



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

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SIMSBURY BOARD OF SELECTMEN
Regular Meeting – November 13, 2023 – 6:00 p.m.
Main Meeting Room, Simsbury Town Hall

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

- a) Ordinances Prohibiting the Use of Tobacco, Vaping and Cannabis Products on Public Property
- b) Proposed Amendments to Chapter 15 of Simsbury Town Code: Fair Rent Commission

PUBLIC AUDIENCE

- Participants can address the Board of Selectmen in person at the meeting
- Email townmanager@simsbury-ct.gov by noon on Monday, November 13, 2023 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

PRESENTATIONS

- a) Recognition of Outgoing Board Members
- b) Simsbury Diversity, Equity, and Inclusion Housing Subcommittee Presentation

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) Follow Up on PAC Life Safety Analysis Year End Transfer Request
- b) Proposed Ordinance Prohibiting the Use of Tobacco, Vaping and Cannabis Products on Public Property
- c) Proposed Amendments to Chapter 15 of Simsbury Town Code: Fair Rent Commission
- d) Proposed Revisions to Fair Rent Commission Rules of Procedures
- e) Tax Refund Requests

- f) Donation from Dianne and Mark Orenstein
- g) Proposed Public Gathering Permit – Simsbury Performing Arts Center – Charity Walk & Talk
- h) Proposed Public Gathering Permit – Unite by Light Event

APPOINTMENTS AND RESIGNATIONS

- a) Resignation of Elizabeth Peterson from the Technology Task Force

REVIEW OF MINUTES

- a) October 23, 2023 Regular Meeting Minutes

ADJOURN



Town of Simsbury

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BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Public Hearing – Proposed Ordinances on Prohibiting the Use of Tobacco, Vaping and Cannabis Products on Public Property
2. **Date of Board Meeting:** November 13, 2023
3. **Individual or Entity Making the Submission:**
Lee C. Erdmann, Interim Town Manager; Tom Fitzgerald Acting Deputy Town Manager

4. **Action Requested of the Board of Selectmen:**
No action is needed during the public hearing. The Board may opt to approve one of the proposed versions of the ordinance later in the evening (item on the agenda under Selectmen action).
5. **Summary of Submission:**
At your October 23, 2023 meeting, the Board of Selectmen scheduled a public hearing to receive public comment on a proposed ordinance Prohibiting the Use of Tobacco, Vaping and Cannabis Products on Public Property for 6:00pm on Monday, November 13, 2023. The proposed ordinance was sent to the Culture, Parks and Recreation Commission for their comments. The Board also asked about two versions of the draft ordinance at the public hearing. One draft provides an exemption for the Simsbury Farms Golf Course, not including the common areas, for tobacco use, and one draft does not provide this exemption.

The public hearing notice is attached.
6. **Financial Impact:**
None
7. **Description of Documents Included with Submission:**
 - a) Public Hearing Notice
 - b) Draft Ordinance on Prohibiting the Use of Tobacco, Vaping and Cannabis Products on Public Property – With Simsbury Farms Golf Course Exemption
 - c) Draft Ordinance on Prohibiting the Use of Tobacco, Vaping and Cannabis Products on Public Property – Without Simsbury Farms Golf Course Exemption

**TOWN OF SIMSBURY
PUBLIC HEARING NOTICE**

Public Hearing Date: Monday, November 13, 2023 at 6:00 p.m.

Notice is hereby given pursuant to Section 404 of the Charter of the Town of Simsbury that the Board of Selectmen will hold a public hearing on Monday, November 13, 2023 at 6:00 p.m. in the Main Meeting Room of Simsbury Town Hall, 933 Hopmeadow Street to receive public comment concerning proposed ordinances regarding Prohibiting the Use of Tobacco, Vaping and Cannabis Products on Public Property. Copies of the proposed ordinances can be found on the Town of Simsbury's website, www.simsbury-ct.gov on the Board of Selectmen's page. Hard copies are available at the Town Clerk's Office, 933 Hopmeadow Street, Simsbury, CT. Members of the public may register to address the Board of Selectmen live through Zoom by emailing townmanager@simsbury-ct.gov by 12:00pm on November 13, 2023. Alternatively, members of the public may email statements to townmanager@simsbury-ct.gov by 12:00 p.m. on November 13, 2023 to have their comments sent to the Board of Selectmen. Written comments will not be read into the record at the hearing.



Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

**TOWN OF SIMSBURY
AN ORDINANCE PROHIBITING
THE USE OF TOBACCO, VAPING AND CANNABIS PRODUCTS ON PUBLIC
PROPERTY**

Adopted by the Board of Selectmen on Month Day, 2023

I. Purpose

The purpose of this ordinance is to protect the health and safety of all individuals who use public property. This ordinance prohibits the use of tobacco, vaping, and cannabis products on all public property owned and/or controlled by the Town of Simsbury, including sidewalks, trails, parks, playgrounds, and government buildings.

II. Scope

This ordinance applies to all public property owned or operated by the Town of Simsbury. This includes all property that is open to the public, such as sidewalks, trails, parks, playgrounds, and government buildings.

III. Definitions

- **Tobacco Product:** Any product that contains tobacco, including cigarettes, cigars, pipes, hookahs, and electronic cigarettes.
- **Vaping Product:** Any product that uses an electronic device to heat a liquid nicotine solution, creating an aerosol that is inhaled by the user, as defined in General Statutes section 19a-342a
- **Cannabis Product:** Any product that contains cannabis, as defined in General Statutes section 21a-420(3)
- **Authorized Enforcement Agency:** The Simsbury Chief of Police and/or any sworn officer of the Simsbury Police Department.

IV. Use of Tobacco, Vaping and Cannabis Products on Public Property

It shall be unlawful for any person within the Town of Simsbury to consume tobacco or cannabis products of any kind, or to use an electronic nicotine or cannabis delivery system or vaping product of any kind or any other form or manner of ingestion of tobacco or cannabis products on any property owned or controlled by the Town of Simsbury.

V. Areas of Exception

Use of tobacco products will be allowed on the Simsbury Farms Golf Course. This shall not include common areas of the Golf Facility such as dining patio, banquet tent area, practice putting green and driving range.

VI. Violations and Penalties

Whenever the authorized enforcement agency determines that a person has violated this ordinance, the authorized enforcement agency is authorized to issue a fine to the violator in the amount of one hundred dollars (\$100.00) for each offense.

