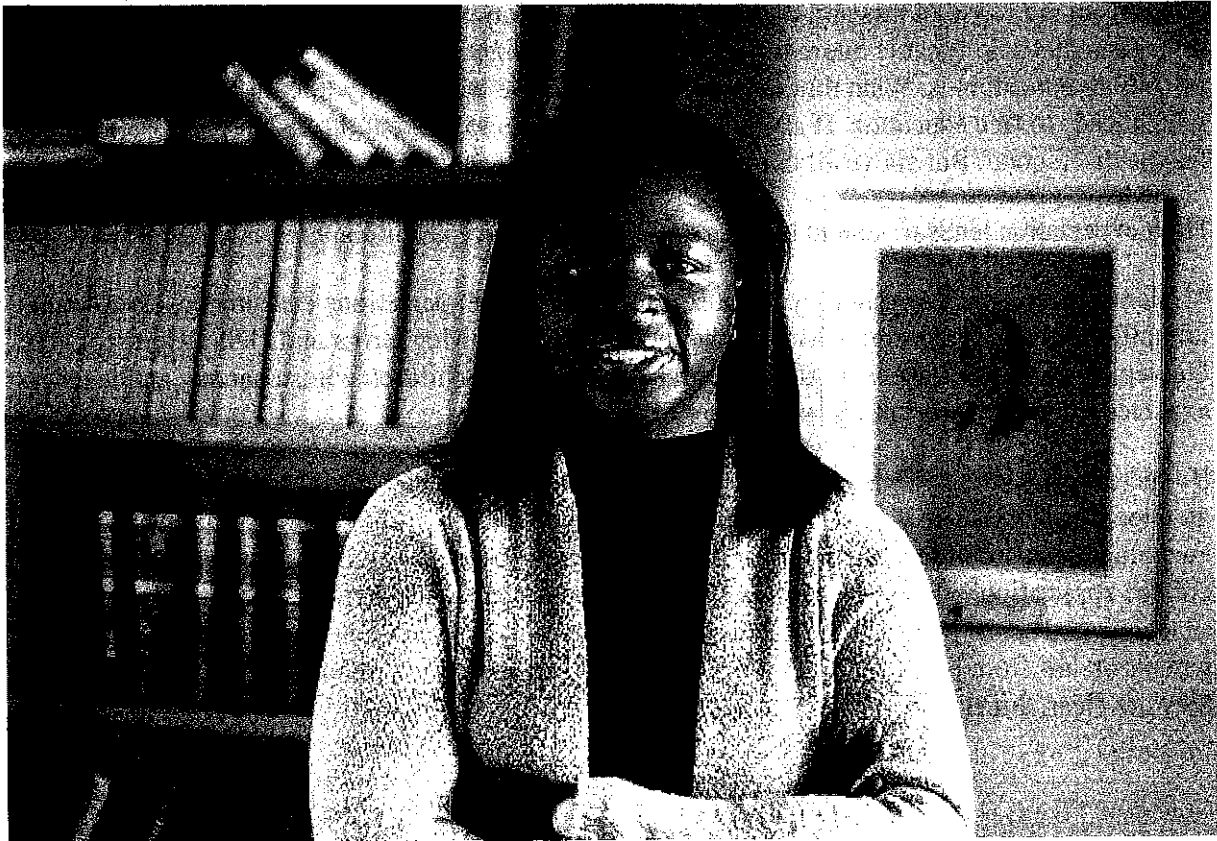


Indeed, Nigerian-Americans have more post-graduate degrees than any other racial or ethnic groups. Albeit, they represent a minuscule portion of the U.S. population, 37 percent of them hold a bachelor's degree and 17 percent a master's. 29 percent of Nigerian-Americans aged 25 and plus, have a graduate degree, compared to 11 percent of the US population. Nigerian accounts for less than 1 percent of the black population in the United States, yet, they make up nearly 25 percent

of all Black students at Harvard Business School. It comes to no surprise that Nigerian-Americans' achievements in the world of education top any other U.S. immigrant groups, including Asian-Americans. Today, a growing number of Nigerian-Americans are entrepreneurs, CEOs and founders of tech companies across the U.S. and abroad.

“You must be a Doctor, Lawyer, Engineer, or a Disgrace to the family...”

Nigerian parents also tend to push their children into profitable but arduous careers such as medicine, engineering and law. Recently, Harvard University elected the first black woman to be president of the Harvard Law Review. This black woman happens to be Nigerian, and her name is Imelme A. Umana. Hence why the median annual income of Nigerian diaspora household, according to the Migration Policy Institute, is about \$ 52,000, slightly higher than the average \$50,000 in the US. They are also more likely to be counted in the higher income brackets as 35% of Nigerian-American households earn the US \$90,000 per year.



Imelme A. Umana, Nigerian-American, became the first Black woman to be elected as president of the Harvard Law Review. Image from Face2FaceAfrica.com

“Artistic Nigerian-Americans” is a thing!

Even those who don't adhere to such career choices, also exhibit high success in their fields and are expected to do by their elders. For instance, Chimamanda Ngozi Adichie, a Nigerian-

American novelist, Yale graduate, and author of the New York Time Best Selling, *Americanah*, was listed in 2015 in Time Magazine as one of “the 100 Most Influential People”. And Tomy Adeyemi, Nigerian-American, Harvard graduate, became at the age of 24, the youngest American to have scored a significant book and movie deal, netting in the seven-figures.

And as we speak, Nigerians-Americans, such as Chiweteley Ejiofor and Uzo Aduba, are also taking Hollywood as part of their new terrain of excellence. Ejiofor played the role of Solomon Northup in 12 Years a Slave which was nominated as Best Actor by the Academy Awards and won the best actor in a leading role by the British Academy Film awards in 2014. Image from RottenTomatoes.com Uzo Aduba, Nigerian-American, who plays the role “Crazy Eyes” from Orange is the New Black. She won several awards including an Emmy Award for Outstanding Supporting Actress in a Drama Series and Outstanding Performance by a Female Actor in a Comedy Series. Image from Biography.com

Sports are okay too in a Nigerian household, but...

Apart from the world of arts and engineering, the Nigerian diaspora is now linked among the top American athletes. What is interesting is that sport for Nigerian parents is secondary, never the priority as education is. What they look for in sport, is the opportunity to earn scholarships, which leads to free education. If a Nigerian child happens to make it through a professional league draft, good. But above all things, education is the goal. All things can follow suit.

High expectation tends to lead to higher results according to psychology

Modern-day cognitive psychology supports the notion that expectations can subconsciously and ubiquitously control children's lives for better or worse. Dr. Meg Griga and Debra Hart from the University of Massachusetts, in their research, revealed that children whose parents and teachers expected them to attend college were more likely to do so.

By merely expressing words of encouragement through which expectations are camouflaged can go a long way. “Someday you will go to such, and such university like your mom did”...or encouraging said-child to take advance placement class “because it will look good on your college application”, they said, “represents subtle — or not so subtle message that permeates the academic and social experiences of college-bound youth”. Although, as a caveat, Nigerian parents are far from being subtle in expressing their expectations to their children. Preferably, they are clear, direct, and sometimes, opposing.

Verizon 3G 10:38 32%

< Chats

Dad



I've started my masters
degree

10:12 ✓✓

1 UNREAD MESSAGE

Wonderful. Good news. You
have no justifiable reasons
why PhD should not be
appended to your name five
years hence.



@_igbokidi_ Nigerian-American screenshotted a conversation with his Nigerian dad, demonstrating the importance of higher education.

Though I am not from a Nigerian culture, I can attest to the use of "high expectation" as part of my family ethnology. My dad's expectations of my brother were high, higher than what my brother thought of himself being capable of accomplishing.

I remember when his GPA was barely a 3.7 as a freshman in high school. This GPA is rather excellent. But my dad was adamant about a 4.0 GPA, so was I. Though my brother felt he was not intelligent enough to attain such goal, my dad and I kept on expressing our desire for him to be accepted at such or so university, by achieving certain grades. Ergo, we pushed him in being more involved both at school and in our community, taking leadership positions, and ensuring that he kept on working hard at school.

By the time my brother graduated from high school, he had achieved a 4.0 GPA, was accepted at one of the most prestigious universities in Canada and won several scholarships for his community and academic achievements.

My father's expectations were above and beyond what my brother dreamed of, but among other things, my father's expectations for him played a significant role in driving him toward greater and higher standards.

Our parents, teachers and those close to us have a way of modifying our behaviours. While positive and high expectations can drive one to tackle the tallest mountains, the lack of expectations or negative ones may lead one to despair.

