



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

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SIMSBURY BOARD OF SELECTMEN
Regular Meeting – April 6, 2022 – 6:00 p.m.
Main Meeting Room, Simsbury Town Hall

PLEDGE OF ALLEGIANCE

PUBLIC AUDIENCE

- Participants can address the Board of Selectmen in person at the meeting-
- Email townmanager@simsbury-ct.gov by noon on Wednesday, April 6, 2022 to register to address the Board of Selectmen live through Zoom
- Written comments can be emailed to townmanager@simsbury-ct.gov. Written comments will not be read into the record, but forwarded to all Selectmen via email

PRESENTATION

- a) Proclamation – Autism Awareness Month
- b) Owens Brook Open Space Project

FIRST SELECTMAN'S REPORT

TOWN MANAGER'S REPORT

SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS

- a) Personnel
- b) Finance
- c) Public Safety
- d) Board of Education

SELECTMEN ACTION

- a) Tax Refund Requests
- b) Supplemental Appropriation – Public Works Equipment Purchase
- c) Ground License – Meadowood Barns
- d) Ground License – Meadowood
- e) Ground License – Barndoor Hills Parcel B

APPOINTMENTS AND RESIGNATIONS

- a) Proposed Appointment to the Open Space Committee and Reappointment to the Housing Authority

REVIEW OF MINUTES

- a) Regular Meeting of March 12, 2022
- b) Regular Meeting of March 28, 2022

COMMUNICATIONS

- a) Memo from M. Capriola re: Administrative Approvals of Public Gathering Permits, dated March 25, 2022
- b) Memo from M. Capriola re: Administrative Approval of Public Gathering Permit, dated March 28, 2022

EXECUTIVE SESSION

- a) Pursuant to CGS §1-200(6)(B) Concerning Pending Claims Litigation – MK Simsbury Group, LLC, et al. v. Town of Simsbury (Assessment Appeal)

SELECTMEN ACTION

- f) Stipulated Agreement for MK Simsbury Group, LLC, et al. v. Town of Simsbury

ADJOURN



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Autism Awareness Month Proclamation
2. **Date of Board Meeting:** April 6, 2022
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Wendy Mackstutis, First Selectman
Maria E. Capriola
4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen wish to issue a proclamation in support of Autism Awareness Month, the following motion is in order:

Move, effective April 6, 2022, to authorize First Selectman Wendy Mackstutis to issue a Proclamation in support of Autism Awareness Month.
5. **Summary of Submission:**
The National Autism Awareness Month is April. This proclamation is to show Simsbury's support to the Autism community and #CelebrateDifferences that make us all a unique part of our wonderful Town.

If anyone would like to learn more, please go to www.autismawarenessmonth.org.
6. **Financial Impact:**
None
7. **Description of Documents Included with Submission:**
 - a) Proclamation in Support of Autism Awareness Month

**PROCLAMATION
AUTISM AWARENESS**

WHEREAS, autism, is a developmental disability and public health crisis in the United States, affecting millions of people, that demands a national response and an increase in knowledge of the programs that have been and are being developed to support individuals with autism and their families; and

WHEREAS, autism is the result of a neurological disorder that affects the normal functioning of the human brain, and can affect anyone, regardless of race, ethnicity, gender, or socioeconomic background; and

WHEREAS, symptoms and characteristics of autism may present themselves in a variety of combinations and can result in significant lifelong impairment of an individual's ability to learn, develop healthy interactive behaviors, and understand verbal as well as nonverbal communications; and

WHEREAS, the effort to address autism continues, doctors, therapists, and educators can help persons with autism overcome or adjust to its challenges and provide early, accurate diagnosis and the resulting appropriate education, intervention, and therapy that are vital to future growth and development; and

WHEREAS, ensuring that persons living with autism have access to the lifelong care and services needed to pursue the full measure of personal happiness and achieve their greatest potential; and,

WHEREAS, the Town of Simsbury is honored to take part in the annual observance of Autism Awareness Month in the hope that it will lead to a better understanding of the disorder; and,

THEREFORE, I, Wendy Mackstutis, First Selectman, do hereby proclaim April 2022 as **AUTISM AWARENESS MONTH** in Simsbury and call upon all of us to learn more about autism to improve early diagnosis, to learn more about the experiences of autistic people from autistic people, and to build more welcoming and inclusive communities to support people with autism

IN WITNESS THEREOF, I have placed my seal and the great seal of the Town of Simsbury.

Dated the 6th Day of April 2022

Wendy Mackstutis, First Selectman





Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Owens Brook Open Space Project
2. **Date of Board Meeting:** April 6, 2022
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Tom Roy, Director of Public Works/Town Engineer
Maria E. Capriola
4. **Action Requested of the Board of Selectmen:**
This presentation is informational, no action is needed.

5. **Summary of Submission:**

At the November 8, 2021 Board of Selectmen meeting the Board authorized a supplemental appropriation for emergency repairs to the Owens Brook Open Space Parcel after Town staff discovered a slope failure in Town owned open space located on Owens Brook. The slope failure led to a steep and potentially unstable slope. This slope is adjacent to the Meadowview Apartments located on Hopmeadow Street. The collapsed slope buried the end of the culvert and was inhibiting the flow of Owens Brook with the potential for flooding in the event of heavy rains.

The scope of the project included:

- Clearing all of the vegetation in the lower section of the stream channel and trees from above the culvert. Both areas contained a large amount of invasive vegetation.
- Bypass pumping Owens Brook.
- Re-establishing the stream channel in the lower section of the project and using materials to stabilize the banks in the area of the removed vegetation.
- Removing the fallen trees and debris from the upstream end of the culvert.
- Designing and installing a new culvert reinforced concrete pipe culvert.
- Regrading of the slopes, re-establishing vegetation, stabilizing all slopes, installing fencing and replanting trees/grass.

Tonight's presentation is to provide an update to the Board about the process and some visual updates on the finished project.

6. **Financial Impact:**

The project was completed for approximately \$60,000.

7. **Description of Documents Included with Submission:**

- a) Presentation Slides - *Forthcoming*



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BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Tax Refund Requests
2. **Date of Board Meeting:** April 6, 2022
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Colleen O'Connor, Tax Collector
Maria E. Capriola
4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports approving the tax refunds as presented, the following motion is in order:

Move, effective April 6, 2022 to approve the presented tax refunds in the amount of \$939.53, and to authorize Town Manager, Maria E. Capriola, to execute the tax refunds.

5. **Summary of Submission:**
Tax refunds need to be issued from time to time for motor vehicles, real property, and personal property. Some of the most common reasons tax refunds need to be issued for motor vehicles include: sale of the vehicle; the vehicle is destroyed; the vehicle is donated; the owner has moved out of state; or, the owner has successfully appealed the taxes. Real estate refunds are typically due to the fact that during the sale or refinancing of a property, both a bank and an attorney's office have paid taxes owed, resulting in an overpayment to the Town. Overpayments of personal property taxes are rare; often overpayments of personal property are due to a person or entity forgetting that they paid in full in July, then also sending the January installment.

In a legal opinion from the Town Attorney dated May 22, 2001, he stated that CGS §12-129 "requires that all applications for tax refunds be referred to the Board (of Selectmen) for their consideration and action." Once approved by the Board of Selectmen, the Town Manager will sign off on tax refund applications. As a reminder, the Tax Collector's Office is responsible for collecting revenue for the Fire District pursuant to Special Act #264 of the Legislature in 1945. However, tax refunds for the Fire District are not under the jurisdiction of nor approved by the Board of Selectmen and are therefore not included in the requested tax refunds presented.

6. **Financial Impact:**
The aggregate amount of all tax refunds as presented is \$939.53. The attachment dated April 6, 2022 has a detailed listing of all requested tax refunds.
7. **Description of Documents Included with Submission:**
 - a) Requested Tax Refunds, dated April 6, 2022

REQUESTED TAX REFUNDS
APRIL 6, 2022

	BILL NUMBER	TAX	INTEREST	TOTAL
List 2020				
JP Morgan Chase Bank	20-03-59042	\$101.16		\$101.16
Rich Jesse R	20-03-56285	\$6.66		\$6.66
Wald Francis M	20-03-69474	\$235.95		\$235.95
Beecher, Corey (Hyundai Lease)	20-04-81857	\$170.78		\$170.78
Toyota Lease Trust	20-04-83734	\$424.98		\$424.98
Total 2020		\$939.53	\$0.00	\$939.53
TOTAL 2020		\$939.53	\$0.00	\$939.53
TOTAL ALL YEARS		\$939.53	\$0.00	\$939.53



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BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Supplemental Appropriation – Public Works Equipment Purchase
2. **Date of Board Meeting:** April 6, 2022
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Thomas Roy, Public Works Director/Town Engineer
Maria E. Capriola
4. **Action Requested of the Board of Selectmen:**

If the Board of Selectmen supports the supplemental appropriation request to expedite the purchase of the replacement skid loader, the following motions are in order:

Move, effective April 6, 2022, to approve a supplemental appropriation utilizing Town Aid Road funds for the purchase of a skid loader in the amount of \$80,750 and to recommend this to the Board of Finance.

Further move to approve a bid waiver for this purchase as recommended in the attached memorandum.

5. **Summary of Submission:**

The Director of Public Works/Town Engineer and Highway Superintendent have expressed an interest in expediting an equipment purchase – replacement of a skid loader due to inventory availability and a projected price increase. The purchase price for the new equipment is estimated at \$80,750. Staff anticipates receiving \$25,000 from trading in our current skid loader meaning that the net amount of funds needed are \$55,750. The funds for this purchase would come from the Town Aid Road Fund. Regrettably there are no current regional bids for this equipment, so in order to proceed with securing this pricing, a bid waiver would be needed. The attached memo demonstrates 4 quotes were obtained, but a formal RFP process didn't occur.