VII. Appeals

Any person receiving a fine may appeal the determination of the authorized enforcement agency. The notice of appeal must be received in writing and filed with the Town Clerk's Office within ten (10) business days from receipt of the notice of the fine. The appeal shall be deemed received by the Town on the first business day following the day it is filed with and received by the Town Clerk's Office. Hearing on the appeal before the Hearing Officer shall take place within thirty (30) business days from the date of receipt of the notice of appeal. The decision of the Hearing Officer may be appealed to Superior Court.

VIII. Severability

Should any provision of this Article be declared invalid for any reason, such declaration shall not affect the validity of other provisions of this Chapter as a whole, it being the legislative intent that the provisions of this Ordinance shall be severable and that the remainder shall be valid.



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BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Public Hearing – Proposed Amendments to Chapter 15 of Simsbury Town Code: Fair Rent Commission
2. **Date of Board Meeting:** November 13, 2023
3. **Individual or Entity Making the Submission:**
Lee C. Erdmann, Interim Town Manager; Tom Fitzgerald Acting Deputy Town Manager; Kristen Formanek Director of Community and Social Services; Trish Munroe, Town Clerk

4. **Action Requested of the Board of Selectmen:**
No action is needed during the public hearing. The Board may opt to approve the ordinance later in the evening (item on the agenda under Selectmen action).
5. **Summary of Submission:**
At your October 23, 2023 meeting, the Board of Selectmen scheduled a public hearing to receive public comment on proposed amendments to Chapter 15 of Simsbury Town Code: Fair Rent Commission for 6:00pm on Monday, November 13, 2023. The public hearing notice is attached.

The Fair Rent Commission Ordinance was adopted by the Board of Selectmen on June 9th, 1986. Since then, changes to the state statute regarding Fair Rent Commissions as well as changes to the Town government and departments that require updates and revisions. An internal work group of the Acting Deputy Town Manager, Director of Community and Social Services and the Town Clerk met to review the Ordinance and the Bylaws of the Fair Rent Commission. At these meetings suggested revisions were made to both documents.

A public hearing is required for amendments to ordinances. If the Board does approve the revisions after the public hearing the ordinance will need to be published in a newspaper within 10 days of approval. The ordinance would then become effective 21 days after publication in a newspaper.

This timeline would allow for a notice asking for volunteers who are interested in serving on the Commission to be published in November and for the Personnel Sub-Committee to interview interested candidates in December with hopes of members being appointed in January and allowing the Fair Rent Commission to begin early in the new year.

6. Financial Impact:

None

7. Description of Documents Included with Submission:

- a) Public Hearing Notice
- b) Draft Amendments to Chapter 15 of the Town Code: Fair Rent Commission

**TOWN OF SIMSBURY
PUBLIC HEARING NOTICE**

Public Hearing Date: Monday, November 13, 2023 at 6:00 p.m.

Notice is hereby given pursuant to Section 404 of the Charter of the Town of Simsbury that the Board of Selectmen will hold a public hearing on Monday, November 13, 2023 at 6:00 p.m. in the Main Meeting Room of Simsbury Town Hall, 933 Hopmeadow Street to receive public comment concerning proposed revisions to Chapter 15: Fair Rent Commission of the Town of Simsbury Code of Ordinances. Copies of the proposed revisions can be found on the Town of Simsbury's website, www.simsbury-ct.gov on the Board of Selectmen's page. Hard copies are available at the Town Clerk's Office, 933 Hopmeadow Street, Simsbury, CT. Members of the public may register to address the Board of Selectmen live through Zoom by emailing townmanager@simsbury-ct.gov by 12:00pm on November 13, 2023. Alternatively, members of the public may email statements to townmanager@simsbury-ct.gov by 12:00 p.m. on November 13, 2023 to have their comments sent to the Board of Selectmen. Written comments will not be read into the record at the hearing.

Chapter 15

FAIR RENT COMMISSION

[HISTORY: Adopted by the Board of Selectmen of the Town of Simsbury June 9, 1986. Amendments noted where applicable.] Amended on MONTH DAY, 2023

GENERAL REFERENCES

Code of Ethics — See Ch. 13.

§ 15-1. Establishment.

Pursuant to Sections 7-148b through 7-148f of the General Statutes of Connecticut and by the action of the Special Town Meeting, May 20, 1986, there is hereby created a Fair Rent Commission in the Town of Simsbury with full powers and authority as set forth in said statutes. Amended on MONTH DAY, 2023.

§ 15-2. Appointment and terms of members.

The Fair Rent Commission shall consist of five regular members who are electors or tax payers, appointed by the Board of Selectmen at the recommendation of the Town Manager. Five members shall serve for a term of four years. Three members shall be appointed to serve a term to expire November 30, 2024, thereafter to be appointed to a four-year term to expire November 30, 2028. Two members shall serve until November 30, 2026, thereafter to be appointed to a four-year term to expire November 30, 2030. There shall also be two alternate members appointed in the same fashion and following the same schedule. The Director of Community and Social Services, or their designee, shall serve as a non-voting member of said Commission. The members of the Commission shall serve without compensation.

§ 15-3. Officers; rules and records.

Members of the Commission shall elect a Chairperson, Vice Chairperson, and a Secretary for a term to be determined by majority vote of the Commission.

§ 15-4. Powers and duties.

- A. General. The Commission shall have the power to make studies and investigations, conduct hearings and receive written complaints relative to rental charges or proposed increases in rental charges on housing accommodations, except those accommodations rented on a seasonal basis,¹ within the Town of Simsbury in order to control or eliminate excessive rental charges on such accommodations and to carry out the provisions of this chapter and Section 47a-20 of the Connecticut General Statutes (Retaliatory Action by Landlord) and Section 47a-23c(b) of the Connecticut General Statutes (The Eviction of Elderly, Blind and Disabled Tenants). The Commission may, for such purposes, compel the attendance of persons at hearings, issue subpoenas and administer oaths, issue orders and

¹ Editor's Note: For purposes of § 15-4A, "seasonal basis" means housing accommodations rented for a period or periods aggregating not more than 120 days in any one calendar year.

continue, review, amend, terminate or suspend any of its orders and decisions. The Commission may be empowered to retain legal counsel to advise it.

- B. Informal conciliation. The Commission may, in an appropriate case, encourage a complaining tenant and landlord to meet informally with two members of the Commission appointed by the Chairperson for such purpose in an effort to reach a mutually satisfactory resolution of the issue contained in the complaint. One of the Commissioners so appointed may be the Director of Community and Social Services, or their designee. Such informal conferences shall be closed to the public and the Commission shall receive no formal "evidence" or render a decision thereon. Any agreement reached by the parties as a result of an informal conference shall be reduced to writing and signed by the parties and shall be fully enforceable as if it were an order of the Commission. If the parties are unwilling to meet informally or unable to resolve such issues after an informal conference, the parties shall be entitled to a formal hearing before the Commission as set forth in this chapter. The two Commission members assigned to the informal conference may take part in any formal hearing on the complaint which may be held thereafter, unless one or more of the parties objects.