Nigerian parents realized that engaging with their children directly by expressing with no fear and no caveat the expectations that they have for them is a powerful weapon. Such weapon ensures the professional and academic success of their offspring in America. Through, it may appear crude as an approach to raise children, it has worked in their favor as well as in my family.

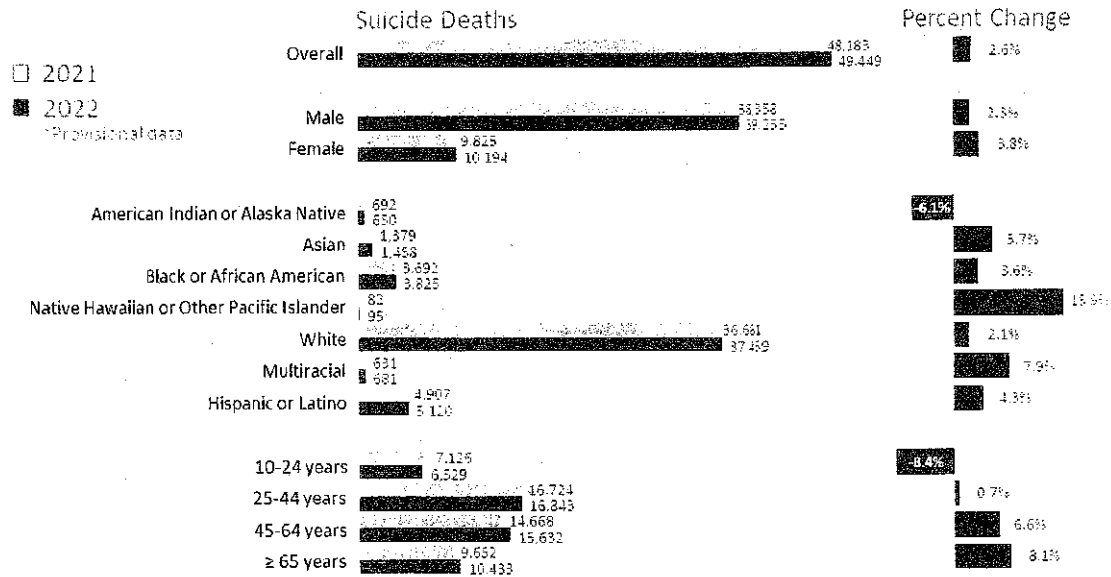
So perhaps, setting goals for our children at a young age and encouraging them to accomplish more beyond their perceived abilities, may be one of the many solutions to ensuring their success.

<https://medium.com/@joecarleton/why-nigerian-immigrants-are-the-most-successful-ethnic-group-in-the-u-s-23a7ea5a0832>

DOCUMENT C-1

Suicide Deaths in the United States Overall and By Select Demographic Characteristics, 2021-2022

Overall, the number of deaths by suicide increased 2.6% from 2021 to 2022*, but decreased among American Indian/Alaska Native people and Youth



	2021 Final Deaths	2022 Provisional Deaths	2021-2022 Percent Change
Overall	48,183	49,449	2.6
Gender			
Male	38,358	39,255	2.3
Female	9,825	10,194	3.8
Race/Ethnicity			
Not Hispanic or Latino			
American Indian or Alaska Native	692	650	-6.1
Asian	1,379	1,458	5.7

Black or African American	3,692	3,825	3.6
Native Hawaiian or Other Pacific Islander	82	95	15.9
White	36,681	37,459	2.1
Multiracial	631	681	7.9
Hispanic or Latino	4,907	5,120	4.3
Age Group			
10-24 years	7,126	6,529	-8.4
25-44 years	16,724	16,843	0.7
45-64 years	14,668	15,632	6.6
≥ 65 years	9,652	10,433	8.1

Footnotes:

-Suicide deaths were identified by using *International Classification of Diseases, Tenth Revision* underlying cause-of-death codes U03, X60–X84, and Y87.0.

-Data for race and Hispanic or Latino (Hispanic) origin should be interpreted with caution; studies comparing race and Hispanic origin on death certificates and on U.S. Census Bureau surveys have shown inconsistent reporting. This might lead to underestimates for certain racial groups. -Relative change was calculated using the following equation: $(2022 \text{ Provisional count} - 2021 \text{ count}) / 2021 \text{ count} \times 100$

-Provisional data are based on death certificate data received, but not yet fully reviewed, by CDC's National Center for Health Statistics (NCHS). Provisional data provide an early estimate of deaths before the release of final data. Complete documentation may be found at <https://wonder.cdc.gov/mcd-icd10-provisional.html>.

-Data were accessed on CDC WONDER on August 10, 2023 and represent data received as of August 6, 2023.

<https://www.cdc.gov/suicide/suicide-data-statistics.html>



U.S. BUREAU OF LABOR STATISTICS

Bureau of Labor Statistics > Economic News Release > Census of Fatal Occupational Injuries

Economic News Release

IIF PRINT:

Table 1. Fatal occupational injuries by selected demographic characteristics, 2018-22

Table 1. Fatal occupational injuries by selected demographic characteristics, 2018-22

Characteristic	2018	2019	2020	2021	2022
Total(1)	5,250	5,333	4,764	5,190	5,486
Employee status					
Wage and salary workers(2)	4,178	4,240	3,864	4,284	4,601
Self-employed(3)	1,072	1,093	900	906	885
Gender					
Women	413	437	387	448	445
Men	4,837	4,896	4,377	4,741	5,041
Age					
Under 16 years	13	17	14	7	6
16 to 17 years	9	17	12	17	13
18 to 19 years	56	50	66	85	77
20 to 24 years	282	325	260	289	323
25 to 34 years	946	866	833	882	962
35 to 44 years	966	967	898	977	1,058
45 to 54 years	1,114	1,082	954	1,087	1,111
55 to 64 years	1,104	1,212	1,051	1,140	1,175
65 years and over	759	793	676	702	761
Race or ethnic origin(4)					
White (non-Hispanic)	3,405	3,297	2,898	3,103	3,167
Black or African-American (non-Hispanic)	615	634	541	653	734
Hispanic or Latino	961	1,088	1,072	1,130	1,248
American Indian or Alaskan Native (non-Hispanic)	42	30	32	41	35
Asian (non-Hispanic)	153	181	150	178	169
Native Hawaiian or Pacific Islander (non-Hispanic)	10	14	8	18	9
Multiple races (non-Hispanic)	14	22	14	11	16
Other races or not reported (non-Hispanic)	50	67	49	56	108

1 The Census of Fatal Occupational Injuries (CFOI) has published data on fatal occupational injuries for the United States since 1992. During this time, the classification systems and definitions of many data elements have changed. See the CFOI Definitions page (www.bls.gov/iif/definitions/census-of-fatal-occupational-injuries-definitions.htm) for a more detailed description of each data element.

2 May include volunteers and workers receiving other types of compensation. Cases where employment status is unknown are included in the counts of wage and salary workers.