The Department investigated several similar pieces of equipment and the Hitachi ZW80 sold by Bobcat of CT is the best value, being \$7,878 less than similar equipment sold by Sourcewell (a national municipal contracting agency). Under our procurement policy, we are able to use Sourcewell to purchase this equipment; however, we are requesting the Board authorize a Bid Waiver to allow the Department to purchase this equipment from our local dealer that allows for a savings of \$ 7,878. We are confident the Hitachi is equivalent in performance and reliability to the other equipment offered through Sourcewell.

We budgeted for this replacement in your proposed FY 22/23 budget. However, those funds, if approved, would not be available for use until July 1, 2022. If the supplemental

appropriation for this purchase is approved, the funds would become available in the current fiscal year and the capital item would be removed from the FY 22/23 budget. \$70,000 from Town Aid Road was budgeted in FY 22/23 for a new skid loader plus a \$25,000 trade in value of our existing skid loader

The Board of Finance will review this request at their meeting on April 19, 2022.

6. Financial Impact:

Staff is estimating costs to purchase the equipment of \$80,750, which includes an estimated trade in value of our current equipment of \$25,000, equaling a net purchase price of \$55,750. Staff recommends utilizing funds from the Town Aid Road Fund to fund this purchase. This will provide an immediate savings of \$7,875 in addition to avoiding an increase of 5%-10% if we delay the purchase.

7. Description of Documents Included with Submission:

- a) Memo from K. Clemens re: Request to Purchase Wheeled Loader Prior to 7/1/2022, dated March 29, 2022



Town of Simsbury

66 TOWN FOREST ROAD, P.O. BOX 495, SIMSBURY, CONNECTICUT 06070

~ Department of Public Works ~

Memorandum: Request to purchase wheeled loader prior to 7/1/2022

To: Tom Roy
CC: Amy Meriwether
From: Kevin Clemens
Date: March 29, 2022

Tom,

In our 2023 budget we have requested a small wheeled loader at a value of \$70,000 (a trade would also be included to meet the cost). This machine was deferred in 2022. As is the case with many purchases large and small availability and cost increases are climbing daily with no foreseeable end. A 5-10 % steel surcharge as well as a manufacturer increase is to be expected on anything not in stock now.

I received budgetary pricing last fall in advance of our budget request and we are able to procure a machine now for the requested amount however that does not seem to be the case if we were to wait until this summer.

Vendors had secured machines at last fall's pricing and are/have taken delivery.

I have requested firm pricing vs the budgetary pricing last year and they are as follows:

	<u>List Price</u>	<u>Municipal Discount Pricing</u>
Hitachi 2022 ZW80	\$95,000	\$80,750.00
John Deere 204L	Sourcewell	\$88,628.31
Yanmar 2022 V8	\$89,999	\$89,999.00
Wacker WL38	Sourcewell	\$90,162.90

I believe the funding would/could come from Town Aid Road which has the funds to support the purchase. The in-stock equipment will not be in stock for long. I would not be making this request if I didn't feel it was in the Town's best interest.

My recommendation would be the Hitachi ZW80.



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BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Ground License – Meadowood Barns
2. **Date of Board Meeting:** April 6, 2022
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Thomas Hazel, Interim Planning Director
Maria E. Capriola
4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports approving the shed/barn lease for the Meadowood tobacco sheds/barns, the following motions are in order:

Move, effective April 6, 2022, to authorize the Town Manager to execute an agreement as approved to form by the Town Attorney with John Baggot of Northern Valley Farms, Inc. for a ground license with an initial term of five years and the possibility to extend by 1 year based upon satisfactory performance for the town owned Tobacco sheds/barns at Meadowood (6 structures).

Further move to approve a bid waiver for this lease.
5. **Summary of Submission:**
The Meadowood sheds/barns are 6 in total that are located in a remote section of the property near the water tower. Mr. Baggot had a lease previously with Griffin Land prior to the town's acquisition of Meadowood, as well as a lease briefly with the town following our acquisition of the parcel in September 2021. He would like to re-establish that lease on a 5-year term.

Given the specialty nature of the tobacco barns, and that the proposed lessee has been renting the barns for tobacco production, staff did not conduct a formal RFP and recommends a bid waiver.
6. **Financial Impact:**
The revenue collected from the leases will be deposited into the open space maintenance account. The Town would receive \$1,500 per year per barn, or \$9,000 per year in total.
7. **Description of Documents Included with Submission:**
 - a) Barn Lease Proposal



NORTHERN VALLEY FARMS, INC

GRANBY, CT. / E. WINDSOR, CT.

John D. Baggott
Northern Valley Farms
PO Box 534
Granby, CT 06035

March 7, 2022

Assistant Town Manager
Town of Simsbury

To Whom it May Concern,

I am interested in leasing the tobacco sheds that are located on the recently acquired Meadowwood property. I have been leasing these sheds for the past five years and had my lease transferred to the Town of Simsbury last year when you took ownership of the property. I have been paying a sum of \$9000.00 a year for the use of the sheds which breaks down to \$1500 per shed for the six sheds grouped together. Last year I was given use of the seventh shed on the property for free due to its condition. Unfortunately my attempts were unsuccessful. The area surrounding the shed had grown up considerably and I believe some drainage issues exist as well. I would be interested in working with the Town to address these issues (mainly I would need permission to clear brush and determine why it is flooding every time it rains). If the Town decides to lease me the property and allows me to address the issues with the seventh shed, I would be willing to lease it as well once it has proven to be usable.

My proposal is to continue renting the sheds for the same price that I have been paying. I provided the Town with certificates of insurance for General Liability and Workers Compensation last fall when Simsbury took over Riverbends lease. These are still in effect and if the liability limits are satisfactory then everything should be all set. I would like the term of any lease to run from 3/15/2022 until 3/15 of the following year. I would like the lease to be ongoing unless cancelled by either party by 12/31 of the 12 month term included in the lease. My only use for the property is to cure tobacco grown nearby. I will not use it for anything else or leave equipment or anything else on the property that is not used for this intended purpose.

Sincerely,

John D. Baggott
President
Northern Valley Farms, Inc.



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Ground License – Meadowood
2. **Date of Board Meeting:** April 6, 2022
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Thomas Hazel, Interim Planning Director
Maria Capriola
4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports approving the ground license for the Meadowood Agricultural Property, the following motion is in order:

Move, effective April 6, 2022, to authorize the Town Manager to execute an agreement as approved to form by the Town Attorney with Spencer Thrall of O.J. Thrall, Inc. for a ground license with an initial term of five years and the possibility to extend by 1 year based upon satisfactory performance for the town owned agricultural property at Meadowood (Parcel – +/- 86.53 acres).

5. **Summary of Submission:**
Mr. Thrall had a lease previously with Griffin Land prior to the town's acquisition of Meadowood, as well as a lease briefly with the town following our acquisition of the parcel in September 2021. Mr. Thrall uses the land for grain production. The requested lease agreement is to re-establish that lease on a 5-year term and continue to farm the land as it was previously.

The 24 acres that are not deed restricted are included in the proposed farmable land with the lease. Staff believes it is in our interest for the agricultural land to be used for such until a time in which the town has a different purpose for the referenced 24 acres.

Mr. Thrall responded to a Request for Proposal.

6. **Financial Impact:**
The revenue collected from the leases will be deposited into the open space maintenance account. The Town would receive \$300 per year per acre, or \$25,800 per year in total.
7. **Description of Documents Included with Submission:**
 - a) RFP Document and Bid Response



Town of Simsbury

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Office of Community Planning and Development

Agricultural Lease Request for Proposal

RE: 86+/- Acers located on Hoskins Road Agricultural land for lease.



The Parcel known as Meadowood Agricultural Land is available for a lease proposal. Inspections of the parcel can be coordinated through the Simsbury Land Use Department. In order to submit a proposal please fill out the attached application by the stated deadline and staff will review all proposals and respond accordingly.

Thomas Hazel
Assistant Town Planner
(860) 658-3245

Telephone (860) 658-3245
Facsimile (860) 658-3206

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8:30 - 7:00 Monday
8:30 - 4:30 Tuesday through Thursday
8:30 - 1:00 Friday



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

**TOWN OF SIMSBURY, CT
REQUEST FOR PROPOSALS (RFP)
AGRICULTURAL LEASE OF Meadowood Agricultural Land**

SUBMISSION DEADLINE: March 14, 2022, no later than 4:30pm

SUBMISSION CONTACT AND ADDRESS:

Town Manager's Office
Graduate Student Intern
Town of Simsbury
933 Hopmeadow Street
Simsbury, Connecticut 06070
(860) 658-3230
tmintern@simsbury-ct.gov

Proposals will be accepted in electronic format only.

I. PURPOSE

The Town of Simsbury seeks proposals from qualified agricultural producers for leasing 86+/- of acres of town-owned land known as Meadowood Agricultural Land for agricultural purposes beginning in spring 2022. The Town has a desire to receive proposals from agricultural producers that will engage in responsible stewardship of the agricultural land. The area to be licensed includes a 86-acre (+/-) field accessed from Hoskins Road. The land has been in Grain Production (type of agricultural use) for several years and has fairly flat topography. A map of the property is attached. Successful applicants will propose an agricultural use consistent with the Town's desired agricultural practices. It is anticipated that the initial lease will be for a five-year term.