§ 15-5. Authority to order rent reductions or repairs.

- A. If the Commission determines, after a hearing, that a rental charge or a proposed increase in a rental charge for any housing accommodation is so excessive, based on the standards and criteria set forth in Subsection B of this section, as to be harsh and unconscionable, it may order the rent reduced to such amount as it determines to be fair and equitable. If the Commission determines, after a hearing, that the housing accommodation in question fails to comply with any municipal ordinance or state statute or regulation relating to health and safety, it may order the suspension of further payments of rent by the tenant until such time as the landlord makes the changes, repairs or installations necessary to bring such housing accommodation into compliance with such ordinance, statute or regulation. The rent being abated during said period shall be paid to the Commission to be held in escrow.
- B. Considerations in determining whether a rental charge is excessive. In determining whether a rental charge or a proposed increase in a rental charge is so excessive, with due regard to all the circumstances, as to be harsh and unconscionable, the Fair Rent Commission shall consider such of the following circumstances as are applicable to the type of accommodation in question:
- (1) The rents charged for the same number of rooms in other housing accommodations in the same and in other areas of the Town of Simsbury.
 - (2) The sanitary conditions existing in the housing accommodation in question.
 - (3) The number of bathtubs or showers, flush water closets, kitchen sinks and lavatory basins available to the occupants thereof.
 - (4) The services, furniture, furnishings and equipment supplied therein.
 - (5) The size and number of bedrooms contained therein.

- (6) The repairs necessary to make such accommodations reasonably livable for the occupants accommodated therein.
- (7) The amount of taxes and overhead expenses, including debt service, thereof.
- (8) Whether the accommodations are in compliance with the ordinances of the Town of Simsbury and the General Statutes of the State of Connecticut relating to health and safety.
- (9) The income of the petitioner and the availability of accommodations.
- (10) The availability of utilities.
- (11) Damages done to the premises by the tenant, caused by other than ordinary wear and tear.
- (12) The amount and frequency of increases in rental charges.
- (13) Whether, and the extent to which, the income from an increase in rental charges has been or will be reinvested in improvements to the accommodations.

§ 15-6. Penalties for offenses.

Any person who violates a written agreement which has been entered into as the result of an informal conference held under § 15-4B of this chapter or who violates any order of rent reduction or rent suspension by demanding, accepting or receiving an amount in excess thereof while such order remains in effect, and no appeal pursuant to § 15-8 herein is pending, or who violates any other provision of this chapter or Section 47a-20 of the Connecticut General Statutes (Retaliatory Action by Landlord) or who refuses to obey any subpoena, order or decision of the Commission pursuant thereto, shall be fined not less than \$25 nor more than \$100 for each offense. If such offense continues for more than five days, it shall constitute a new offense for each day it continues to exist thereafter.

§ 15-7. Retaliatory conduct of landlord.

If the Commission determines after a hearing that a landlord has retaliated in any manner against a tenant because the tenant has complained to the Commission, the Commission may order the landlord to cease and desist from such conduct.

§ 15-8. Appeals.

Any person aggrieved by an order of the Commission may appeal to the Housing Session of the Superior Court for the Judicial District of Hartford-New Britain at Hartford. Any such appeal shall be considered a privileged matter with respect to the order of trial as provided in Section 7-148e of the Connecticut General Statutes.

§ 15-9. Incorporation of state law.

Any amendments to the state law referring to fair rent commissions will be automatically incorporated into this chapter and made a part thereof.

§ 15-10. When effective.

The Commission shall become effective as of the date of this chapter.

DRAFT



Town of Simsbury

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SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Recognition of Outgoing Board Members
2. **Date of Board Meeting:** November 13, 2023
3. **Individual or Entity Making the Submission:**
Wendy Mackstutis, First Selectman; Lee C. Erdmann, Interim Town Manager
4. **Action Requested of the Board of Selectmen:**
The following motions are in order to thank our outgoing Board of Selectmen members for their years of service to the community:

Move, effective November 13, 2023, to congratulate Deputy First Selectwoman Amber Abbuhl on her tenure on the Board of Selectmen from 2021 to present; further move to express the Board's gratitude to Ms. Abbuhl for her service to her community.

Move, effective November 13, 2023, to congratulate Selectman Sean Askham on his tenure on the Board of Selectmen from 2011 to present; further move to express the Board's gratitude to Mr. Askham for his service to his community.

Move, effective November 13, 2023, to congratulate Selectman Chris Peterson on his tenure on the Board of Selectmen from 2017 to present; further move to express the Board's gratitude to Mr. Peterson for his service to his community.

Move, effective November 13, 2023, to congratulate Selectman Eric Wellman on his tenure on the Board of Selectmen from 2017 to present; further move to express the Board's gratitude to Mr. Wellman for his service to his community.

5. **Summary of Submission:**
Tonight is the last Board of Selectmen meeting for members Amber Abbuhl, Sean Askham, Chris Peterson, and Eric Wellman. The Board of Selectmen and Town Manager would like to acknowledge their service to the community tonight.

Selectman Amber Abbuhl has been on the Board of Selectmen since 2021 serving as the Deputy First Selectman. As a Selectman, Amber has been involved in numerous committees such as the Personnel Sub-Committee and Finance Sub-Committee, and has served as a liaison to the Zoning Commission, Aging and Disability Commission and the Housing Authority.

Selectman Sean Askham has been on the Board of Selectmen since 2011 and was Deputy First Selectman from 2019 - 2021. As a Selectman, Sean has been involved in

numerous committees and work groups over the years and has been the long-standing chair of the Public Safety Sub-Committee, member of the Personnel Sub-Committee and involved in numerous work groups as well as a member of the Town Manager Search Committee during the transition from the old form of government to our current Selectman-Town Manager form.

Selectman Chris Peterson has been on the Board of Selectmen since 2017. As a Selectman, Chris has been involved in numerous committees and work groups over the years including serving as the liaison to the Culture, Parks and Recreation Commission, Chair of the Short-Term Rental Ordinance Work Group, and chair of the 1 Old Bridge Road Park Naming Rights Committee.