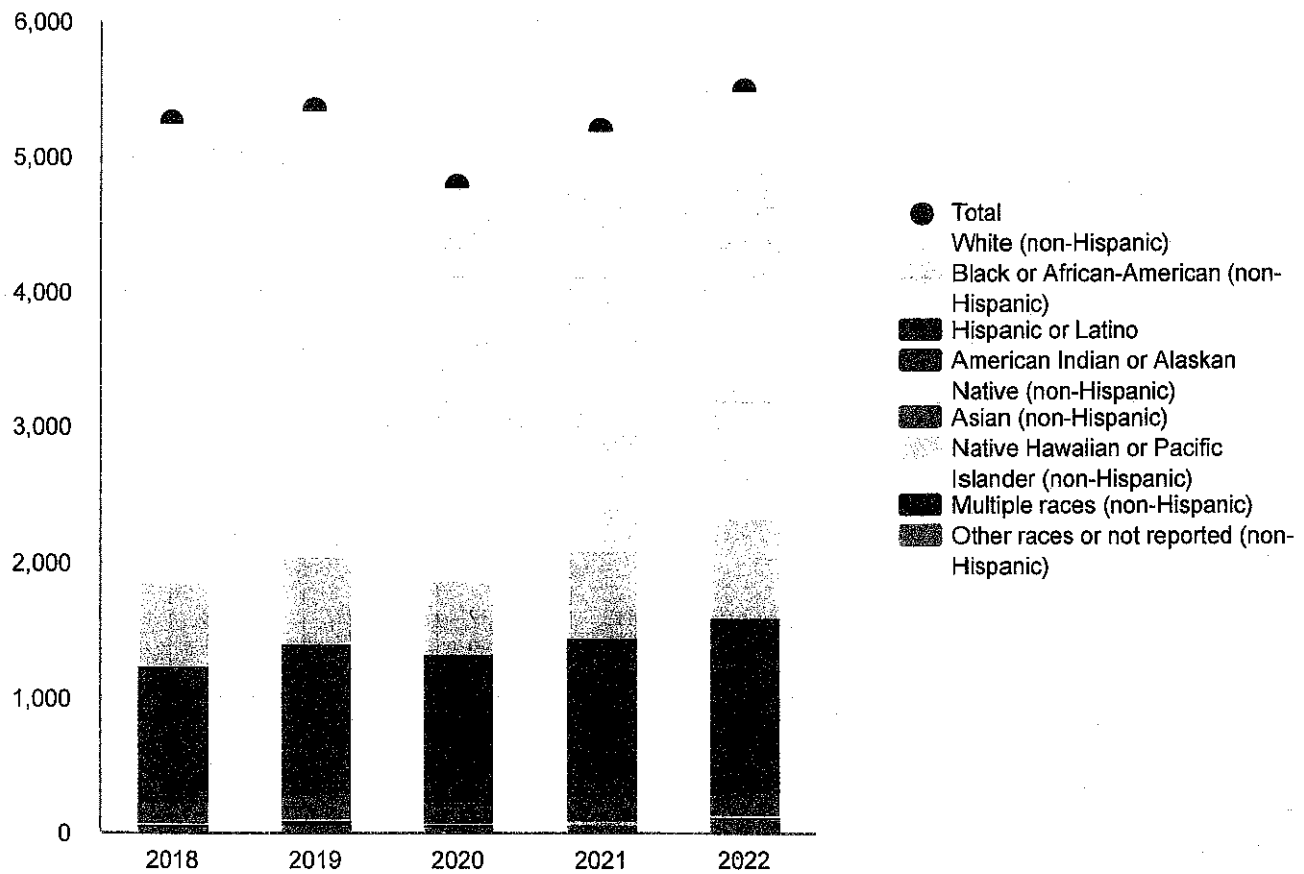
3 Includes self-employed workers, owners of unincorporated businesses and farms, paid and unpaid family workers, and may include some owners of incorporated businesses or members of partnerships.

4 Persons identified as Hispanic or Latino may be of any race. The race categories shown exclude data for Hispanics and Latinos. Cases where ethnicity is unknown are included in counts of non-Hispanic workers.

Note: Data for all years are revised and final. Totals for major categories may include subcategories not shown separately. Dashes indicate no data reported or data that do not meet publication criteria. N.e.c. means "not elsewhere classified." CFOI fatal injury counts exclude illness-related deaths unless precipitated by an injury event.

Source: U.S. Department of Labor, Bureau of Labor Statistics, in cooperation with state, New York City, District of Columbia, and federal agencies, Census of Fatal Occupational Injuries

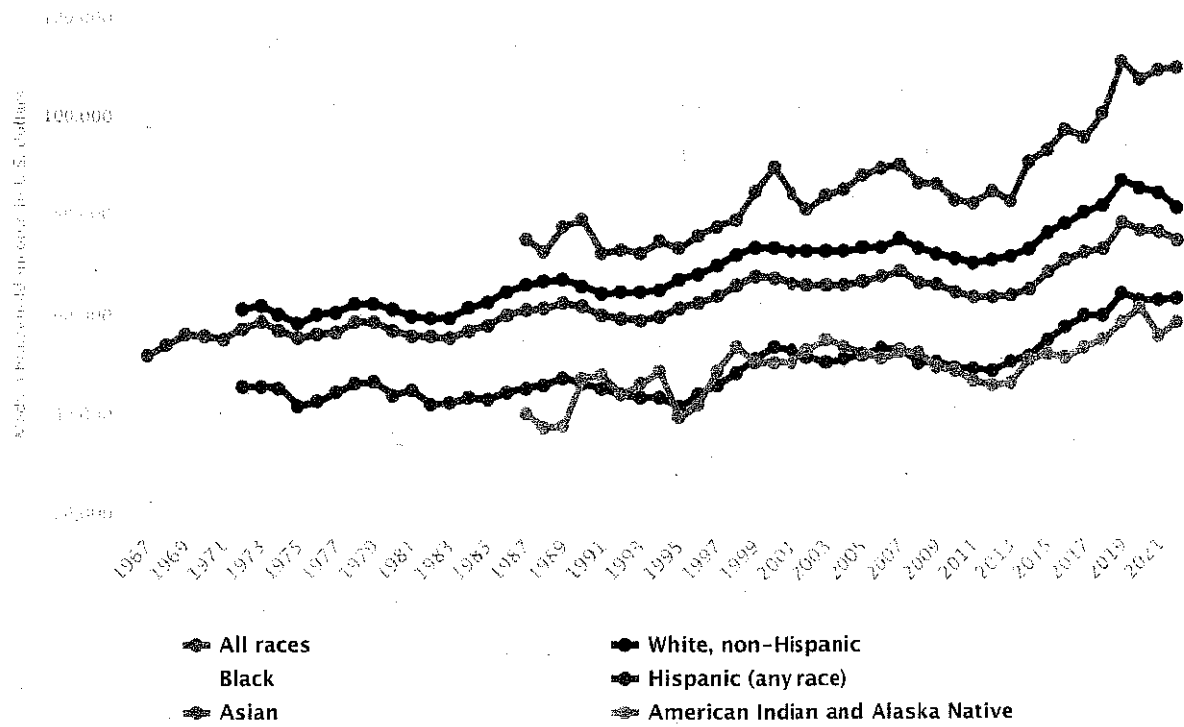
Number of fatal work injuries by race or ethnic origin



Hover over chart to view data. Click legend items to change data display.
Source: U.S. Bureau of Labor Statistics.



DOCUMENT D



Source: U.S. Bureau of Labor Statistics.

DOCUMENT E

Table A-1.

People in Poverty by Selected Characteristics: 2021 and 2022 Source: U.S. Census Bureau, Current Population Survey, 2022 and 2023 Annual Social and Economic Supplements (CPS ASEC). (Population in thousands. Margin of error in thousands or percentage points as appropriate. Population as of March of the following year. Information on confidentiality protection, sampling error, nonsampling error, and definitions is available at <<https://www2.census.gov/programs-surveys/cps/techdocs/cpsmar23.pdf>>)