It is desired for respondents to be established in farming and/or agricultural business and must demonstrate the ability to perform the required service in an acceptable, reliable manner over the life of the lease. However, farmers of all level of experience will be considered. Preference will be given to applicants with a strong stewardship plan. The selected producer must demonstrate the ability to comply with Simsbury's desired agricultural land use practices and all applicable federal, state and local laws, rules and regulations. The Town will award a lease which, in the Town's opinion, serves the best interests of the Town.

II. COMMUNITY PROFILE

The Town of Simsbury was incorporated as Connecticut's twenty-first Town in May 1670. It has a land area of approximately 34.5 square miles and a population of approximately 24,350. Centrally located in the heart of the New York - Boston corridor, Simsbury is an attractive and diverse suburban community. As a part of the beautiful Farmington Valley, Simsbury offers an unmatched quality of life with a traditional New England town atmosphere in a setting of rolling hills, the picturesque Farmington River and extensive trail system. Simsbury is conveniently located 20 minutes northwest of Hartford and 20 minutes southwest of Bradley International Airport. Simsbury operates under a Town Manager-Board of Selectmen form of government with the Town Manager serving as the Chief Executive Officer responsible for overseeing the day-to-day operations of the Town.

The Planning and Development Department manages our agricultural leases in partnership with our Engineering Department, Culture, Parks and Recreation Department and Open Space Committee. Open Space maintenance is managed by the Culture, Parks and Recreation Department. The Town's Open Space Committee has been tasked with developing and recommending stewardship policies and practices for the Town's open space parcels, including agricultural lands.

III. GENERAL INFORMATION

- A. **Contract Period:** The Town will look to initially establish a five-year rolling lease contract, with possibilities to extend based upon satisfactory performance of the selected applicant.
- B. **Right of Rejection and Clarification:** The Town of Simsbury reserves the right to reject any and all proposals and to request clarification of information from any proposer. The Town of Simsbury is not obligated to enter into a contract on the basis of any proposal submitted in response to this document.
- C. **Request for Additional Information:** Prior to the final selection, proposers may be required to submit additional information in which the Town of Simsbury may deem as necessary to further evaluate the proposer's qualifications.
- D. **Denial of Reimbursements:** The Town of Simsbury will not reimburse proposers for any costs associated with the preparation and submittal of any proposal, or for any travel and/or per diem costs that are incurred.
- E. **Right of Negotiation:** The Town of Simsbury reserves the right to negotiate with proposers the exact terms and conditions of the contract.
- F. **Right of Rejection of Lowest Fee Proposal:** The Town of Simsbury is under no obligation to award this project to the Proposer offering the lowest fee. Cost considerations will be made, but under no circumstance will cost be the only determining factor in accepting or declining proposals.
- G. **Compliance with Law:** The selected applicant shall comply with all local, state and federal laws and regulations and restrictions.

H. Insurance and Indemnification:

The Lessee will be required to furnish certificates of insurance, including general liability, umbrella liability, automobile, and workers compensation with the following minimum limits:

<u>General Liability:</u>	\$1,000,000 each occurrence \$2,000,000 aggregate
<u>Umbrella Liability:</u>	\$5,000,000
<u>Auto Liability:</u>	\$1,000,000
<u>Worker's Compensation:</u>	Statutory
<u>Employer's Liability:</u>	\$1,000,000

Lessee coverage shall be primary and non-contributory. Auto coverage shall include leased, hired and non-owned vehicles. Auto coverage shall also be primary and non-contributory. The Town of Simsbury shall be named as additional insured on the general liability, umbrella liability and automobile liability policies. Each policy, including Worker's Compensation, shall include a waiver of subrogation in favor of the Town. All policies shall be kept in force throughout the duration of the project, with an extended reporting period of 36 months after the agreement terminates if coverage is written on a claims made policy.

To the fullest extent permitted by law, Lessee shall indemnify, defend and hold harmless the Town of Simsbury and all of its agents and employees from and against all claims, damages, losses, judgments and expenses, including reasonable attorney's fees to the extent caused by, arising from or alleged to arise from the negligent acts, errors or omissions of Lessee, Lessee's employees or those for whom Contractor is legally responsible in the performance of the work. This provision shall survive termination of this Agreement.

Lessee will hold the Town harmless and release the Town from any claims that may arise while performing an inspection of the property. If applicable a group field visit may be arranged with the town. Lessee agrees to accept the premises "as is."

IV. DESIRED AGRICULTURAL PRACTICES

The Town is interested in having its farmland managed using organic farming best management practices as set out in Appendix 1 - Simsbury Agricultural Land Usage Practices.

V. SUBMISSION AND DEADLINE

The Request for Proposals (RFP) is available online at:

<https://www.simsbury-ct.gov/finance/pages/public-bids-and-rfp>

Interested and qualified firms or individuals are to submit an application, references, and proposal fee electronically or in hard copy form (electronic preferred) to the Town Manager's Office at tmintern@simsbury-ct.gov with the subject line reading "Agricultural Lease RFP Response". **Submissions must be received no later than 4:30 PM on March, 14, 2022.** No proposals will be accepted after the date and time specified.

Questions regarding this RFP should be directed to Thomas Hazel, Assistant Town Planner, at thazel@simsbury-ct.gov. In order to receive consideration, all questions must be submitted by 12:00pm on March 4, 2022. A response to all relevant questions will be provided prior to 4:30pm on March 9, 2022 via addendum that will be posted on the Town website at: <https://www.simsbury-ct.gov/finance/pages/public-bids-and-rfp>

Describe past experience and improvements made if you have leased/licensed properties prior:

We have a lot of experience improving soil drainage through various tillage practices. Through use of cover crops and manures, we improve soil health and fertility. Through no-till farming, we preserve the topsoil and reduce the bank of weed seeds in the soil.

Proposal

Name of property you are applying to lease/license:

Meadowood Agricultural Land

Intended use of the property, including planned crops or other uses:

We plan to use this land to grow a rotation of small grain crops, primarily barley and wheat. There will be occasional crop rotation with soybeans for agromonic reasons.

How does this fit your business plan?

We grow small grains such as barley, wheat, oats, and spelt for our malthouse. We produce malted and flaked grains for local breweries and distilleries.

What is your stewardship plan for the property?

We utilize no-till sustainable farming practices. By using crop rotations and cover crops we improve soil health and minimize any effects on surrounding ecosystems. Green manures are an important part of our fertility program. Our no-till system preserves soil moisture, so no irrigation is necessary.

How would your use of the property benefit the citizens of Simsbury?

Our crops are grown in a very environmentally conscious way. There is minimal work required during the growing season, so we have almost no effect on traffic. All work is done mechanically, so other than a driver, there will be no farm laborers on this property. The crops, and the cover crops, are attractive and will improve the viewscape of the area. Our crops are used to make ingredients that are used exclusively by local breweries and distilleries and enjoyed by the people of Simsbury and Connecticut.

Other information you would like to provide in consideration of your proposal:

FEE PROPOSAL

The undersigned hereby makes a proposal to pay the Town of Simsbury the following amounts annually for the agricultural services for the lease of Meadowood Agricultural Land (property name).

	Annual Proposed Rent/Acre	Written Amount
1. Lease Period <u>4/1/22-12/31/26</u>	\$ <u>300</u> /Ac	<u>Three hundred and 00/100</u> Dollar/Ac

NON-COLLUSION AFFIDAVIT:

By submission of this proposal, the Respondent certifies that it is being submitted without any collusion, communication, or agreement as to any matter relating to it with any other respondent or competitor. We understand that this proposal must be signed by an authorized agent of our company to constitute a valid proposal.

CODE OF ETHICS:

I / We have reviewed a copy of the Town of Simsbury's Code of Ethics (attached) and agree to submit a Code of Ethics Acknowledgement Form if I /We are selected* Yes No

* Respondent is advised that the Town of Simsbury cannot consider any bid or proposal where the bidder has not agreed to the above statement.

<u>Type or Print Name of Individual</u>	<u>Doing Business as (Trade Name)</u>
<u>Spencer Thrall</u>	<u>O.J. Thrall, Inc.</u>
<u>Street Address</u>	<u>City, State, Zip Code</u>
<u>[REDACTED]</u>	<u>[REDACTED]</u>
<u>Title</u>	<u>SS # or TIN#</u>
<u>Vice President</u>	<u>[REDACTED]</u>
<u>Email Address</u>	<u>Telephone Number / Fax Number</u>
<u>[REDACTED]</u>	<u>[REDACTED]</u>

Applicant Signature  Date 3/11/2022

EXCEPTIONS

The undersigned bidder proposes the following exceptions for Leasing of Town Owned Open Space for Agricultural Purposes. Exceptions will be considered to the product or service specifications only. All other conditions or agreements submitted in response to the bid, unless specifically requested, will be rejected. Any and all price changes related to these exceptions are specifically stated herewith.

Exception Price Change (Show + or -)



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

03/11/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Ronald Hocutt Agency 100 West Road Bldg 1 Ellington CT 06029		CONTACT NAME: PHONE (A/C, No, Ext): E-MAIL ADDRESS: INSURER(S) AFFORDING COVERAGE NAIC #	
INSURED O J Thrall Inc Windsor CT 06095		FAX (A/C, No): 860-872-9751 INSURER A: Farm Family Casualty Ins Co 13803 INSURER B: Accident Fund Ins Co of America 10166 INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

NSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> SPECIAL FARM PACKAGE GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:				07/05/21	07/05/22	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000 \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY				07/05/2021	07/05/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$				07/05/21	07/05/22	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A		07/02/21	07/02/22	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER Town of Simsbury 933 Hopmeadow St Simsbury, CT 06070	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
---	--

APPENDIX 1: Simsbury Agricultural Land Usage Practices

The Town of Simsbury owns properties with prime agricultural soils. The Town of Simsbury is committed to keeping this land in agricultural production and therefore leases these properties to local farmers. In order to ensure the preservation of Town agriculture land and to promote good stewardship, the Town has established agricultural land usage practices for town owned land. The Town understands that in some cases these practices may need to be modified. Modification requests must be submitted in writing to the Town at townmanager@simsbury-ct.gov or to Town Manager at 933 Hopmeadow Street, Simsbury, CT 06070.