Selectman Eric Wellman has been on the Board of Selectmen since 2017 including serving as First Selectman from 2017-2021. As a Selectman, Eric has been involved in numerous committees and work groups over the years including serving as the first First Selectman in our new form of government. Eric served on the Personnel Sub-Committee, Hometown Hero Selection Committee and a liaison to the DEI Council, and Clean Energy Task Force.

6. Financial Impact:

None

7. Description of Documents Included with Submission:

None



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BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Simsbury Diversity, Equity, and Inclusion Housing Subcommittee Presentation
2. **Date of Board Meeting:** November 13, 2023
3. **Individual or Entity Making the Submission:**
Lee C. Erdmann, Interim Town Manager

4. **Action Requested of the Board of Selectmen:**
This presentation is informational.
5. **Summary of Submission:**
The DEI Council's Housing Subcommittee is presenting to the Board tonight with a multimedia presentation updating the Board of Selectman on their recent events and activity.
6. **Financial Impact:**
None
7. **Description of Documents Included with Submission:**
 - a) PowerPoint Slides

TWO TOMORROWS

1. **Simsbury without action on affordable and inclusive housing**
 - More market rate housing (including more rentals)
 - Insufficient housing stock to serve seniors, people with disabilities, young professionals, young families
 - More 8-30g housing without local support or input likely eroding our sense of place

1. **Simsbury with action on affordable and inclusive housing**
 - Sufficient housing stock for seniors, people with disabilities, young professionals, young families
 - Rehabilitated existing housing stock
 - Plan for development that includes everyone and enhances our sense of place

3

INCLUSIVE HOUSING WORK WE DID

- Stakeholder Meetings
- Resident Voices of Lived Experience in Low-Income Housing
- Survey on Housing Perspectives
- Educational Events
- Community Forum

4

STAKEHOLDER SUGGESTIONS

“Incentivize landlords to renovate existing units by providing tax incentives so that residents who live in those units do not feel they are living in substandard units... and, once done, impose some type of deed restriction so that rates remain affordable for future residents.”

“Zoning needs to change to keep land costs down. We need to look at existing zoning regulations – especially available land - to reduce minimum acreage lots, eg., one acre zoning.”

“We should have more PUDs - planned unit developments- and more multi-family developments that actually serve families, as opposed to only building one bedroom apartments.”

“Some suggestions: restaurants that attract diverse clientele, cooking demonstrations (they do this at Bloomfield library), promote events like concerts in other towns, develop partnerships with other towns, like Bloomfield, host events with Greater Hartford Association of Realtors such as buyers seminars, town could offer loans to people who want to fix up their homes.”

5

STAKEHOLDER SUGGESTIONS

“1) Develop a plan for bringing diverse services to town; 2) Develop multi-cultural events; 3) DEI training for police and other town officials. Simsbury needs to change the perception of people and how they view it.”

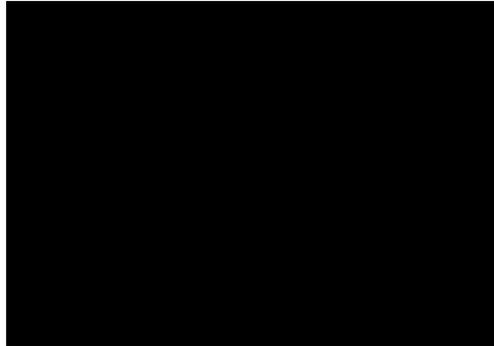
“Simsbury's current housing stock is prohibitive both from a tax and ownership standpoint. Diversity implies both ethnic and socio-economic. The only way for people to enter Simsbury is through older rental apartments or older condo complexes (which are expensive too, due to monthly fees).”

“There's an assumption that those who are financially struggling have a lack of education or different value set. I go to the food pantry and wear second hand clothes, and I have a master's degree. People assume poverty looks a certain way but it doesn't.”

6

RESIDENT VOICES OF LIVED EXPERIENCES

Listening sessions with 10 residents living in low-income housing and qualifying for food pantry distribution.



[*Link to full resident Voices of Lived Experience video \(19:29\)](#)

[*Link to stitched audio of all six listening sessions](#)

SURVEY: HOUSING PERSPECTIVES

PRE-SURVEY: 296 RESPONSES (April-Nov 2022) - [link to survey results and comments](#)

- I experience Simsbury as inclusive (**45.6%**); Simsbury is inclusive for everyone (**42.2%**)
- Existing housing/planned development is: too much (**42.9%**), too little (**22%**), about right (**19.3%**)
- Current housing helps make Simsbury inclusive: agree (**29.4%**), disagree (**46.9%**)
- More housing options/choices would **make Simsbury better**: agree (**48.6%**), disagree (**40.5%**)
- **Expand affordable options** so all income levels can live here: agree (**51.7%**), disagree (**39.5%**)
- Town should prioritize housing that **increases diversity of residents**: agree (**48.3%**), disagree (**38.2%**)
 - **Extensive comments** (48 pages) with range of perspectives, specific concerns and suggestions.
 - Responses primarily describe a town that is **not inclusive** to racial/ethnic minorities or to those with less affluence.
 - Data show meaningful difference in responses by **socioeconomic factors** (eg, only 25% of those with <\$100K annual household income experience Simsbury as "inclusive")

FORUM FEEDBACK: 24 RESPONSES (May 2023) - [link to survey results and comments](#)

- **79.2%** helped me think differently
 - **100%** valued opportunity to share my views
 - **58.3%** can see a path forward
 - **75%** want to **participate in future process**
- "Great start"... "Gave me some hope"**
"Continue the work"... "We need a plan"
"Keep the conversation going"
"(Don't) let this initiative go by the wayside"

EDUCATIONAL EVENTS

Housing Basics*

May 12, 2022. **60 residents** attended. The panel consisted of [George McGregor](#), Director Simsbury Planning and Community Development; [Rich Correia](#), Executive VP for RM Bradley Commercial Real Estate and [Edward LaMontagne](#), Retired Executive Director of the Simsbury Housing Authority.

Pathways to Affordable Housing*

November 9, 2022. **70 residents** attended. [George McGregor](#), Director of Planning and Community Development in Simsbury moderated. [Kiley Gosselin](#), Executive Director, Partnership for Strong Communities. [Matthew Straub](#), Senior Program Officer-Lending and Investments, at Local Initiatives Support Corporation (LISC). [LeAnn Hanfield Curtin](#), Director of Development, Beacon Communities.