Characteristic	2021					2022					2023		
	Total	Number	Margin of error	Percent	Margin of error	Total	Number	Margin of error	Percent	Margin of error	Number	Margin of error	Percent
PEOPLE													
Total	328,200	37,930	908	11.8	0.3	330,100	37,920	1,000	11.5	0.3	-10	-0.1	
Race² and Hispanic Origin													
White	248,900	24,920	650	10.0	0.3	248,800	25,050	788	10.5	0.3	*128	*0.5	
White, not Hispanic	194,300	16,810	528	8.1	0.3	193,200	16,690	612	8.6	0.3	*881	*0.5	
Black	43,980	8,583	476	18.5	1.1	44,520	7,826	382	17.1	0.9	*957	*2.4	
Asian	20,880	1,922	183	9.3	0.9	21,590	1,866	211	8.6	1.0	-56	-0.7	
American Indian and Alaska Native	4,109	998	161	24.3	3.2	3,983	995	181	25.0	3.5	-3	0.7	
Two or More Races	9,168	1,298	176	14.2	1.8	9,674	1,180	144	12.2	1.4	-118	-2.0	
Hispanic (any race)	62,460	10,690	469	17.1	0.8	63,800	10,780	491	16.9	0.8	86	-0.2	
Sex													
Male	161,800	17,020	478	10.5	0.3	163,100	17,100	513	10.5	0.3	85	Z	
Female	166,400	20,910	542	12.6	0.3	167,000	20,820	589	12.6	0.4	-95	-0.1	
Age													
Under 18 years	72,940	11,150	444	15.3	0.6	71,950	10,780	433	15.0	0.6	-365	-0.3	
18 to 64 years	193,100	20,980	516	10.5	0.3	200,200	21,240	624	10.6	0.3	260	0.1	
65 years and older	56,190	5,802	238	10.3	0.4	57,880	5,897	258	10.2	0.4	95	-0.1	
Nativity													
Native-born	281,400	31,080	820	11.0	0.3	281,300	31,000	868	11.0	0.3	-88	Z	
Foreign-born	46,810	6,850	344	14.6	0.7	48,740	6,928	371	14.2	0.7	78	-0.4	
Naturalized citizen	22,870	2,428	194	10.8	0.8	23,920	2,257	162	9.4	0.7	-172	*1.2	
Not a citizen	23,930	4,422	288	18.5	1.1	24,810	4,671	314	18.8	1.1	249	0.4	
Region													
Northeast	56,070	5,684	340	10.1	0.8	56,310	6,083	410	10.8	0.7	419	0.7	
Midwest	66,000	7,043	382	10.4	0.6	67,830	6,648	372	9.8	0.5	-395	-0.6	
South	126,200	16,630	657	13.2	0.5	128,000	16,830	644	13.2	0.5	194	Z	
West	77,930	8,592	348	11.0	0.4	77,970	8,364	422	10.7	0.5	-228	-0.3	
Residence³													
Inside metropolitan statistical areas	285,800	31,570	942	11.0	0.3	286,700	31,410	951	11.0	0.3	-159	-0.1	
Inside principal cities	104,800	14,960	652	14.3	0.5	103,900	14,620	653	14.1	0.6	-337	-0.2	
Outside principal cities	181,200	16,610	701	9.2	0.4	182,800	16,790	708	9.2	0.4	178	Z	
Outside metropolitan statistical areas	42,400	6,367	541	15.0	0.8	43,340	6,516	601	15.0	0.9	149	Z	
Work Experience													
Total, 18 to 64 years old	199,100	20,980	516	10.5	0.3	200,200	21,240	624	10.6	0.3	260	0.1	
All workers	153,000	7,189	266	4.7	0.2	155,100	7,401	307	4.8	0.2	212	0.1	
Worked full-time, year-round	110,700	2,045	129	1.8	0.1	114,500	2,192	144	1.9	0.1	148	0.1	
Less than full-time, year-round	42,290	5,144	210	12.2	0.5	40,580	5,209	241	12.8	0.5	65	0.7	
Did not work	46,050	13,790	371	30.0	0.7	45,150	13,840	472	30.7	0.9	47	0.7	
Disability Status⁴													
Total, 18 to 64 years old	199,100	20,980	516	10.5	0.3	200,200	21,240	624	10.6	0.3	260	0.1	
With a disability	16,040	3,993	205	24.9	1.1	16,660	3,801	205	24.0	1.1	-192	-0.9	
With no disability	162,100	16,920	484	9.3	0.3	183,500	17,370	543	9.5	0.3	449	0.2	
Educational Attainment													
Total, 25 years old and older	226,300	22,630	554	10.0	0.2	227,700	22,480	615	9.9	0.3	-155	-0.1	
No high school diploma	19,930	5,417	232	27.2	1.0	19,530	4,929	258	25.2	1.1	*488	*1.9	
High school, no college	64,470	8,518	307	13.2	0.5	64,110	8,519	359	13.3	0.5	1	0.1	
Some college	56,660	5,229	237	9.2	0.4	56,730	5,286	256	9.3	0.4	57	0.1	
Bachelor's degree or higher	85,220	3,467	198	4.1	0.2	87,310	3,742	186	4.3	0.2	*275	0.2	

* An asterisk preceding an estimate indicates change is statistically different from zero at the 90 percent confidence level.

Z: Rounds to zero.

¹ A margin of error (MOE) is a measure of an estimate's variability. The larger the MOE in relation to the size of the estimate, the less reliable the estimate. This number, when added to and subtracted from the estimate, forms the 90 percent confidence interval. MOEs shown in this table are based on standard errors calculated using replicate weights.

² Federal surveys give respondents the option of reporting more than one race. Therefore, two basic ways of defining a race group are possible. A group, such as Asian, may be defined as those who reported Asian and no other race (the race-alone or single-race concept) or as those who reported Asian regardless of whether they also reported another race (the race-alone-or-in-combination concept). This table shows estimates for the race-alone population and the Two or More Races population. The primary use of the single-race population does not imply that it is the preferred method of presenting or analyzing data. The Census Bureau presents data on race in a variety of ways. Estimates for Native Hawaiians and Other Pacific Islanders are not shown separately due to sample size.

³ Information on metropolitan statistical areas and principal cities is available at <www.census.gov/programs-surveys/metro-micro/about/glossary.html>.

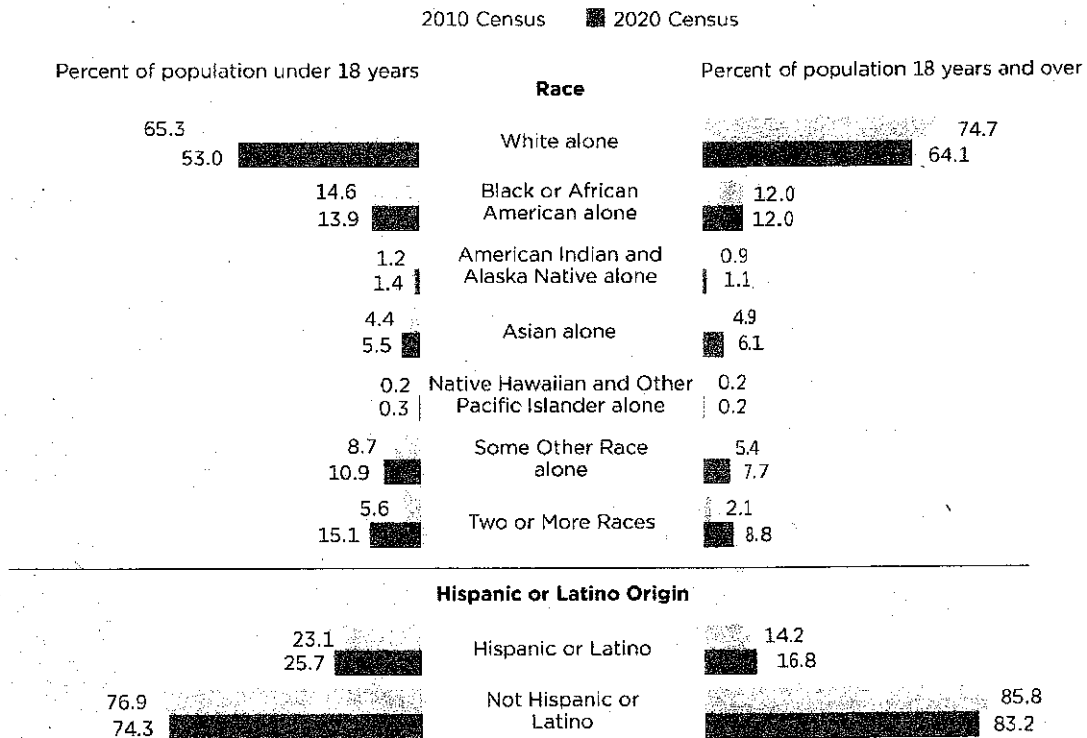
⁴ The sum of those with and without a disability does not equal the total because disability status is not defined for individuals in the U.S. armed forces.

Note: Details may not sum to totals because of rounding. Estimates may differ from previous publications due to additional rounding implemented to protect respondent privacy.

Source: U.S. Census Bureau, Current Population Survey, 2022 and 2023 Annual Social and Economic Supplements (CPS ASEC).

DOCUMENT F

Figure 5.
**Percentage Distribution of Race and Hispanic Origin by Age Group:
 2010 and 2020**



Note: Data users should use caution when comparing 2010 Census and 2020 Census race data because of improvements to the question design, data processing, and coding procedures for the 2020 Census. Information on confidentiality protection, nonsampling error, and definitions is available at <https://www2.census.gov/programs-surveys/decennial/2020/technical-documentation/complete-tech-docs/summary-file/>.

Source: U.S. Census Bureau, 2010 Census Redistricting Data (Public Law 94-171) Summary File; 2020 Census Redistricting Data (Public Law 94-171) Summary File.

UC Berkeley accused of segregation by allegedly banning whites from community farm

31 March 2024



A federal civil rights discrimination complaint has been filed against the U. of California at Berkeley for allegedly excluding whites and others who are not "Black, Indigenous, and People of Color" from a community farm it runs.

The University of California at Berkeley is under fire for allegedly banning white residents from using a community farm on Saturdays in a move one critic slammed as "systemic racism."

The university told The Post it is investigating claims that the "Gill Tract Community Farm" in nearby Albany offered its space on Saturday exclusively to "Black, Indigenous, and People of Color," after a complaint with the US Department of Education by the Mountain States Legal Foundation.