The Lessee is to follow farming practices that maintain the land in good agricultural standing. The Lessee covenants and agrees to:

Best Management Plans

- If a USDA-NRCS or other formal Conservation Plan was submitted for a particular field with the bid proposal, use the USDA-NRCS Conservation Plan and follow Best Management Practices for Agriculture during the term of the agreement, including, at a minimum, adherence to the items referenced below.
- If a USDA-NRCS or other formal Conservation Plan was not submitted with the bid for the particular field, follow best management practices for agriculture in accordance with the CT Department of Agriculture and CT DEEP during the term of the lease, including, at a minimum, adherence to the items referenced below.

Maintenance/ Improvement of Soil Organic Carbon Levels

- Green manures and cover crops are required unless there is inadequate time to establish a cover crop postharvest. If no cover crop is applied, Lessee is to provide an explanation. For Lessees that would like assistance choosing cover crops, the Lessee is encouraged to contact the Town
- Organic mulching to protect against erosion and soil crusting, and to replenish soil organic matter is encouraged.
- Use of manure and compost is encouraged. The Lessee will refrain from long-term storage of manure on the site unless adequate manure storage facilities are constructed and maintained.
- Reduced tillage practices are encouraged.
- Supplemental fertilization with synthetic fertilizers is discouraged.
- Fertilizer applications are to be applied per soil test lab recommendations. Modifications to the lab recommendations may be allowed with a written explanation.
- Any application by the Lessee or their agent of sewage sludge or other treated residuals from wastewater treatment (biosolids) on the subject property is expressly prohibited, and will result in the termination of the Lease, immediately authorizing the Licensor to re-enter and repossess said property without legal process.

Cropland Soil Testing

- Soil tests are to be performed once per year, at the same time of year (fall testing recommended). The soil test is to include Calcium, Magnesium, Phosphorous, and Potassium, as well as percent organic matter. In addition, recommendations from the testing lab for the aforementioned elements are to be obtained. Testing for and addressing deficiencies in additional elements is encouraged.

- The Lessee may choose the lab they prefer. The UCONN Nutrient Analysis Laboratory is an option.

Pest Control

- Intercropping and companion planting is encouraged.
- Biological pest control practices are encouraged.
- Biorational pesticides include oils, insecticidal soaps, microbials (such as *Bacillus thuringiensis* and entomopathogenic nematodes), botanicals (plant-based) and insect growth regulators are preferred.
- Best agricultural sanitation practices are to be followed to reduce the spread of pests, weeds or agricultural disease.
- The use of synthetic pesticides is not permitted unless authorized by the Town
- All Material Safety Data Sheets (MSDS) sheets for scheduled applications of pesticides are to be provided to the Agricultural Committee prior to application for review when submitting yearly reporting forms. For non-scheduled applications of pesticides, all MSDS sheets are to be provided to the Agricultural Committee with the yearly reporting form.
- All pesticides must be applied according to the manufacturer's recommendations and/or according to cooperative extension recommendations.
- The use of Atrazine or its agent is expressly prohibited on the subject property, and will result in the termination of the Lease, immediately authorizing the Licensor to re-enter and repossess said property without legal process.

Crops

- The Town encourages lessees to seek out alternatives to genetically modified crops.

Animals

- The keeping of animals on the property is allowed with written consent of the Town.

Erosion Control

- Notify the Town of erosion issues as they arise and take immediate measures to effectively control the erosion to the satisfaction of the Planning Department.

Watercourses

- The Lessee is not to cultivate within 50ft of a water body or watercourse.
- The Lessee will not dredge, alter, draw from, or drain into, any farm pond, stream, drainage way, channel or swale without the express written permission of the Simsbury Conservation Commission and any permits as may be required from the Inlands Wetlands and Watercourses Commission.

Invasive Plants

- The Lessee is not to use any plants that are listed as invasive per the Connecticut Department of Energy & Environmental Protection, nor use canary grass or any other potentially invasive plants.
- The Lessee may, if desired, treat or remove plants, shrubs or trees designated as "invasive species" per The State of Connecticut in accordance with Best Management Practices (BMP's) or in consultation with town staff or other organizations recognized by the town whom are utilizing emerging BMP's.

Removal of Trees and Shrubs

- While the trimming of brush and overhanging branches is allowed along the edge of a field, the Lessee is not to remove any trees or shrubs without written consent of the Open Space Committee.

Stone Piles

- Stones removed from any field and piled around the perimeter are not to exceed 3 feet in height, without written consent of the Open Space Committee.

- Rock piles may not be located around trees.

Baled Hay and Plastic

- The Lessee is required to remove baled hay, plastic, and any other residual farming supplies from the subject property at the end of each growing season and no later than December 15th each year.

Operation of Machinery

- The types of farm machinery to be used and their hours of operation may need to be approved for certain leased parcels near residential areas.

Access to Property

- The Lessee shall use the designated access shown on the "Town Farmland Lease Program Properties" Map, and not construct any new access ways to any field.

- The Lessee will allow members of the general public reasonable access for the purposes of bird watching, hiking, horseback riding, hunting, or fishing (only as allowed per town and/or state regulation).

- The Lessee will not alter any paths, horse trails, or other existing features without the express written permission of the Town and any permits as may be required from the Inlands Wetlands and Watercourses Commission.

Farm Stand

- Shall be located a minimum of 35 feet from the road and have an adequate parking surface as dictated by the Simsbury Zoning Regulations. A Zoning Compliance Permit will be required for review.

Removal of Stonewalls and Vegetation

- The Lessee is not to remove any trees, shrubs or stonewalls from the property.

Fencing

- The Lessee is not to install or remove any fencing without written consent of the Town

- The Lessee is not to remove or install any fixtures, structures, or fences, either permanent or temporary. If a field does not have the needed fencing, gate or other structure the lessee shall consult with the Planning Department and staff prior to the installation.

Signage

- The Lessee will not install any signage unless expressly permitted by the Lessor.

Annual Report

- An annual report (Attachment D) shall be submitted to the Planning Department by November 30 of the lease year.

Contact information

- The Lessee will provide updated contact information (at a minimum, Lessee's phone number, mobile phone number, and address) to the Planning Department in a timely manner throughout the lease term.

Inspection and Disturbances

- The Licensor retains the right to enter the property with proper notice to ensure proper use of the property or for access to abutting properties as needed.

Lease Restrictions / Subleasing

- The Lessee will not sublease or otherwise allow others to use the property without the Lessor's written consent from the Town of Simsbury.

- Only agricultural uses as defined in Connecticut General Statutes 1-1 (q) are allowed.

Insurance

- The Lessee will maintain Workmen's Compensation coverage in accordance with the laws of the State of Connecticut if employees are hired to work the land. The Lessee will provide liability insurance with limits of not less than \$1,000,000, naming the Lessor as an additional insured, insuring against loss or injury caused by the Lessee's activity on the demised premises.

- Heirs have right to harvest upon death of Lessee for the remainder of the current growing season, after which the lease will be terminated.

Contract Breach

- Breach of contract as set out in the Lease Agreement will result in the termination of the Lease, immediately authorizing the Lessor to reenter and repossess said property without legal process.



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Ground License – Barndoor Hills Parcel B

2. **Date of Board Meeting:** April 6, 2022

3. **Individual or Entity Making the Submission:**

Maria E. Capriola, Town Manager; Thomas Hazel, Interim Planning Director

Maria E. Capriola

4. **Action Requested of the Board of Selectmen:**

If the Board of Selectmen supports approving the ground license for the Barndoor Hills (Parcel B) Agricultural Property, the following motion is in order:

Move, effective April 6, 2022, to authorize the Town Manager to execute an agreement as approved to form by the Town Attorney with Steven Antonio for a ground license with an initial term of five years and the possibility to extend by 1 year based upon satisfactory performance for the town owned agricultural property at Barndoor Hills Road "East" (Parcel B – +/- 5.33 acres).

5. **Summary of Submission:**

The Barndoor Hills parcel B property was previously leased by the Napolitano family and is current fallow. Mr. Antonio proposes to re-establish Kale, forage and other products on the +/-5.33 acre parcel. The proposed lease is a 5 year term.

Mr. Antonio responded to a Request for Proposal.

6. **Financial Impact:**

The revenue collected from the lease will be deposited into the open space maintenance account. The Town would receive \$80 per year per acre, or \$400 per year in total. The previous farmer paid the town \$60 per year per acre, or \$300 per year. The previous farmer chose to not renew their lease with the Town.

7. **Description of Documents Included with Submission:**

a) RFP Document and Bid



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

Office of Community Planning and Development

Agricultural Lease Request for Proposal

RE: 5+/- Acres located on Barndoor Hills Road (parcel B) agricultural land for lease. Map F03, Block 327, Lot 218A. Zone R-40



The Parcel known as Barndoor Hills Agricultural Land (Parcel B) is available for a lease proposal. Inspections of the parcel can be coordinated through the Simsbury Land Use Department. In order to submit a proposal please fill out the attached application by the stated deadline and staff will review all proposals and respond accordingly.