[*Link to document with further details](#)

Let's talk 7 episodes on SCM*

[*Link to SCM Youtube Recordings by clicking event titles above](#)



COMMUNITY FORUM

Purpose: to discuss issues surrounding the development of Affordable and Inclusive Housing (AH) and to begin work on a shared vision for expanding AH in Simsbury grounded in viable paths forward.

May 10, 2022 - Town officials and **80 residents** of all ages and diverse socioeconomic and racial backgrounds participated. [Dr. Tiffany Manuel](#), President of [TheCaseMade](#) facilitated.

Discussion centered around 2 major questions:

1. **What are our current and future housing needs in town and what happens if we don't provide more AH?**
2. **What needs to be in the current AH plan to create the tomorrow we want for Simsbury?**

[* Red Carpet clips \(3:14\)](#)

[*Link to full Red Carpet testimonials from forum](#)

24 residents responded to a post-forum survey
75% want to stay actively involved in this with the Town.



WHAT WE RECOMMEND

1. **BOS endorse expansion of Affordable and Inclusive Housing** consistent with [2023 POCD update](#) including its updated action steps (p. 98), the [2021 Affordable Housing Plan](#) (p. 12) and the recent draft proposal of Affordable Housing Strategies & Advisory Committee
1. **December: BOS assign 2 liaisons to DEI Council**
1. **During goal-setting: BOS, Town Manager, and Director of Community Planning & Development prioritize and develop a timeline for Affordable and Inclusive Housing Plan**

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WHAT WE RECOMMEND

4. **Town proactively encourage Affordable and Inclusive Housing development**
 - Zoning regulations and map
 - Tax abatement
 - Infrastructure assistance
 - State and federal resources to support funding
 - Learning from other towns
 - Identify developers who are proven partners with towns to successfully develop AH enhancing sense of place
 - Public update on plan components and progress
5. **EDC and Simsbury Main Street Partnership attract desirable developers interested Affordable and Inclusive Housing**

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WHAT WE RECOMMEND

6. **BOS, Town Manager, Planning and Zoning commissions offer more frequent and accessible public engagement opportunities**
 - Feedback during POCD public hearing
 - Community members asking for active involvement
7. **Creation of Town Affordable Housing Committee**
per POCD and Affordable Housing Plan, composed of different stakeholders (town staff, elected officials, developers, interested private citizens, etc.)
 - DEI seat on committee
 - Continue to actively build public will and momentum



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OUR COMMITMENT TO YOU

- Continue **building on the public will** that has been generated over the past 18 months
- Continue **engaging residents and sharing feedback** to help you make good decisions
- Continue **supporting town leaders** as you take specific actions and stay accountable to the residents of Simsbury

14

THE OPPORTUNITY

Simsbury is an amazing place to live with excellent schools, town services, open space, trails, sports, cultural events, and public library. We have vibrant community life.

Right now we have the opportunity to proactively shape housing expansion that protects what we love about Simsbury and meets needs of current and future residents.

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ACKNOWLEDGEMENTS

Simsbury DEI Council would like to thank:

- **Hartford Foundation for Public Giving**
- **Simsbury Community Media**
- **Simsbury Community and Social Services**
- **Simsbury Public Schools**
- **Hundreds of Simsbury residents and stakeholders**
- **Simsbury Board of Selectmen**

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Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Follow Up on PAC Life Safety Analysis Year End Transfer Request

2. **Date of Board Meeting:** November 13, 2023

3. **Individual or Entity Making the Submission:**
Lee C. Erdmann, Interim Town Manager; Amy N. Meriwether, Finance Director/Treasurer

4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports the General Fund and capital transfer requests as presented, the following motion is in order:

Move, effective November 13, 2023, to transfer \$35,000 from the General Fund to the CNR Fund for the PAC Life Safety Analysis and to amend the motion from the October 23, 2023 meeting to reduce the transfer from the General Fund to the Capital Reserve fund from \$3,295,100 to \$3,260,100.

5. **Summary of Submission:**
At the October 23rd Board of Selectmen meeting Ms. Meriwether presented the FY22/23 Year-End General Fund and Capital Transfer Requests. The Board of Selectmen had requested follow up on the PAC Life Safety Analysis project. The PAC Life Safety Analysis was originally approved as a \$15,000 project during a previous round of year-end transfer requests. Staff issued an RFQ in the Spring and interviewed the only firm that responded to the request. A quote was received that was over the initial budget. At the time members of the interview panel stated that they believed this project was important and would recommend requesting additional funds in the year-end transfer process.

6. **Financial Impact:**
This request would be for an additional \$35,000 in year-end funds. These would come from the General Fund and would decrease the amount being transferred to the CNR Fund from the \$3,295,100 approved at the October 23rd meeting to \$3,260,100.

7. **Description of Documents Included with Submission:**
a) General Fund Close Out Transfer Requests

**Town of Simsbury
General Fund
Close Out Transfer Requests
For the Year Ended June 30, 2023**

Transfers from General Fund

Managed Network Detection and Response	Security feature supports firewall workloads and enhances visibility into exploits, scans and other malicious traffic. This would compliment our current endpoint solution and add another layer of cyber services for town and police networks (\$5,377.90 one-time charge with \$13,824 annual cost).	\$ 18,000
Network Switches	Project was funded in FY24 for \$42,000. Current pricing came in at \$78,000. Fully funding this project would provide for needed replacement of legacy equipment for municipal and law enforcement.	37,000
PAC Life Safety Analysis (additional funding)	\$15,000 was previously allocated for this project; a quote of \$41,000 was received	35,000
Compensation & Classification Study	conduct a comprehensive, Town-wide assessment of current job classifications, job descriptions, and analysis of existing pay grades.	75,000
Transfer to Capital Reserve Fund		3,300,000
Total Transfers from General Fund		\$ 3,465,000

Transfers to General Fund Assigned Fund Balance

Year End Encumbrances	68,319
Total Transfers to Assigned Fund Balance	\$ 68,319

Fund Balance Summary		
Net Increase to Fund Balance Before Transfers	\$	2,310,441
Transfers from General Fund		<u>(3,465,000)</u>
Net Decrease to Fund Balance After Transfers		<u><u>(1,154,559)</u></u>
Fund Balance Post Transfers		
Fund Balance, July 1, 2022		19,390,002
Net Increase to Fund Balance After Transfers		<u>(1,154,559)</u>
Fund Balance, June 30, 2023		<u><u>18,235,443</u></u>
Fund Balance Breakdown Post Transfers		
Non-Spendable Fund Balance	0.12%	137,956
Assigned Fund Balance	0.06%	68,319
Unassigned Fund Balance	<u>15.64%</u>	<u>18,029,168</u>
Total Fund Balance	<u>15.82%</u>	<u>\$ 18,235,443</u>
* Unassigned Fund Balance as a % of FY24 Budgeted Expenditures		14.82%



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Ordinance on Prohibiting the Use of Tobacco, Vaping and Cannabis Products on Public Property
2. **Date of Board Meeting:** November 13, 2023
3. **Individual or Entity Making the Submission:**
Lee C. Erdmann, Interim Town Manager; Tom Fitzgerald Acting Deputy Town Manager
4. **Action Requested of the Board of Selectmen:**
The Board of Selectmen has two options for action regarding the Ordinance on Prohibiting the Use of Tobacco, Vaping and Cannabis Products on Public Property depending on whether or not the Board needs additional time to consider public comment received at the public hearing:
 - A. *Option A:* Further consider public comment received at the public hearing and table taking action on the ordinance until a future date.
 - B. *Option B:* Take action on the proposed revisions to the ordinance at this evening's meeting.