"UC-Berkeley thinks that racial segregation is progressive now, but it's no different than segregation of the past," said William Trachman, general counsel for the group. "Preventing Caucasians from accessing Berkeley's College of Natural Resources Farm on Saturdays is a clear

violation of Title VI, which bars educational institutions from engaging in or allowing race discrimination,” added Trachman, a UC-Berkeley alumnus himself.

He said the feds should open a sweeping audit of every UC-Berkeley program to ferret out what he claimed was “systemic racism.”

Launched in 2013, the farm is a partnership between UC-Berkeley and the surrounding neighborhoods. Students and faculty conduct urban farming research and grow crops to prepare healthy meals as part of the “food justice” movement, according to the farm’s website.

The complaint includes an email from a farm program manager telling someone, “Saturdays are exclusively BIPOC. Exceptions have only been made for events that are BIPOC-centered and with plenty of advance notice and planning.”

“I trust you stand in solidarity with upholding boundaries around that safe and sacred space,” the farm manager said.

A UC-Berkeley rep said it had not be aware of the discrimination complaint until contacted by The Post, which provided a copy of it.

“The anonymous texts attached to the complaint have no specific information about time or place. And, as you can see, the Gill Tract’s website and calendar make no mention whatsoever of any program or activity of the sort described in the complaint,” said UC-Berkeley spokesman Dan Mogulof.

“Having said that, the university takes complaints like this extremely seriously and I can assure you that on Monday I will contact the appropriate people on campus in an effort to determine what the facts are,” he said.

The challenge to alleged UC-Berkeley’s segregated farming practice comes after the US Supreme Court ruled last June that colleges’ race-conscious or “affirmative action” admissions policies were had to be scrapped.

More college race-conscious and “diversity, equity and inclusion” programs created to advance opportunities for black students and other minorities have come under legal scrutiny, amid complaints they amount to reverse discrimination.

Last week, a federal discrimination complaint was filed against a Minnesota college scholarship named after George Floyd that is only available to black students.

The complainant in that case, the of the Legal Insurrection Foundation, has also filed claims of discrimination against other race-based exclusionary or preference programs, including against the SUNY Buffalo Law School and Medical School.

https://uk.style.yahoo.com/uc-berkeley-accused-segregation-alle...yq1qvR05qUklytsxGxm3gim3E-TnTXqEDs_06r3oGZP4xmDGGbrcjLZGPCC1v8O

Ex-Sweet Baby Inc. Employee And Current EA's 'Marvel's Black Panther' Narrative Designer Seen Proudly Bragging That Previous Title 'ValiDate' Had "No White People" On DevTeam

Spencer Baculi Mar 12, 2024



Cliffhanger Games' Dani Lalonders recounts her time working on Validate: Struggling Singles in Your Area during the Game Devs of Color Expo 2021

Remember, kids: Blatant and open discrimination based on skin color is a- okay so long as you do it under the auspices of 'being progressive'.

"*ValiDate* presents a smorgasbord of relationships to bear witness to," reads the game's official synopsis, "but the dating scene is difficult even when you aren't marginalized in six different ways, so happiness continues to fly just out of reach for these unlucky lovers." Given the game's subject matter, it may come as no surprise to learn that it's 21-member dev team apparently featured zero white individuals. However, what is eye-brow raising is the fact that this was not a merit-based-hiring coincidence nor the result of white individuals choosing not to apply for the dev team, but rather Lalonders' specific instruction to not hire them at all.

Speaking in reflection of *Validate*'s development while hosting a talk titled "One Year in the Industry" at the 2021 Game Devs of Color Expo, Lalonders admitted that the visual novel "has a team of mostly – all – people of color. We have no white people on our team. I did that because I

wanted to create a safe environment and I know the best way for an environment to be safe is to be around people who are just like me.”

“And I’m not saying that white people in the industry are creating unsafe environments,” she continued. “I’m not saying that, that’s not what I’m saying. I’m saying that sometimes it is hard to work with white people because they think that something may be okay, but it was really a microaggression, and no one wants to deal with that when they’re trying to make a game that they love.”

Of course, this is not to say that LaLonders has since changed her blatantly racist opinions. In response to the the ongoing discourse surrounding Sweet Baby Inc. – who she previously worked for between 2022-2023 – the dev asserted towards the consultation company’s critics, “I just stopped taking y’all seriously when y’all start running around saying white people can experience racism because I did not suffer through 2020 for y’all to act like you weren’t an #ally to#BLM4yearsater”.

As noted above, Lalonders is currently employed as an Associate Narrative Designer for Cliffhanger Games, the same dev studio currently hard at work on EA’s *Marvel’s Black Panther* title. To this end, given that the game is still in early development, just how much of a hand Lalonders will have in its overall narrative remains to be seen.

<https://boundingintocomics.com/2024/03/12/ex-sweet-baby-inc-employee...gging-that-previous-title-validate-had-no-white-people-on-dev-team/>

Federal lawsuit filed claiming UW- Eau Claire employee was demoted from DEI position because she is white

Rochelle Hoffman alleges chancellor and UW Board of Regents subjected her to 'racially hostile and abusive work environment'

Rich Kremer December 18, 2023

An employee of the University of Wisconsin-Eau Claire has filed a federal lawsuit claiming she faced racial discrimination and was demoted from a diversity, equity and inclusion leadership position because she is white.

The suit follows earlier complaints the woman made with the university and the state alleging she was facing discrimination on the job. Rochelle Hoffman, now UW-Eau Claire's senior academic advising coordinator, alleges she faced intense opposition for months in 2022 after being named interim director of the campus's Multicultural Student Services office.

The Universities of Wisconsin Board of Regents, UW-Eau Claire Chancellor Jim Schmidt, and Assistant Chancellor for Equity, Diversity, and Inclusion Teresa O'Halloran are named in the federal suit.

"Despite Hoffman's exceptional qualifications, however, students, faculty and staff opposed her appointment to Interim Director of MSS solely because she was white," the suit claims. "It was exclusively Hoffman's identity as white that was the issue; criticism was about her race and color, not her qualifications."

The lawsuit states that Hoffman worked for the campus's Blugold Beginnings office for six years before the promotion. The office served students described as underrepresented, low-income and first-generation college students. After the promotion, the suit alleges the school's former Vice Chancellor for Equity, Diversity and Inclusion and Student Affairs Olga Diaz was told by students that they didn't want a white woman overseeing spaces intended to serve students of color.

"The affinity model that had been in use at the University of Wisconsin-Eau Claire was premised on the idea that for a student to be well served, they needed to be assigned a coordinator of the same ethnic background and that a white person could not adequately support a student of color," the lawsuit claims.

Hoffman's suit claims comments and concerns from some faculty about the "optics" of a white woman replacing former DEI leaders who were Asian and Black created a hostile work environment that led to Hoffman being told she had to move into her current role. It also alleges she was stripped from a teaching role and faced retaliation after filing a complaint with the university.

Hoffman referred a WPR request for comment to her attorneys with Fox and Fox S. C. in Monona. They were unavailable for comment Friday. A spokesperson for UW-Eau Claire told WPR Schmidt and O'Halloran were unavailable as well and said the university would not comment on pending litigation. A spokesperson for the Universities of Wisconsin administration office did not respond to a request for comment.

This isn't Hoffman's first complaint alleging racial discrimination at UW-Eau Claire. In November 2022, she filed a complaint with the State of Wisconsin Equal Rights Division within the Department of Workforce Development after third-party investigators with the UW System disagreed with her claims.

Investigators said Hoffman's claim of being demoted from her interim position was unfounded. They said "Diaz never initiated nor requested" her title change to interim director of Multicultural Student Services through campus human resources, "which would have needed additional approvals beyond Diaz to take place."

Investigators also claimed none of Hoffman's examples of student and faculty opposition to her appointment "provide evidence of a pattern of discrimination."

Hoffman also pleaded her case to State Senator Patrick Testin, R-Stevens Point, according to an email obtained through a WPR open records request regarding DEI funding and the state's universities. Hoffman told Testin she's not happy the situation happened to her, but wrote, "I think it is important for good educators to bring light to some of the blatant actions of racial discrimination against white folks that are happening at UW Universities — and contributing to the current hostile environment around the UW System."

"This experience dragged out over 10 months and irrevocably damaged my career," Hoffman wrote. "On a regular basis there are great educators that are told they shouldn't occupy multicultural space, to check their white privilege, passed over for jobs for an outside candidate of color, and reminded they are 'inherently racist' because they are white."

She ended by telling the senator the "UW System is on a concerning trajectory that needs to be corrected."

Hoffman's correspondence was forwarded to Assembly Speaker Robin Vos, R-Rochester, in May. The next month, Vos told attendees of the Republican Party of Wisconsin's state convention that DEI stands for "division, exclusion and indoctrination" and that it's "the single most important issue that we are facing as a people, as a nation, and really, humanity."