Thomas Hazel
Assistant Town Planner
(860) 658-3245

Telephone (860) 658-3245
Facsimile (860) 658-3206

An Equal Opportunity Employer
www.simsbury-ct.gov

8:30 - 7:00 Monday
8:30 - 4:30 Tuesday through Thursday
8:30 - 1:00 Friday



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

**TOWN OF SIMSBURY, CT
REQUEST FOR PROPOSALS (RFP)
AGRICULTURAL LEASE OF Barndoor Hills Road Parcel B**

SUBMISSION DEADLINE: March 14, 2022, no later than 4:30pm

SUBMISSION CONTACT AND ADDRESS:

Town Manager's Office
Graduate Student Intern
Town of Simsbury
933 Hopmeadow Street
Simsbury, Connecticut 06070
(860) 658-3230
tmintern@simsbury-ct.gov

Proposals will be accepted in electronic format only.

I. PURPOSE

The Town of Simsbury seeks proposals from qualified agricultural producers for leasing 5+/- of acres of town-owned land known as Barndoor Hills Road Parcel B for agricultural purposes beginning in spring 2022. The Town has a desire to receive proposals from agricultural producers that will engage in responsible stewardship of the agricultural land. The area to be licensed includes a 5-acre (+/-) field accessed from Barndoor Hills Road. The land has been in Vegetable (type of agricultural use) for several years and has Flat topography. A map of the property is attached. Successful applicants will propose an agricultural use consistent with the Town's desired agricultural practices. It is anticipated that the initial lease will be for a five-year term.

It is desired for respondents to be established in farming and/or agricultural business and must demonstrate the ability to perform the required service in an acceptable, reliable manner over the life of the lease. However, farmers of all level of experience will be considered. Preference will be given to applicants with a strong stewardship plan. The selected producer must demonstrate the ability to comply with Simsbury's desired agricultural land use practices and all applicable federal, state and local laws, rules and regulations. The Town will award a lease which, in the Town's opinion, serves the best interests of the Town.

II. COMMUNITY PROFILE

The Town of Simsbury was incorporated as Connecticut's twenty-first Town in May 1670. It has a land area of approximately 34.5 square miles and a population of approximately 24,350. Centrally located in the heart of the New York - Boston corridor, Simsbury is an attractive and diverse suburban community. As a part of the beautiful Farmington Valley, Simsbury offers an unmatched quality of life with a traditional New England town atmosphere in a setting of rolling hills, the picturesque Farmington River and extensive trail system. Simsbury is conveniently located 20 minutes northwest of Hartford and 20 minutes southwest of Bradley International Airport. Simsbury operates under a Town Manager-Board of Selectmen form of government with the Town Manager serving as the Chief Executive Officer responsible for overseeing the day-to-day operations of the Town.

The Planning and Development Department manages our agricultural leases in partnership with our Engineering Department, Culture, Parks and Recreation Department and Open Space Committee. Open Space maintenance is managed by the Culture, Parks and Recreation Department. The Town's Open Space Committee has been tasked with developing and recommending stewardship policies and practices for the Town's open space parcels, including agricultural lands.

III. GENERAL INFORMATION

- A. **Contract Period:** The Town will look to initially establish a five-year rolling lease contract, with possibilities to extend based upon satisfactory performance of the selected applicant.
- B. **Right of Rejection and Clarification:** The Town of Simsbury reserves the right to reject any and all proposals and to request clarification of information from any proposer. The Town of Simsbury is not obligated to enter into a contract on the basis of any proposal submitted in response to this document.
- C. **Request for Additional Information:** Prior to the final selection, proposers may be required to submit additional information in which the Town of Simsbury may deem as necessary to further evaluate the proposer's qualifications.
- D. **Denial of Reimbursements:** The Town of Simsbury will not reimburse proposers for any costs associated with the preparation and submittal of any proposal, or for any travel and/or per diem costs that are incurred.
- E. **Right of Negotiation:** The Town of Simsbury reserves the right to negotiate with proposers the exact terms and conditions of the contract.
- F. **Right of Rejection of Lowest Fee Proposal:** The Town of Simsbury is under no obligation to award this project to the Proposer offering the lowest fee. Cost considerations will be made, but under no circumstance will cost be the only determining factor in accepting or declining proposals.
- G. **Compliance with Law:** The selected applicant shall comply with all local, state and federal laws and regulations and restrictions.

H. Insurance and Indemnification:

The Lessee will be required to furnish certificates of insurance, including general liability, umbrella liability, automobile, and workers compensation with the following minimum limits:

<u>General Liability:</u>	\$1,000,000 each occurrence \$2,000,000 aggregate
<u>Umbrella Liability:</u>	\$5,000,000
<u>Auto Liability:</u>	\$1,000,000
<u>Worker's Compensation:</u>	Statutory
<u>Employer's Liability:</u>	\$1,000,000

Lessee coverage shall be primary and non-contributory. Auto coverage shall include leased, hired and non-owned vehicles. Auto coverage shall also be primary and non-contributory. The Town of Simsbury shall be named as additional insured on the general liability, umbrella liability and automobile liability policies. Each policy, including Worker's Compensation, shall include a waiver of subrogation in favor of the Town. All policies shall be kept in force throughout the duration of the project, with an extended reporting period of 36 months after the agreement terminates if coverage is written on a claims made policy.

To the fullest extent permitted by law, Lessee shall indemnify, defend and hold harmless the Town of Simsbury and all of its agents and employees from and against all claims, damages, losses, judgments and expenses, including reasonable attorney's fees to the extent caused by, arising from or alleged to arise from the negligent acts, errors or omissions of Lessee, Lessee's employees or those for whom Contractor is legally responsible in the performance of the work. This provision shall survive termination of this Agreement.

Lessee will hold the Town harmless and release the Town from any claims that may arise while performing an inspection of the property. If applicable a group field visit may be arranged with the town. Lessee agrees to accept the premises "as is."

IV. DESIRED AGRICULTURAL PRACTICES

The Town is interested in having its farmland managed using organic farming best management practices as set out in Appendix 1 - Simsbury Agricultural Land Usage Practices.

V. SUBMISSION AND DEADLINE

The Request for Proposals (RFP) is available online at:

<https://www.simsbury-ct.gov/finance/pages/public-bids-and-rfp>

Interested and qualified firms or individuals are to submit an application, references, and proposal fee electronically or in hard copy form (electronic preferred) to the Town Manager's Office at tmintern@simsbury-ct.gov with the subject line reading "Agricultural Lease RFP Response". **Submissions must be received no later than 4:30 PM on March, 14, 2022.** No proposals will be accepted after the date and time specified.

Questions regarding this RFP should be directed to Thomas Hazel, Assistant Town Planner, at thazel@simsbury-ct.gov. In order to receive consideration, all questions must be submitted by 12:00pm on March 4, 2022. A response to all relevant questions will be provided prior to 4:30pm on March 9, 2022 via addendum that will be posted on the Town website at: <https://www.simsbury-ct.gov/finance/pages/public-bids-and-rfp>

Town of Simsbury
RFP Application
Simsbury Agricultural Property

Applicant Information

Applicant's Name
Steven Antonio

Applicant's Farm Name
Last Straw Farm

Applicant's Address
[REDACTED]

Applicant's Email Address
[REDACTED]

Applicant's Phone Number(s)
[REDACTED]

Type of agricultural operation experience:

Dairy (specify years in business)

Crops (specify types and years in business)

Forage - 22 years / Tree Farm - 5 years / Kale - 1 year

Animals (specify types and years in business)

Sheep - 24 years, llama's - 10 years

Other (specify types and years in business)

Describe capacity and experience to manage a leased agricultural property:

We own all necessary farming equipment, have existing experience and know area farmers for additional expertise when needed. I am an existing local land owner that operates multiple agricultural uses.

Describe past experience and improvements made if you have leased/licensed properties prior:
Care and feeding of livestock, and plantings. Harvesting, fencing, organic fertilization ,
etc.

Proposal

Name of property you are applying to lease/license:
Barndoor Hills Agricultural Land (Parcel B)

Intended use of the property, including planned crops or other uses:
Planned Crops are Zucchini, Kale and Forage

How does this fit your business plan?

Zucchini, Kale and potentially other vegetables are utilized in local restaurant (Antonio's).
Forage will be feed for sheep.

What is your stewardship plan for the property?

Organic farming

How would your use of the property benefit the citizens of Simsbury?

Vista of classic farming without the typical debris of traditional farmers.

Other information you would like to provide in consideration of your proposal:

I have been a lifelong citizen of Simsbury that has contributed to the town in many ways throughout my life.

FEE PROPOSAL

The undersigned hereby makes a proposal to pay the Town of Simsbury the following amounts annually for the agricultural services for the lease of Bamdoor Hills Agricultural Land (Parcel B) (property name).

	Annual Proposed Rent/Acre	Written Amount
1. Lease Period	<u>5 Year rolling</u> \$ <u>80</u> /Ac	<u>Eighty Dollars</u> Dollar/Ac

NON-COLLUSION AFFIDAVIT:

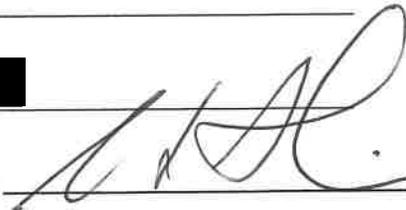
By submission of this proposal, the Respondent certifies that it is being submitted without any collusion, communication, or agreement as to any matter relating to it with any other respondent or competitor. We understand that this proposal must be signed by an authorized agent of our company to constitute a valid proposal.