If the Board supports Option A, the following motion is in order:

Move, effective November 13, 2023 to table the proposed Ordinance on Prohibiting the Use of Tobacco, Vaping and Cannabis Products on Public Property to the Board of Selectmen meeting on INSERT DATE.

If the Board supports Option B, and is in support of the revisions to the ordinance as presented, the following motion is in order:

Move, effective November 13, 2023, to adopt the proposed Ordinance on Prohibiting the Use of Tobacco, Vaping and Cannabis Products on Public Property as presented, which shall be effective 21 days after publication in a newspaper having circulation within the Town of Simsbury. Further move to authorize a summary of the adopted ordinance be published.

5. **Summary of Submission:**
At your October 23, 2023 meeting a public hearing was scheduled for tonight to hear comments on two versions of a draft ordinance Prohibiting the Use of Tobacco, Vaping and Cannabis Products on Public Property. One version has an exemption for the Simsbury Farms Golf Course to allow tobacco use but not in the common areas such as

the dining patio, banquet tent area, practice putting green and driving range. The other version does not include any exemption.

A workgroup consisting of Deputy First Selectman Abbuhl and Selectman Goetz has been meeting to review an ordinance prohibiting the use of tobacco, vaping and cannabis products on public property.

The Town Attorney has reviewed the draft ordinance as presented. Section 404 of the Town Charter sets forth the requirements for a public hearing on and publication of an ordinance. The Board of Selectmen is required to have at least one public hearing on a new or amended ordinance, which was held earlier this evening. We are required to give at least 7 days' notice in a newspaper having general circulation in the town. The Town Clerk also posts the notice in a public place, and copies of the ordinance must be available at the Town Clerk's Office. We also post the ordinance on the Town's webpage. A second hearing must be held if substantive changes are made to the ordinance (as determined by Town Counsel).

Once the amendment to the ordinance is passed, it must be filed with the Town Clerk and posted in its entirety or in summary form within 10 days after final passage. The Board of Selectmen needs to approve use of a summary. The ordinance would become effective on the twenty-first day after final publication.

6. Financial Impact:

Should the Board of Selectmen wish to have signs installed at various public locations stating that the use of tobacco, vaping and cannabis products is prohibited there will be a cost for purchasing and installation of those signs.

7. Description of Documents Included with Submission:

- a) Draft Ordinance on Prohibiting the Use of Tobacco, Vaping and Cannabis Products on Public Property – With Simsbury Farms Golf Course Exemption
- b) Draft Ordinance on Prohibiting the Use of Tobacco, Vaping and Cannabis Products on Public Property – Without Simsbury Farms Golf Course Exemption



Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

**TOWN OF SIMSBURY
AN ORDINANCE PROHIBITING
THE USE OF TOBACCO, VAPING AND CANNABIS PRODUCTS ON PUBLIC
PROPERTY**

Adopted by the Board of Selectmen on Month Day, 2023

I. Purpose

The purpose of this ordinance is to protect the health and safety of all individuals who use public property. This ordinance prohibits the use of tobacco, vaping, and cannabis products on all public property owned and/or controlled by the Town of Simsbury, including sidewalks, trails, parks, playgrounds, and government buildings.

II. Scope

This ordinance applies to all public property owned or operated by the Town of Simsbury. This includes all property that is open to the public, such as sidewalks, trails, parks, playgrounds, and government buildings.

III. Definitions

- **Tobacco Product:** Any product that contains tobacco, including cigarettes, cigars, pipes, hookahs, and electronic cigarettes.
- **Vaping Product:** Any product that uses an electronic device to heat a liquid nicotine solution, creating an aerosol that is inhaled by the user, as defined in General Statutes section 19a-342a
- **Cannabis Product:** Any product that contains cannabis, as defined in General Statutes section 21a-420(3)
- **Authorized Enforcement Agency:** The Simsbury Chief of Police and/or any sworn officer of the Simsbury Police Department.

IV. Use of Tobacco, Vaping and Cannabis Products on Public Property

It shall be unlawful for any person within the Town of Simsbury to consume tobacco or cannabis products of any kind, or to use an electronic nicotine or cannabis delivery system or vaping product of any kind or any other form or manner of ingestion of tobacco or cannabis products on any property owned or controlled by the Town of Simsbury.

V. Areas of Exception

Use of tobacco products will be allowed on the Simsbury Farms Golf Course. This shall not include common areas of the Golf Facility such as dining patio, banquet tent area, practice putting green and driving range.

VI. Violations and Penalties

Whenever the authorized enforcement agency determines that a person has violated this ordinance, the authorized enforcement agency is authorized to issue a fine to the violator in the amount of one hundred dollars (\$100.00) for each offense.

VII. Appeals

Any person receiving a fine may appeal the determination of the authorized enforcement agency. The notice of appeal must be received in writing and filed with the Town Clerk's Office within ten (10) business days from receipt of the notice of the fine. The appeal shall be deemed received by the Town on the first business day following the day it is filed with and received by the Town Clerk's Office. Hearing on the appeal before the Hearing Officer shall take place within thirty (30) business days from the date of receipt of the notice of appeal. The decision of the Hearing Officer may be appealed to Superior Court.

VIII. Severability

Should any provision of this Article be declared invalid for any reason, such declaration shall not affect the validity of other provisions of this Chapter as a whole, it being the legislative intent that the provisions of this Ordinance shall be severable and that the remainder shall be valid.



Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

**TOWN OF SIMSBURY
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VII. Severability

Should any provision of this Article be declared invalid for any reason, such declaration shall not affect the validity of other provisions of this Chapter as a whole, it being the legislative intent that the provisions of this Ordinance shall be severable and that the remainder shall be valid.