In September, Vos announced he would block pre-approved raises for around 34,000 UW employees until administrators eliminate DEI programs and staff. The speaker followed through on Oct. 17 when the Legislature's Joint Committee on Employee Relations, which Vos co-chairs, approved raises for some state employees but refused to take up those for UW workers.

Vos' blockade of raises that were included in the state budget passed by Republican and Democratic lawmakers in June ultimately led to the UW Board of Regents accepting an offer

from the speaker to place new limits on DEI staff positions and programs in exchange for \$800 million in state funds for UW raises and campus building projects.

Editor's note: WPR staff are employees of UW-Madison.

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Source: <https://www.wpr.org/education/federal-lawsuit-uw-eau-claire-demoted-dei-position-white>

Aviva CEO Amanda Blanc announces that white male new hires must be personally signed off by herself, as part of the firm's aims to improve diversity | Fortune Europe

As businesses push forward on hitting diversity goals, a major insurance company in the U.K. is telling its 22,000 strong workforce that senior white male new hires must be personally approved by none other than the CEO.

Aviva's boss Amanda Blanc said the policy forms part of the company's efforts to stamp out sexism in the financial services industry.

Speaking at the Sexism in the City inquiry, Blanc, who became the blue-chip company's first female chief executive in 2020, told a parliamentary committee that there was "no non-diverse hire at Aviva without it being signed off by me and the chief people officer."

"Not because I don't trust my team but [because] I want to make sure that the process followed for that recruitment has been diverse, has been properly done, and is not just a phone call to a mate saying, 'Would you like a job? Pop up and we'll fix it up for you,'" she said according to multiple outlets.

It is understood that Blanc's comments apply only to senior hires at Aviva, who make up around 5% of the firm's overall roles. Currently, 60% of the group are men.

"The scope of the charter is to get more women into senior management roles," Blanc explained the reasoning for the measure. "My belief is if you have more women in senior management roles, this behavior will go away."

"We will always hire the best person for the job and ensure that Aviva has a diverse workforce that reflects the customers we serve," an Aviva spokesperson told *Fortune*.

Sexism in the City

Blanc was speaking at a hearing into whether sexism in the City (the British equivalent of Wall Street) had improved since 2018, when the last investigation was launched in the aftermath of an influx of sexual misconduct accusations.

For example, the nearly 350-year-old insurance market, Lloyd's of London— where women were allowed onto its floor only from 1973 onward—was forced into making changes in early 2019, when a report revealed that many women endured a toxic culture of harassment.

But despite an increased push to kill misogyny in the workplace, the situation still appears to be dire. Blanc told MPs on the Treasury Select Committee that harassment in financial services is still worse than in any other industry.

The 56-year-old Aviva chief revealed that women had written to her ahead of the hearing and described their “absolutely appalling” experiences of harassment, including unwanted sexual advances, being followed into hotel rooms, and being told their pregnancies were “inconvenient” by their employer.

“Every individual firm has to be accountable for any allegations such as this,” Blanc told elected government officials. “And the women in the firm have to know that there is a process for speaking up; that that process will be acted on; that everything will be investigated; and that the person who did the bad leaves the organization, not the women.

“And we have had experiences like that at Aviva, where the woman has stayed and the man has gone,” she added.

Member of Parliament Dame Angela Eagle echoed that she had been shocked by the hearing’s evidence, which included examples of sexual assault and bullying, and anecdotes involving a “series of well-known bad apples that nobody ever does anything about.”

MPs added that they were “alarmed” by the accounts which, overall, suggested there had been “no improvement whatsoever” over the past 20 years.

Blanc, the “Champion” of a government Women in Finance Charter initiative that pushes for equal gender representation in finance, said that the percentage of woman who faced verbal and physical abuse in finance firms surveyed last year was 10 percentage points higher than in other industries.

Just last year, Blanc herself faced sexist abuse at the FTSE 100 company’s annual general meeting, when an investor said she was “not the man for the job” and another asked whether she should be “wearing trousers.”

“Perpetrators of predatory behavior needed to leave the business,” she concluded.

But the policy has angered some men

“Quotas are outrageous; they’re discrimination,” British politician Jacob Rees-Mogg said on the broadcast channel *GB News* in the aftermath of Aviva’s policy news. “We cannot manufacture equal outcomes via tokenism, but rather achieve true equality by treating people as individuals. Aviva and its chief executive Amanda Blanc ought to know this.”

Rees-Mogg then advised white male consumers to stop buying Aviva’s products: “If you’re a white male and you’ve got an insurance with Aviva, they don’t like you, they don’t want you. The chief executive doesn’t approve of you, so why buy your insurance product from a company that is hostile?”

“This is extreme wokery,” one City bank chief told the *Telegraph*. “It is ridiculous,” another veteran investment boss agreed. “White is a broad reference. There’s social background [which should also be considered].”

While Blanc's policy may have been interpreted by some as hostility toward white men, nearly 60% of Aviva's senior appointments in the last year have been male.

Still, many men fear that they are facing a glass ceiling—whether or not that's the reality. Research has shown that the mere mention of pro-diversity values is enough to instill career concerns among white male job seekers.

One study, conducted by the University of California and the University of Washington, concluded that “members of high-status groups may perceive pro-diversity messages from organizations as threatening to their group's status,” adding that “young white men interviewing for a pro-diversity company displayed a cardiovascular profile characteristic of threat.”

The findings concluded that although well-meaning, diversity policies can backfire and create a resentful and divided workforce.

Source: https://fortune.com/europe/2023/12/15/aviva-insurance-ceo-amanda-...m&xid=soc_socialflow_twitter_FORTUNE&utm_campaign=fortunemagazine

OPRF to implement race-based grading system in 2022-23 school year

LGIS News Service



Oak Park and River Forest High School administrators will require teachers next school year to adjust their classroom grading scales to account for the skin color or ethnicity of its students.

School board members discussed the plan called “Transformative Education Professional Development & Grading” at a meeting on May 26, presented by Assistant Superintendent for Student Learning Laurie Fiorenza.

In an effort to equalize test scores among racial groups, OPRF will order its teachers to exclude from their grading assessments variables it says disproportionately hurt the grades of black students. They can no longer be docked for missing class, misbehaving in school or failing to turn in their assignments, according to the plan.

“Traditional grading practices perpetuate inequities and intensify the opportunity gap,” reads a slide in the PowerPoint deck outlining its rationale and goals.

It calls for what OPRF leaders describe as “competency-based grading, eliminating zeros from the grade book...encouraging and rewarding growth over time.”

Teachers are being instructed how to measure student “growth” while keeping the school leaders’ political ideology in mind.

"Teachers and administrators at OPRFHS will continue the process necessary to make grading improvements that reflect our core beliefs," the plan states, promising to "consistently integrate equitable assessment and grading practices into all academic and elective courses" by fall 2023.

According to the Illinois State Board of Education, 38 percent of OPRF sophomore students taking the Scholastic Aptitude Test (SAT) failed.

The OPRF failure rate was 77 percent for black students, 49 percent for Hispanics, 27 percent for Asians and 25 percent for whites.

"Signal and reinforce districts' DEI values"

Advocates for so-called "equity based" grading practices, which seek to raise the grade point averages of black students and lower scores of higher-achieving Asian, white and Hispanic ones, say new grading criteria are necessary to further school districts' mission of DEI, or "Diversity, Equity, Inclusion and Justice."

"By training teachers to remove the non-academic factors from their grading practices and recognize when personal biases manifest, districts can proactively signal a clear commitment toward DEI," said Margaret Sullivan, associate director at the Education Advisory Board, which sells consulting services to colleges and universities.

Sullivan calls grading based on traditional classroom testing and homework performance "outdated practices" and foster "unconscious biases."

"Teachers may unintentionally let non-academic factors—like student behavior or whether a student showed up to virtual class—interfere with their final evaluation of students," she said. "Traditional student grades include non-academic criteria that do not reflect student learning gains—including participation and on-time homework submission."

School districts across the U.S. are "experimenting with getting rid of zero- to-100 point scales and other strategies to keep missed assignments from dramatically bringing down overall grades," according to a March Associated Press report. "Others are allowing students to retake tests and turn work in late. Also coming under scrutiny are extra-credit assignments that can favor students with more advantages."

The report interviewed science teacher Brad Beadell of Santa Clara, Calif., who said he has "stopped giving zeros and deducting points for late work" as well as allowing students "unlimited retakes for quizzes and tests."