CODE OF ETHICS:

I / We have reviewed a copy of the Town of Simsbury's Code of Ethics (attached) and agree to submit a Code of Ethics Acknowledgement Form if I /We are selected* Yes No

* Respondent is advised that the Town of Simsbury cannot consider any bid or proposal where the bidder has not agreed to the above statement.

<u>Type or Print Name of Individual</u>	<u>Doing Business as (Trade Name)</u>
<u>Steven Antonio</u>	<u>Last Straw Farm</u>
<u>Street Address</u>	<u>City, State, Zip Code</u>
<u>[REDACTED]</u>	<u>Simsbury, CT 06070</u>
<u>Title</u>	<u>SS # or TIN#</u>
<u>Owner</u>	<u>[REDACTED]</u>
<u>Email Address</u>	<u>Telephone Number / Fax Number</u>
<u>[REDACTED]</u>	<u>[REDACTED]</u>

Applicant Signature  Date 02/24/2022

EXCEPTIONS

The undersigned bidder proposes the following exceptions for Leasing of Town Owned Open Space for Agricultural Purposes. Exceptions will be considered to the product or service specifications only. All other conditions or agreements submitted in response to the bid, unless specifically requested, will be rejected. Any and all price changes related to these exceptions are specifically stated herewith.

Exception Price Change (Show + or -)

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- All Material Safety Data Sheets (MSDS) sheets for scheduled applications of pesticides are to be provided to the Agricultural Committee prior to application for review when submitting yearly reporting forms. For non-scheduled applications of pesticides, all MSDS sheets are to be provided to the Agricultural Committee with the yearly reporting form.
- All pesticides must be applied according to the manufacturer's recommendations and/or according to cooperative extension recommendations.
- The use of Atrazine or its agent is expressly prohibited on the subject property, and will result in the termination of the Lease, immediately authorizing the Licensor to re-enter and repossess said property without legal process.

Crops

- The Town encourages lessees to seek out alternatives to genetically modified crops.

Animals

- The keeping of animals on the property is allowed with written consent of the Town.

Erosion Control

- Notify the Town of erosion issues as they arise and take immediate measures to effectively control the erosion to the satisfaction of the Planning Department.

Watercourses

- The Lessee is not to cultivate within 50ft of a water body or watercourse.
- The Lessee will not dredge, alter, draw from, or drain into, any farm pond, stream, drainage way, channel or swale without the express written permission of the Simsbury Conservation Commission and any permits as may be required from the Inlands Wetlands and Watercourses Commission.

Invasive Plants

- The Lessee is not to use any plants that are listed as invasive per the Connecticut Department of Energy & Environmental Protection, nor use canary grass or any other potentially invasive plants.
- The Lessee may, if desired, treat or remove plants, shrubs or trees designated as "invasive species" per The State of Connecticut in accordance with Best Management Practices (BMP's) or in consultation with town staff or other organizations recognized by the town whom are utilizing emerging BMP's.

Removal of Trees and Shrubs

- While the trimming of brush and overhanging branches is allowed along the edge of a field, the Lessee is not to remove any trees or shrubs without written consent of the Open Space Committee.

Stone Piles

- Stones removed from any field and piled around the perimeter are not to exceed 3 feet in height, without written consent of the Open Space Committee.

- Rock piles may not be located around trees.

Baled Hay and Plastic

- The Lessee is required to remove baled hay, plastic, and any other residual farming supplies from the subject property at the end of each growing season and no later than December 15th each year.

Operation of Machinery

- The types of farm machinery to be used and their hours of operation may need to be approved for certain leased parcels near residential areas.

Access to Property

- The Lessee shall use the designated access shown on the "Town Farmland Lease Program Properties" Map, and not construct any new access ways to any field.

- The Lessee will allow members of the general public reasonable access for the purposes of bird watching, hiking, horseback riding, hunting, or fishing (only as allowed per town and/or state regulation).

- The Lessee will not alter any paths, horse trails, or other existing features without the express written permission of the Town and any permits as may be required from the Inlands Wetlands and Watercourses Commission.

Farm Stand

- Shall be located a minimum of 35 feet from the road and have an adequate parking surface as dictated by the Simsbury Zoning Regulations. A Zoning Compliance Permit will be required for review.

Removal of Stonewalls and Vegetation

- The Lessee is not to remove any trees, shrubs or stonewalls from the property.

Fencing

- The Lessee is not to install or remove any fencing without written consent of the Town

- The Lessee is not to remove or install any fixtures, structures, or fences, either permanent or temporary. If a field does not have the needed fencing, gate or other structure the lessee shall consult with the Planning Department and staff prior to the installation.

Signage

- The Lessee will not install any signage unless expressly permitted by the Lessor.

Annual Report

- An annual report (Attachment D) shall be submitted to the Planning Department by November 30 of the lease year.

Contact information

- The Lessee will provide updated contact information (at a minimum, Lessee's phone number, mobile phone number, and address) to the Planning Department in a timely manner throughout the lease term.

Inspection and Disturbances

- The Licensor retains the right to enter the property with proper notice to ensure proper use of the property or for access to abutting properties as needed.

Lease Restrictions / Subleasing

- The Lessee will not sublease or otherwise allow others to use the property without the Lessor's written consent from the Town of Simsbury.

- Only agricultural uses as defined in Connecticut General Statutes 1-1 (q) are allowed.

Insurance

- The Lessee will maintain Workmen's Compensation coverage in accordance with the laws of the State of Connecticut if employees are hired to work the land. The Lessee will provide liability insurance with limits of not less than \$1,000,000, naming the Lessor as an additional insured, insuring against loss or injury caused by the Lessee's activity on the demised premises.

- Heirs have right to harvest upon death of Lessee for the remainder of the current growing season, after which the lease will be terminated.

Contract Breach

- Breach of contract as set out in the Lease Agreement will result in the termination of the Lease, immediately authorizing the Lessor to reenter and repossess said property without legal process.



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Appointment to the Open Space Committee and Reappointment to the Housing Authority
2. **Date of Board Meeting:** April 6, 2022
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Trish Munroe, Town Clerk
Maria E. Capriola
4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen accepts the recommended appointment and re-appointment from the Simsbury Republican Town Committee, the following motions are in order:

Move, effective April 6, 2022, to appoint Karyn Cordner as a Regular Member of the Open Space Committee with a term ending December 4, 2023.

Move, effective April 6, 2022, to re-appoint Mary Sandra Fleet as a Regular Member of the Housing Authority with a term ending April 1, 2027.
5. **Summary of Submission:**
The Town Clerk has received from the Republican Town Committee the recommendation of Karyn Cordner (R) to fill the vacancy on the Open Space Committee for the term ending December 4, 2023. The vacancy was created by the resignation of Tim Walczak (R) on February 11, 2022. Pursuant to our Charter, because Mr. Walczak is a member of the Republican party, the vacancy for the remainder of his term must be filled by a Republican.

The Republican Town Committee has also recommended the re-appointment of Mary Sandra Fleet (R) to the Housing Authority for a term ending April 1, 2027.
6. **Financial Impact:**
None
7. **Description of Documents Included with Submission**
 - a) Letter from the Republican Town Committee, dated March 22, 2022
 - b) Volunteer Form from Karyn Cordner



March 22, 2022

The Board of Selectmen
Town of Simsbury

Re: Nominations for Appointment

Dear First Selectman and Members of the Board,

The Simsbury Republican Town Committee (SRTC) duly voted for the nomination and for consideration to appoint the following individuals to the indicated Committee.

Mary Sandra Fleet to Housing Authority (reappointment)

Karyn Cordner to Open Space

The SRTC respectfully requests the appointment of the listed nominees.

Respectfully,

Kevin T. Beal
Chairman



Simsbury, CT
933 Hopmeadow Street

Phone: (860) 658-3200

Volunteer Form
Good Government Starts with You

Date Submitted: February 24, 2022

Name: Karyn Cordner

Home Address:

Mailing Address:

Phone Number(s):

Email Address:

Party Affiliation: R

Current Occupation/Employer: retired

Narrative: I have several hours a week of time I can commit. I am retired from Bank of America where I was a Senior Vice President. I retired early to go back to school to pursue a career in veterinary medicine. I have recently retired. I continue to be active in volunteer activities such as therapy dog work and am a member of Citizen's Climate Lobby. As a decades-long resident of Simsbury, my town I love, I am an advocate of quality management of our open spaces believing them to be of immense value to everyone's quality of life.

My skills that would be relevant to this committee include strong research ability, strategy development, planning, and organized execution of projects towards the success for which they were designed. I enjoy public speaking and have strong presentation skills.

Board(s) / Committee(s): ___ OPEN SPACE COMMITTEE

CALL TO ORDER

The Regular Meeting - Budget Workshop of the Board of Selectmen was called to order at 9:00 a.m. in the Main Meeting Room of the Simsbury Town Offices and on Zoom. Present were: First Selectman Wendy Mackstutis; Deputy First Selectman Amber Abbuhl; Selectmen Heather Goetz, Eric Wellman, Chris Peterson and Sean Askham. Others in attendance included: Town Manager Maria E. Capriola; Deputy Town Manager Melissa Appleby; Library Director Lisa Karim; Public Works Director/Town Engineer Tom Roy; Police Chief Nicholas Boulter; Parks and Recreation Director Tom Tyburski; Community and Social Services Director Kristen Formanek; WPCA Superintendent Tony Piazza (via Zoom); Director of Finance/Treasurer Amy Meriwether; Jason Casey from the Board of Education (via Zoom).