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Amendments to Chapter 15 of Simsbury Town Code: Fair Rent Commission
2. **Date of Board Meeting:** November 13, 2023
3. **Individual or Entity Making the Submission:**
Lee C. Erdmann, Interim Town Manager; Tom Fitzgerald Acting Deputy Town Manager; Kristen Formanek Director of Community and Social Services; Trish Munroe, Town Clerk

4. **Action Requested of the Board of Selectmen:**
The Board of Selectmen has two options for action regarding the proposed amendments to Chapter 15 of Simsbury Town Code: Fair Rent Commission depending on whether or not the Board needs additional time to consider public comment received at the public hearing:
 - A. *Option A:* Further consider public comment received at the public hearing and table taking action on the ordinance until a future date.
 - B. *Option B:* Take action on the proposed revisions to the ordinance at this evening's meeting.

If the Board supports Option A, the following motion is in order:

Move, effective November 13, 2023, to table the proposed amendments to Chapter 15 of Simsbury Town Code: Fair Rent Commission to the Board of Selectmen meeting on INSERT DATE.

If the Board supports Option B, and is in support of the proposed amendments as presented, the following motion is in order:

Move, effective November 13, 2023, to adopt the proposed amendments to Chapter 15 of Simsbury Town Code: Fair Rent Commission as presented, which shall be effective 21 days after publication in a newspaper having circulation within the Town of Simsbury. Further move to authorize a summary of the revised ordinance be published.

5. **Summary of Submission:**
At your October 23, 2023 meeting, the Board of Selectmen scheduled a public hearing to receive public comment on proposed amendments to Chapter 15 of Simsbury Town Code: Fair Rent Commission for 6:00pm on Monday, November 13, 2023. The public hearing notice is attached.

The Fair Rent Commission Ordinance was adopted by the Board of Selectmen on June 9th, 1986. Since then, changes to the state statute regarding Fair Rent Commissions as well as changes to the Town government and departments that require updates and revisions. An internal work group of the Acting Deputy Town Manager, Director of Community and Social Services and the Town Clerk met to review the Ordinance and the Bylaws of the Fair Rent Commission. At these meetings suggested revisions were made to both documents.

This timeline would allow for a notice asking for volunteers who are interested in serving on the Commission to be published in November and for the Personnel Sub-Committee to interview interested candidates in December with hopes of members being appointed in January and allowing the Fair Rent Commission to begin early in the new year.

6. Financial Impact:

None

7. Description of Documents Included with Submission:

a) Draft Amendments to Chapter 15 of the Town Code: Fair Rent Commission

Chapter 15

FAIR RENT COMMISSION

[HISTORY: Adopted by the Board of Selectmen of the Town of Simsbury June 9, 1986. Amendments noted where applicable.] Amended on MONTH DAY, 2023

GENERAL REFERENCES

Code of Ethics — See Ch. 13.

§ 15-1. Establishment.

Pursuant to Sections 7-148b through 7-148f of the General Statutes of Connecticut and by the action of the Special Town Meeting, May 20, 1986, there is hereby created a Fair Rent Commission in the Town of Simsbury with full powers and authority as set forth in said statutes. Amended on MONTH DAY, 2023.

§ 15-2. Appointment and terms of members.

The Fair Rent Commission shall consist of five regular members who are electors or tax payers, appointed by the Board of Selectmen at the recommendation of the Town Manager. Five members shall serve for a term of four years. Three members shall be appointed to serve a term to expire November 30, 2024, thereafter to be appointed to a four-year term to expire November 30, 2028. Two members shall serve until November 30, 2026, thereafter to be appointed to a four-year term to expire November 30, 2030. There shall also be two alternate members appointed in the same fashion and following the same schedule. The Director of Community and Social Services, or their designee, shall serve as a non-voting member of said Commission. The members of the Commission shall serve without compensation.

§ 15-3. Officers; rules and records.

Members of the Commission shall elect a Chairperson, Vice Chairperson, and a Secretary for a term to be determined by majority vote of the Commission.

§ 15-4. Powers and duties.

- A. General. The Commission shall have the power to make studies and investigations, conduct hearings and receive written complaints relative to rental charges or proposed increases in rental charges on housing accommodations, except those accommodations rented on a seasonal basis,¹ within the Town of Simsbury in order to control or eliminate excessive rental charges on such accommodations and to carry out the provisions of this chapter and Section 47a-20 of the Connecticut General Statutes (Retaliatory Action by Landlord) and Section 47a-23c(b) of the Connecticut General Statutes (The Eviction of Elderly, Blind and Disabled Tenants). The Commission may, for such purposes, compel the attendance of persons at hearings, issue subpoenas and administer oaths, issue orders and

¹ Editor's Note: For purposes of § 15-4A, "seasonal basis" means housing accommodations rented for a period or periods aggregating not more than 120 days in any one calendar year.

continue, review, amend, terminate or suspend any of its orders and decisions. The Commission may be empowered to retain legal counsel to advise it.

- B. Informal conciliation. The Commission may, in an appropriate case, encourage a complaining tenant and landlord to meet informally with two members of the Commission appointed by the Chairperson for such purpose in an effort to reach a mutually satisfactory resolution of the issue contained in the complaint. One of the Commissioners so appointed may be the Director of Community and Social Services, or their designee. Such informal conferences shall be closed to the public and the Commission shall receive no formal "evidence" or render a decision thereon. Any agreement reached by the parties as a result of an informal conference shall be reduced to writing and signed by the parties and shall be fully enforceable as if it were an order of the Commission. If the parties are unwilling to meet informally or unable to resolve such issues after an informal conference, the parties shall be entitled to a formal hearing before the Commission as set forth in this chapter. The two Commission members assigned to the informal conference may take part in any formal hearing on the complaint which may be held thereafter, unless one or more of the parties objects.

§ 15-5. Authority to order rent reductions or repairs.