Fiorenza called for a switch to race-based grading last August, after issuing a report chronicling a spike in "F" grades by OPRF students in the 2020-21 school year.

"OPRF's administration will adopt language that makes and keeps the system visible and continues to name racism as a complex interconnected structure," she wrote. "We must recognize the unique challenges faced during the pandemic intensify the need for a systemic approach to

confronting the racial and socioeconomic discrepancies often experienced by our underrepresented student population."

Last year, West Cook News reported on an adjusted grade point average scale implemented by OPRF teacher Fiona Hill. It lowered the score for an "F" to 19 percent.

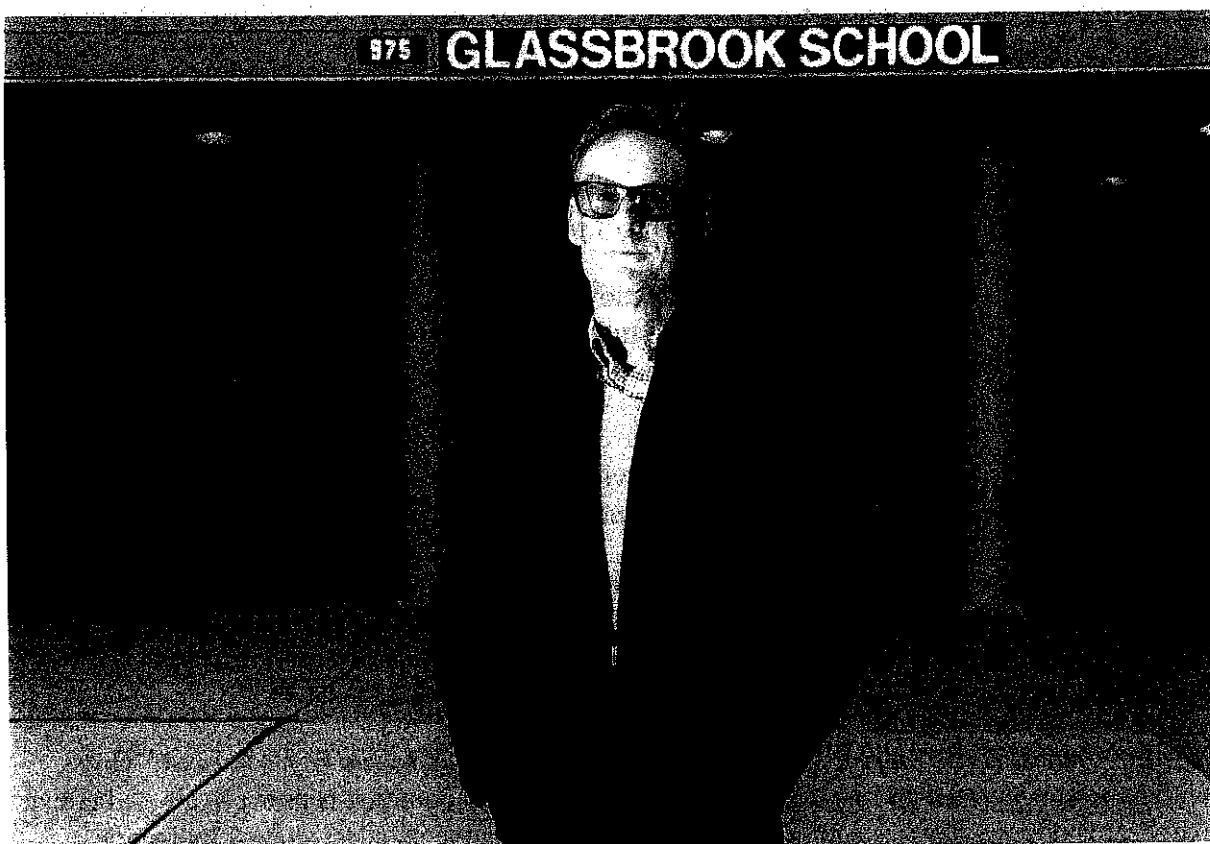
Source: <https://westcooknews.com/stories/626581140-oprf-to-implement-race-based-grading-system-in-2022-23-school-year>

Woke Kindergarten's contract in East Bay school terminated after national backlash

Jill Tucker

Tiger Craven-Neeley, shown outside Glassbrook Elementary School in Hayward on Jan. 31, was placed on paid administrative leave after a divisive staff meeting.

Benjamin Fanjoy/The Chronicle



The anti-racist consulting firm Woke Kindergarten will no longer train teachers at an East Bay elementary school, the three-year, \$250,000 contract terminated Monday after a national backlash over the provocative content as well as the questionable use of federal funding.

Hayward Unified officials said “the controversy was becoming a distraction,” with threatening and racist phone calls and emails to Glassbrook Elementary and the district office. District officials emphasized that while terminating the contract, they were “not repudiating any of the training related to the organization.”

Officials also placed on leave a teacher who criticized the program, without explaining their reasoning other than to cite “allegations of unprofessional conduct.” And a school board member

is facing a formal investigation as well as public outrage over offensive comments he made to a staff member related to the district's contract with Woke Kindergarten.

The furor came after the Chronicle published a story earlier this month about the school's contract with the for-profit Woke Kindergarten, which trains teachers to confront white supremacy, disrupt racism and oppression, and remove those barriers to learning.

Officials also cited concerns over publicly posted videos from the Woke Kindergarten founder, Akiea "Ki" Gross, which included anti-Israel and anti- United States messages.

"Although we respect freedom of speech and the right for individuals to hold a variety of political views, the social media and other public statements of the vendor do not align with the values of the district and those of many of our community members," said district spokesman Michael Bazeley.

Efforts to reach Gross, who identifies as they/them, were not successful.

District officials defended the program, which was paid for through a federal grant meant to help the country's lowest-performing schools, saying it improved student outcomes as intended.

Yet Glassbrook's test scores plummeted to new lows last spring — two years into the Woke Kindergarten training, with fewer than 8% of students proficient in English and just under 4% proficient in math. Two-thirds of the students are English learners and more than 80% are Hispanic/Latino.

Superintendent Jason Reimann also cited improved attendance among the school's 474 students, but a similar improvement in attendance was seen districtwide.

District officials continued to support the training teachers had received despite terminating the contract, while also saying Gross's controversial social media posts were a consideration.

In a recent post, Gross posted that they are "100%, ten toes down anti- Israel."

"I believe Israel has no right to exist. I believe the United States has no rights to exist," Gross said in the video posted on Instagram, a previously public account that is now private. "I believe every settler colony that has committed genocide against native peoples, against Indigenous people has no right to exist.

"Is this news to anybody?" they continued. "Y'all are the demons. Y'all are the villains. We've been trying to end y'all. Get free of y'all."

It was unclear whether Gross was referring to the Chronicle's stories about the program.

The curriculum also included words of the day, including protest and cease- fire, with Gross describing them as the "language of the resistance ... to introduce children to liberatory vocabulary in a way that they can easily digest, understand and most importantly, use in their critiques of the system."

It was unclear Tuesday how much of the \$250,000 the for-profit company had been paid for its services, although Bazeley said the work was "substantially complete."

The decision to bring in Woke Kindergarten, rather than a more traditional literacy or math improvement program, aligns with the belief by some parents and educators that the current education system isn't working for many disadvantaged children.

The solution, these advocates say, is for educators to confront legacies of racism and bias in schools, and to talk about historic white supremacy, so that students feel safe and supported.

Glassbrook teacher Tiger Craven-Neeley said that while he supports discussing racism in the classroom, he was told the primary objective of the program was to "disrupt whiteness" in the school — and that the sessions were "not a place to express white guilt." He said he questioned a trainer who used the phrasing "so-called United States," as well as lessons available on the organization's web site offering "Lil' Comrade Convos," or positing a world without police, money or landlords.

Following a divisive staff meeting, he was placed on paid administrative leave Thursday. As of Tuesday, he still had no information on specifics and remained on leave. District officials stood by the organization's curriculum.

"The personal political and social views are separate from the work Woke Kindergarten did with us," Bazeley said. "Anti-bias/anti-racist teaching, restorative practices, multilanguage learning, literacy and mathematics will remain a focus for Glassbrook, building on the work that school has undertaken over the past several years."