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

PUBLIC AUDIENCE

- **written comments emailed to townmanager@simsbury-ct.gov by 4:30 p.m. on Thursday, March 12, 2022 will be read into the record**

Ms. Mackstutis read a letter from Morgan Hillard, Executive Director of the Chamber of Commerce about the increase in tourism, events, the visitor’s center and producing a new visitor’s guide. They would like to increase the hours at the visitor’s center and collaborate with different non-profit organizations. They are a leader in the community and benefit the local economy.

David Bush, Chairman of the Parks and Recreation Commission, asked that the Board fund irrigation at the Golf Course before they lose active revenue streams. The Golf Course is a great draw for the Town and this really needs to be done to maintain it.

OVERVIEW OF BUDGET

- **Community Service**
 - **Library (Tab 17)**

Ms. Karim, Library Director, spoke about the proposed budget for FY 2022/23. They are asking for a 3.8% increase mostly due to salaries and contractual increases. She said their areas of focus include increase in card holders, material circulation, outreach on social media, programs, etc.

Ms. Karim said there are increase in gas, electric, equipment maintenance and data bases, etc. Their CNR budget includes replacing public PC’s at the Library, which is part of a 4-year plan.

There was discussion on programs, introducing a hybrid option, what they were doing during COVID, uses for the ARPA funding, etc.

- **Culture, Parks and Recreation (Tab 24)**

Mr. Tyburski said this is Simsbury Farms 50th Anniversary and they would be asking for money for celebrating with some events. He said the Farms is truly a gem in our community and gave some history on the Farms.

Mr. Tyburski said there are 20.11 full time employees at the Farms. They are focusing on increasing the diversity of programs and increasing awareness of parks and trails, etc. They maintain fencing and the trees on the trails and the parks.

Mr. Tyburski said their budget drivers are due to the increase in minimum wage, agricultural supplies, gas, diesel, contractual pricing increases, etc. They want to replace 50% of rental skates, most of which go back to 1999.

Mr. Tyburski reviewed the CNR projects for Parks and Recreation. He said they want to dredge Town Forest Park to improve the depth and water clarity and decrease weed growth. They want to replace the plaster in the Simsbury Farms wading pool, make other playground improvements, etc. He said the clubhouse roof also needs to be replaced. The Weatogue Park softball field backstop needs to be replaced and park entrance signs need to be replaced. He is also looking for a golf course dump truck as the one they have is a 2006 with over 160,000 miles on it. He would also like a turf sprayer. He also spoke to the irrigation system and dam repair. Mr. Tyburski said they want to construct a pickleball court at Tariffville Park.

Mr. Tyburski also spoke about possible grant matches for the Performing Arts Center and Rotary Park restrooms. He also spoke about the pollinator-friendly initiative as the Town wants to become a model community in the movement for pollinators.

- **Public Works**

- **Engineering (Tab 14)**

Mr. Roy went through his proposed FY22/23 budget. He is asking for an increase of 4.8% without labor and an overall increase of 2.9% excluding Engineering. He has 44.06 full time employees. He said there are increases in utilities, fuel and supplies. WPCA expenses are supported by user fees.

Mr. Roy said they are focusing on implementing and rolling out a Town-wide facilities master plan. He spoke about the sidewalk rehab program, traffic calming and intersection improvements, the HVAC system, Scout Hall, and improvements at the Community Farm.

- **Highway (Tab 15)**

Mr. Roy said the Highway Department is very active and said there are changes in supply prices and availability. There are also changes in availability of fleet vehicles and equipment. They are working on drainage improvements, etc.

- **Building and Grounds**

Mr. Roy said they are working on improving the HVAC systems, improvements at Community Farm, a new food distribution center for Social Services, the Eno entrance and parking lot, Town Hall parking lot, etc.

- **WPCA (Tab 22)**

Mr. Roy said the WPCA meets permit requirements and protects water quality in the Farmington River. There was some discussion on a number of retirements within the next few years.

Mr. Piazza spoke about repairs through lining of the sewer system in Tariffville, HVAC controls replacements at WPCA, replacing an outdated building management system, roof safety railings, which would alarm staff and vendors to work safely on the roof when servicing rooftop equipment.

- **Engineering**

Mr. Roy said they are working on the design and repairs of the Flower Bridge, the gateway entrance signs, Tariffville to Bloomfield trail, the bridge at Firetown Road and Barndoor Hills, etc. They support the Board of Education on the Latimer Lane project, Town Hall improvements, ADA improvements, the parking lots, etc.

He spoke about CNR projects which include intersection safety, developing long range plans complicated projects, traffic control and calming. They are also working on Community Farm Barn repairs.

Mr. Roy said they need to replace a 2011 Ford 350 building and grounds truck and a dump truck, plow and sander. They are looking to purchase a carpet cleaner for \$12,000 for all Town buildings, which will save the Town money in the long run. They are looking at replacing air volume control boxes to promote energy savings. The plow truck replacement is about \$210,000, which is one of 13 front line trucks. This replacement is for a 12 year old truck, which must be reliable.

Mr. Roy said their capital projects include sidewalk resurfacing and replacements, year 5 of a 20-year plan, Eno Memorial Hall entrance/ADA improvements and parking lot changes and repaving.

Mr. Roy spoke about Highway management projects, and said they are going to look into trying new techniques to keep road safe. There are municipal site and safety improvements at Town Hall. There is design work to do at Old Drake Hill Flower Bridge, which is a Town landmark.

Mr. Piazza said they need a primary clarifier in-depth evaluation for the WPCA. There are structural deficiencies found in the concrete. There was a discussion on this analysis and what it entails.

Mr. Roy noted that the Pine Hill meeting was very productive and the payback for the sewer system was raised from 10 to 15 years.

Public Safety

- **Police (Tab 13)**
- **Dispatch, Animal Control**
- **Emergency Management**

Chief Boulter said their proposed budget shows a 5.21% increase and they have five separate budgets – Police Commission; Police; Dispatch; Animal Control; and Emergency Management. Chief Boulter said there are 53.36 full time employees.

They want to maintain current services and technology, equipment and State mandates. They need to replace firearms and fund the maintenance for the Public Safety radio system. They are trying to go through a promotional process due to retiring staff. Side arm replacements are about \$35,000 and he note that some of their side arms are over 10 years old.

Chief Boulter spoke about some of the budget highlights like the increase of \$168,620 in wages due negotiated steps and minimum wage increases, holiday pay, etc. He noted that there is a line item savings under dispatchers through long term purchases and adjustments to vendors/providers.

Chief Boulter said the CNR budget includes three police cruisers as there is not a great purchase package for replacement cruisers. They need to replace an administrative vehicle, which is about \$48,200; body worn cameras and car cameras are about \$54,512. They also want to purchase new mobile data terminals for about \$19,000.

Chief Boulter spoke about a \$70,000 staffing study, which provides consulting services that will conduct a comprehensive assessment of the Department staff levels across the divisions.

Chief Boulter spoke about service improvements including an accreditation specialist and a new officer. There are some recruitment concerns and discussion on overtime, and retirements. There was also discussion on a social worker and comfort dog.

◦ **Board of Education Capital Projects**

Mr. Casey spoke about the capital improvement plan for the Board of Education. He said there are plumbing improvements at Tootin’ Hills, electrical improvements at Central, roof replacement at Tariffville and Central, network improvements district wide, modular classroom replacements at Tariffville and climate control improvements district wide.

There was some discussion on replacing the modulars and possibly using ARPA funds for air conditioning at the schools.

• **CNR Wrap-up (FY 21/22) (Tab 27)**

Ms. Capriola spoke about the FY 2022/23 CNR Fund budget revenues. She went through the proposed revenue allocations in the tab 26 summary. She went through Capital and Debt Services and the use of cash. She said the utilization of cash capacity and capital revenues to fund current needs lessen potential debt burden in the future and helps to partially address the gap in existing needs versus funds available to pay for those needs.

• **Debt Service (Tab 21)**

Ms. Meriwether spoke about debt service for the next fiscal year. She spoke about the upcoming revaluation and how the value of homes should go up so therefore, taxes will go up. She said if you add cash for capital, that would result in a flat mill rate this year and a lower increase next year. After discussion, she said if all service improvements were done the mill rate would be 37.24 with a median impact of \$8,257.

• **Discussion, Capital Discussion**

◦ **Cash-to-capital contributions, smoothing future debt service impacts**

- **Possible Use of a portion of Capital reserve to fund some capital expenses**
- **Possible uses of ARPA Funds**

There was a lot of discussion on capital funding, possibly using a portion of the Capital reserves to fund some capital expenses, and possible ARPA uses, including a Police service/comfort dog, HVAC systems and Police vehicles.

Ms. Mackstutis said after the changes to ARPA funding she feels the revenue should go into the capital account and then take money from there for things like the HVAC system, Tariffville Park, the Police Department, Simsbury Farms, etc. There was also some discussion with Chairman of the Board of Finance, Lisa Heavner, about how to fund different projects. She also spoke about a possible increase in the pension contribution. She is hesitant on decreasing taxes and then increasing them next year.

There was also discussion on the ARPA funding list and how to prioritize the projects further.

There will be further discussions on the budget at the next Board of Selectmen meeting on Monday.

ADJOURN

Mr. Wellman made a motion to adjourn at 4:30 p.m. Mr. Askham seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio
Clerk

CALL TO ORDER

The Regular Meeting of the Board of Selectmen was called to order at 6:00 p.m. in the Main Meeting Room of the Simsbury Town Offices and on Zoom. Present were: First Selectman Wendy Mackstutis; Deputy First Selectman Amber Abbuhl; Board members Sean Askham, Eric Wellman (via Zoom) and Chris Peterson. Heather Goetz was absent. Others in attendance included: Town Manager Maria E. Capriola; Deputy Town Manager Melissa Appleby; Public Works Director/Town Engineer Tom Roy and other interested parties.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

PUBLIC AUDIENCE

- **Participants can address the Board of Selectmen in person at the meeting**
- **Email townmanager@simsbury-ct.gov by noon Monday, March 28, 2022 to register to address the Board of Selectmen live thru Zoom**
- **Written comments can be emailed to townmanager@simsbury-ct.gov. Written emails will not be read into the record, but forwarded to all Selectmen via email**

Steven Antonio, 133 Holcomb Street, who was speaking for Nord Christianson, Melissa Brett and David Richman, spoke about their concerns with Town government. He spoke about staff quitting their jobs under the Town Manager form of government. They are asking that the Board acknowledge that this is a real situation that needs to be looked at further.

Joan Coe, 26 Whitcomb Drive, spoke about the Board of Finance, ARPA funding, expenditures not reflected in the budget. She said items like the proposed Social Workers and comfort dog are unwarranted. She feels money should be spent on mental health, drug, gambling, etc. issues should be addressed instead. She also spoke about the Town Manager and Police Chief positions and other issues.

FIRST SELECTMAN’S REPORT

First Selectman, Wendy Mackstutis, reviewed her First Selectman’s report.

TOWN MANAGER’S REPORT

Town Manager, Maria E. Capriola, reviewed her Town Manager’s report.

SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS

- Personnel** – no report at this time.
- Finance** – no report at this time.
- Public Safety** – no report at this time.
- Board of Education** – no report at this time.

Mr. Askham made a motion to amend the agenda to add FY 2022/2023 budget discussion, item g. Mr. Peterson seconded the motion. All were in favor and the motion passed.

SELECTMEN ACTION

a) Tax refund requests

Mr. Peterson made a motion, effective March 28, 2022, to approve the presented tax refunds, in the amount of \$6,405.43, and to authorize Town Manager, Maria E. Capriola, to executive the tax refunds. Mr. Askham seconded the motion. All were in favor and the motion passed.

b) Request to Extend Fee Waivers for Temporary Outdoor Dining

Ms. Mackstutis said the Governor extended his bill on outdoor dining fee waivers until April 2023. Ms. Capriola said there was a full executive order to waive the \$25 fee and she feels the Town should also waive the fee until May 1, 2023.

Mr. Askham made a motion, effective March 28, 2022, to extend fee waivers for administrative zoning and building permit fees through May 1, 2023 for restaurants seeking approval for temporary outdoor dining contingent upon approval by the Zoning Commission. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

Mr. Peterson asked that the Zoning Commission be encouraged to continue to look at indoor/outdoor dining issues while moving forward through the pandemic.

c) 2022 State House Bond Request

Ms. Mackstutis said State Representative Hampton spoke about some funding opportunities through the bond commission, and one potential idea is Tariffville Park. Ms. Capriola said there are a number of planned improvements at Tariffville Park. They have also discussed other improvements for that Park. They have cost estimates for about \$330,000 for softball field netting, river access improvements, parking lot improvements, gate improvements, water fountain, and security camera technology. The application would need to be submitted by May 31, 2022.

Mr. Askham made a motion, effective March 28, 2022, to authorize Town Manager Maria E. Capriola to submit a 2022 House Bond Request From in the amount of \$330,000 for improvements to Tariffville Park.

Should the appropriation request be awarded, the following additional motion is in order:

To accept the appropriation request for improvements to Tariffville Park and authorize Town Manager, Maria E. Capriola to execute all documents related to the award. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

d) Supplemental Appropriation of Paving Funds Received from Aquarion

Ms. Capriola said this has been done in the past; when Aquarion is doing rehabilitation work, they pay for pavement to meet our standards. They sent us over \$462,000 and the appropriation needs to be approved by the Board of Selectmen and then the Board of Finance.

Mr. Askham made a motion, effective March 28, 2022, to approve the supplemental appropriation request for road paving as presented. Mr. Peterson seconded the motion. All were in favor and the motion passed.

e) MIRA Update FY 2022/2023 Contract

Mr. Roy spoke about the Town’s solid waste going to the MIRA plant. This plant continues to decline and community after community is leaving MIRA and going to private facilities such as Murphy Road. Alternatively, the Town can simply leave it up to the private haulers to determine where to bring the solid waste. He said MIRA might have to shut down next year.

After discussion, Mr. Askham made a motion, effective March 28, 2022, to authorize Town Manager, Maria E. Capriola to exercise the Town’s opt-out provision of Simsbury’s agreement with MIRA. Mr. Peterson seconded the motion. All were in favor and the motion passed.

f) 2022 Revaluation

Ms. Capriola said there is proposed legislation to allow towns to delay the revaluation process however, they would have to opt into the legislation and be named in the legislation. She said the Town has already gone through a request for proposal and already hired two vendors. There are only three towns asking to delay revaluation. If we followed this we would not be reimbursed for the money/time already spent in the process. She does not feel it is prudent to delay Simsbury’s revaluation at this time.

After a lot of discussion, Mr. Askham made a motion, effective March 28, 2022, to not proceed with delaying the 2022 revaluation process in Simsbury. Mr. Peterson seconded the motion. All were in favor and the motion passed.

g) FY 2022/2023 Budget discussion

Ms. Capriola said there was a policy decision during the FY 2022/2023 budget process to help stabilize the mill rate and help guard against future debt service increases by building in approximately \$564,000 as a cash for capital buffer. The Board of Finance would then allocate the funds at a later date.

Ms. Capriola said the Board of Finance is asking this Board if they have an opinion on where the funds would be allocated. There was discussion on different options for this money, such as putting it in capital reserves, using towards the Latimer Lane project, offsetting future debt service payments, etc.

After discussion, the Board decided by consensus to recommend that the approximately \$564,000 in cash for capital be put into capital reserve.

APPOINTMENTS AND RESIGNATIONS

a) Proposed appointment of Joyce McKusick to the Housing Authority

Ms. Abbuhl recognized the life and service of resident and Board member Ronald Anastasio, who passed away on March 9, 2022.

Ms. Abbuhl made a motion, effective March 28, 2022, to appoint Joyce M. McKusick as a Regular Member of the Simsbury Housing Authority with a term ending April 1, 2025. Mr. Wellman seconded the motion. All were in favor and the motion passed.

REVIEW OF MINUTES

- a) **Regular Meeting of March 10, 2022 – Budget Workshop** - there were no changes to the Regular Meeting – Budget Workshop Minutes of March 10, 2022, and, therefore, the minutes were adopted.
- b) **Regular Meeting of March 14, 2022** – there were no changes to the Regular Meeting Minutes of March 14, 2022, and therefore, the minutes were adopted.

EXECUTIVE SESSION

- a) **Pursuant to CGS §1-200(6)(b) Concerning Pending Claims Litigation – MK Simsbury Group, LLC et al V Town of Simsbury**

Ms. Capriola noted that Attorney DeCrescenzo was unable to attend at this time, and, therefore, the Executive Session was tabled.

ADJOURN

Mr. Askham made a motion to adjourn at 7:25p.m. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio
Clerk



Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

Maria E. Capriola - Town Manager

MEMORANDUM

To: Board of Selectmen
From: Maria Capriola, Town Manager
Cc: Tom Hazel, Interim Planning Director; Tom Tyburski, Director of Culture, Parks and Recreation; Nick Boulter, Chief of Police; Chris Davis, Deputy Chief of Police; Greg Samselski, Police Lt.; Tom Roy, Director of Public Works/Town Engineer; Patrick Tourville, Fire Marshal
Date: March 25, 2022
Subject: Administrative Approvals of Public Gathering Permits

This memo is to inform the Board of Selectmen of the public gathering permits that I have approved via an administrative approval.

Staff from Planning, Police, Culture, Parks and Recreation, Public Works, the Fire District, and the Farmington Valley Health District reviewed both applications to ensure compliance and safety measures were addressed prior to approval. Following completion of that process, the following public gathering permits have been approved by me:

Name of Event	Location	Date	Type
Simsbury Duck Race	Flower Bridge/Hopbrook Landing	May 27, 2022 8:00 am – 8:00 pm	Fundraising event
Wedding Photos	Flower Bridge	June 4, 2022 3:15pm - 5:15pm	Private event

Should you have any questions or concerns about one of the applications listed above, please contact me so staff and I can help answer those questions.



Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

Maria E. Capriola - Town Manager

MEMORANDUM

To: Board of Selectmen
From: Maria Capriola, Town Manager
Cc: Tom Hazel, Interim Planning Director; Tom Tyburski, Director of Culture, Parks and Recreation; Nick Boulter, Chief of Police; Chris Davis, Deputy Chief of Police; Greg Samselski, Police Lt.; Tom Roy, Director of Public Works/Town Engineer; Patrick Tourville, Fire Marshal
Date: March 28, 2022
Subject: Administrative Approval of Public Gathering Permit

This memo is to inform the Board of Selectmen of a public gathering permit that I have approved via an administrative approval.

Staff from Planning, Police, Culture, Parks and Recreation, Public Works, the Fire District, and the Farmington Valley Health District reviewed the application to ensure compliance and safety measures were addressed prior to approval. Following completion of that process, the following public gathering permit has been approved by me:

Name of Event	Location	Date	Type
MS Walk	Performing Arts Center and Trail	June 4 (set-up, event) June 5 (breakdown)	Charity Walk

Should you have any questions or concerns about the application listed above, please contact me so staff and I can help answer those questions.