Source: <https://www.sfchronicle.com/bayarea/article/woke-kindergarten-bay-area-schools-crt-contract-18665081.php>

Robinson+Cole

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April 12, 2024

Anthony Salvatore
Town Manager
Town Council, Town of Cromwell
41 West Street
Cromwell, Connecticut 06416

Re: AVA Realty Tax Abatement Extension Request (76 Berlin Road); Assessors Office
Memorandum dated April 5, 2024 from Shawna Baron, Cromwell Tax Assessor (the "Memo")

Dear Mr. Salvatore and Members of the Cromwell Town Council:

I represent AVA Realty and this is AVA's response to the Memo referenced above. Please be advised of the following inaccuracies:

- 1) First sentence states that when the tax abatement was initially granted, the Town could "only grant a 7-year abatement". Not so, the underlying law (Connecticut General Statute Section 12-65b) was revised in 2015 to permit 10 year abatement so the Town could've approved this request in 2020.
- 2) The Assessor's Memo chart of "AVA Realty Proposed Abatement" erroneously has AVA asking for "50% for years 5-8 and 30% in years 9 and 10." We'd be happy to have this, but what AVA actually requested is less and noted below, so Assessor calculations are not accurate. Here is what is existing and what is being proposed:

Existing Abatement:		Proposed Abatement:	
7 Year		10 Year	
<u>Years</u>	<u>%age</u>	<u>Years</u>	<u>%age</u>
1-2	100%	1-2	100%
3-4	75%	3-4	75%
5-6	50%	5-7	50%
7	25%	8-10	25%

- 3) Second sentence states the "first year of their abatement was 2020". Under Section 2. of the Business Incentive Agreement, the abatement was to commence "*one year from the date that a certificate of occupancy*" is issued. CO issued here in September, 2020, so the first exemption should've been on October, 2021 list and would've continued to 2027 list and 2028 taxes.

Inexplicably, it was commenced a year early, on the October, 2020 list by the Assessor, so the current end date is 2027.

4) It's not a given that if AVA Realty 3-year extension is approved then Scannell Properties would be entitled to same. It's comparing apples to oranges because the Scannell abatement term and amount (several years at 100%) is in no way comparable to AVA Realty schedule. If the Town wanted to conform AVA Realty Abatement to match Scannell's, AVA would be interested in that in lieu of what it is asking for but presumably the Scannell agreement is based on different factors and would not be applicable to AVA and so the converse should apply.

5) There are provisions in the Business Incentive Agreement that should either be corrected to reflect this Council's intent, or alternately enforced as written.

a) Section 2. of that Agreement provides the Town agrees to fix the "assessed value of the Improvements *at One Dollar* (\$1.00) for a period of seven (7) years", which means the tax abatement on the Improvements should equal 100% for all 7 years. We don't think this was Council's intent but if it was, AVA's current tax bills should be revised to reflect 100% for this year and all ensuing years through the existing term.

b) Section 2 of that Agreement expressly excludes "the value of all personal property located on the Property". "Property" is defined as "hotel and related improvements on Parcel 11700100." The parcel reference is the real property. Nowhere in the agreement is the value of all "real property" excluded from the abatement. As CGSA Section 12-65b applies to both improvements and real property, as written, the Agreement is applicable to real property and improvements. We don't think this was Council's intent but if it was, AVA real property tax bills should be revised to include exemption for real property.

6) To say there is "no benefit to granting this request" is not accurate. This would be correcting what could/should've been done in 2020 and sets an express example for developers that the Town will do all that it can to foster commercial investment. The Economic Development Commission and Mr. Popper approved this request so it is clearly beneficial to the Town from an economic development perspective.

I will be at the meeting on Monday night with my client and will be happy to discuss this further, then. Thank you for your consideration of the points noted above.

Very truly yours,



Candace M. Cunningham

Copy to: AJ Patel
Umesh Vaidya
Stuart Popper
Shawna M. Baron

BUSINESS DEVELOPMENT INCENTIVE AGREEMENT

AGREEMENT entered into as of the 13th day of Aug, 2020, by and between AVA Realty Cromwell LLP, a Connecticut limited liability partnership ("AVA Realty Cromwell LLP") (hereinafter referred to as the "Applicant"), having an office and principal place of business at 76 Berlin Road Cromwell, Connecticut 06416 and the Town of Cromwell, County of Middlesex and State of Connecticut, acting herein by Anthony Salvatore its Town Manager, hereunto duly authorized (hereinafter referred to as the "Town").

WITNESSETH:

WHEREAS, Applicant desires to locate a new hotel and related improvements on certain real estate to be owned by AVA Realty Cromwell LLP at 76 Berlin Road within the confines of the Town of Cromwell;

WHEREAS, the Town desires that AVA Realty Cromwell LLP locate its new hotel and related improvements within the Town of Cromwell;

NOW THEREFORE, in consideration of the mutual promises contained herein, the parties hereto agree as follows:

1. AVA Realty Cromwell LLP will construct a 123-room hotel and related improvements (collectively, the "Improvements") on Parcel 11700100 (the "Property"). As shown on a plan titled, "Springhill Suites Marriott Site Plan Modification (#18-55) 76 Berlin Road Cromwell, Dated 8/2/18 Revised 2/28/19 Sheet 1 of 9 through Sheets 1 of 9. Prepared by This new construction of the Improvements will include but is not limited to a 125-room hotel and related improvements the approximate cost of which is set forth on Schedule 1, attached hereto and incorporated herein (the "Investment Amount").
2. Pursuant to Connecticut General Statutes Section 12-65b, the Town of Cromwell agrees to fix the assessed value of the Improvements at One Dollar (\$1.00) for a period of seven (7) years (the "Incentive") beginning one (1) year from the date that a certificate of occupancy is issued for the completed Improvements. The Tax abatement will be 100% during years one (1) and two (2), 75% years three (3) and four (4), and 50% for years five (5) and six (6) and 25% for year seven (7). If the actual Investment Amount to construct the described Improvements to the Property by Applicant falls below the Investment Amount stated in Schedule 1, the Investment Amount for the Improvements being an estimate, then upon the completion of construction of the Improvements the parties shall enter into an amendment to this Agreement establishing in good faith the final term and amount of the Incentive pro-rated in relation to the actual investment made and the resulting fair market value of the Property. The value of all personal property located on the Property is expressly excluded from this Agreement.
3. Should Applicant substantially fail to complete the Improvements and incur the Investment Amount pursuant to this Agreement, the parties agree that the assessed value of any improvements made and the Property will revert to the fair market value of any improvements made and the

AD



Property as of the date of the issuance of the certificate of occupancy, as determined by the Tax Assessor for the Town of Cromwell, and the Applicant shall immediately pay to the Town of Cromwell all real estate taxes and accrued interest which would have been payable if the assessment had not been fixed pursuant to this Agreement.

4. Applicant agrees to pay all taxes due, if any, to the Town of Cromwell upon the due date and understands that failure to comply with this obligation will result in termination of this Agreement and the full amount of any taxes based upon full market value of any improvements made and the Property, including accrued interest, shall immediately become due and payable.

5. The Town of Cromwell agrees that tax appeal rights are not affected by this Agreement.

6. The Town of Cromwell represents that that the making and performance of this Agreement by the Town does not violate any provision of the municipal charter, ordinances or bylaws of the Town of Cromwell and does not violate any governmental restrictions binding upon the Town of Cromwell; and that this Agreement has been entered into by the Town of Cromwell pursuant to its authority as a Connecticut municipal corporation and constitutes a legal, valid, and binding obligation of the Town of Cromwell.

7. The covenants and agreements herein contained shall be assignable and inure to the benefit of and be binding upon the parties hereto and on their respective successors and assigns. Any person or entity succeeding to the interest of a party shall succeed to all of such party's rights, interest and obligations hereunder, subject to all the terms of this Agreement.

8. This Agreement represents the entire and complete understanding of the parties with respect to the subject matter hereof and there are no promises, agreements, conditions, understandings, warranties or representations, oral or written, express or implied, between them other than as set forth herein.

9. This Agreement shall be modified by a written instrument signed by all parties hereto after the completion of construction of the Improvements to confirm the precise tax-fixing dates, times and amounts. This Agreement otherwise may not be modified unless in writing executed by all parties.

[SIGNATURES ON FOLLOWING PAGE]



IN WITNESS WHEREOF, the parties hereto have executed this BUSINESS DEVELOPMENT INCENTIVE AGREEMENT and affixed their seal hereto, as of the day and year first mentioned above.

Applicant
AVA Realty Cromwell LLP

BY 
Ajesh Patel General Partner


WITNESSED

BY 

TOWN OF CROMWELL

BY 
TOWN MANAGER

WITNESSED

BY 

SCHEDULE I

Budget for Improvements
Construction cost:

Land cost - \$950,000.00

Building costs - \$5,600,000.00

 
4