- A. If the Commission determines, after a hearing, that a rental charge or a proposed increase in a rental charge for any housing accommodation is so excessive, based on the standards and criteria set forth in Subsection B of this section, as to be harsh and unconscionable, it may order the rent reduced to such amount as it determines to be fair and equitable. If the Commission determines, after a hearing, that the housing accommodation in question fails to comply with any municipal ordinance or state statute or regulation relating to health and safety, it may order the suspension of further payments of rent by the tenant until such time as the landlord makes the changes, repairs or installations necessary to bring such housing accommodation into compliance with such ordinance, statute or regulation. The rent being abated during said period shall be paid to the Commission to be held in escrow.
- B. Considerations in determining whether a rental charge is excessive. In determining whether a rental charge or a proposed increase in a rental charge is so excessive, with due regard to all the circumstances, as to be harsh and unconscionable, the Fair Rent Commission shall consider such of the following circumstances as are applicable to the type of accommodation in question:
- (1) The rents charged for the same number of rooms in other housing accommodations in the same and in other areas of the Town of Simsbury.
 - (2) The sanitary conditions existing in the housing accommodation in question.
 - (3) The number of bathtubs or showers, flush water closets, kitchen sinks and lavatory basins available to the occupants thereof.
 - (4) The services, furniture, furnishings and equipment supplied therein.
 - (5) The size and number of bedrooms contained therein.

- (6) The repairs necessary to make such accommodations reasonably livable for the occupants accommodated therein.
- (7) The amount of taxes and overhead expenses, including debt service, thereof.
- (8) Whether the accommodations are in compliance with the ordinances of the Town of Simsbury and the General Statutes of the State of Connecticut relating to health and safety.
- (9) The income of the petitioner and the availability of accommodations.
- (10) The availability of utilities.
- (11) Damages done to the premises by the tenant, caused by other than ordinary wear and tear.
- (12) The amount and frequency of increases in rental charges.
- (13) Whether, and the extent to which, the income from an increase in rental charges has been or will be reinvested in improvements to the accommodations.

§ 15-6. Penalties for offenses.

Any person who violates a written agreement which has been entered into as the result of an informal conference held under § 15-4B of this chapter or who violates any order of rent reduction or rent suspension by demanding, accepting or receiving an amount in excess thereof while such order remains in effect, and no appeal pursuant to § 15-8 herein is pending, or who violates any other provision of this chapter or Section 47a-20 of the Connecticut General Statutes (Retaliatory Action by Landlord) or who refuses to obey any subpoena, order or decision of the Commission pursuant thereto, shall be fined not less than \$25 nor more than \$100 for each offense. If such offense continues for more than five days, it shall constitute a new offense for each day it continues to exist thereafter.

§ 15-7. Retaliatory conduct of landlord.

If the Commission determines after a hearing that a landlord has retaliated in any manner against a tenant because the tenant has complained to the Commission, the Commission may order the landlord to cease and desist from such conduct.

§ 15-8. Appeals.

Any person aggrieved by an order of the Commission may appeal to the Housing Session of the Superior Court for the Judicial District of Hartford-New Britain at Hartford. Any such appeal shall be considered a privileged matter with respect to the order of trial as provided in Section 7-148e of the Connecticut General Statutes.

§ 15-9. Incorporation of state law.

Any amendments to the state law referring to fair rent commissions will be automatically incorporated into this chapter and made a part thereof.

§ 15-10. When effective.

The Commission shall become effective as of the date of this chapter.

DRAFT



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Revisions to Fair Rent Commission Rules of Procedures
2. **Date of Board Meeting:** November 13, 2023
3. **Individual or Entity Making the Submission:**
Lee C. Erdmann, Interim Town Manager; Tom Fitzgerald Acting Deputy Town Manager; Kristen Formanek Director of Community and Social Services; Trish Munroe, Town Clerk

4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports the Fair Rent Commission Rules of Procedure as presented, the following motion is in order:

Move, effective November 13, 2023, to adopt the proposed revisions to the Fair Rent Commission Rules of Procedure.
5. **Summary of Submission:**
While staff was reviewing and updating the Fair Rent Commission Ordinance the Rules of Procedure were also revised to reflect the modern needs of the commission. The Town Clerk, Director of Community and Social Services and the Acting Deputy Town Manager were all involved in this process.

After feedback from the Board of Selectmen during a presentation on October 23rd the proposed rules of procedure were updated to reflect a positive motion is considered “a majority of the members present at any meeting”.
6. **Financial Impact:**
None
7. **Description of Documents Included with Submission:**
 - a) Draft Rules of Procedure for Fair Rent Commission

**TOWN OF SIMSBURY
FAIR RENT COMMISSION
RULES OF PROCEDURE**

1.0 PREAMBLE

Chapter 15 of the Code of the Town of Simsbury was adopted by action of a Special Town Meeting, May 20, 1986, for the purpose of establishing a Fair Rent Commission. This action was based upon sections 7-148b through 7-148f, inclusive, section 47a-20, and subsection (b) of section 47a-23c of the General Statutes of Connecticut.

Chapter 15 of the Code of the Town of Simsbury, the above-referenced sections of the General Statutes of Connecticut, as revised and amended on **INSERT DATE**, provide the basis for the organization and operation of the Fair Rent Commission, with full powers and authority as set forth in said statutes.

1.1 REVISIONS AND AMENDMENTS

Any changes, revisions, or amendments to Chapter 15 and its procedures are the responsibility of the Board of Selectmen of the Town of Simsbury. The Commission may propose to the Board such changes, revisions, or amendments as it deems appropriate.

1.2 RULES OF ORDER

The rules contained in Robert's Rules of Order shall be used as guidelines for the Commission in all cases to which they are applicable, and in which they are not inconsistent with the Ordinance or bylaws of the Commission.

2.0 COMMISSIONERS

2.1 The Fair Rent Commission consists of seven (7) electors or taxpayers of the Town of Simsbury, two (2) of whom are designated as alternates who shall serve a term of four years; three (3) members and one (1) alternate shall be appointed to serve a term to expire on November 30, 2024, thereafter to be appointed to a four-year term to expire on November 30, 2028. Two (2) members and one (1) alternate shall be appointed to serve a term to expire on November 30, 2026, thereafter to be appointed to a four-year term. The Director of Community and Social Services, or their designee, shall serve as a non-voting member of said Commission. The members of the Commission shall serve without compensation.

2.2 The members are appointed by the Board of Selectmen at the recommendation of the Town Manager.

2.3 The number of terms is limited to two consecutive terms, and a member continues to serve until their successor has been appointed.

2.4 On or before July 1 of each year, the Chairperson and/or the Director of Community and Social Services, or their designee, shall submit a list of those Commissioners with expiring terms to the Town Manager so that they may have to opportunity to reappoint or replace them by November. Commissioners' attendance and interest in reappointment shall be considered.

3.0 ORGANIZATION OF COMMISSION

3.1 Pursuant to Chapter 15-3 of the Fair Rent Commission Ordinance, the Commission is empowered to elect a Chairperson, a Vice Chairperson, and a Secretary for a term of two years. to be determined by vote of the Commission.

3.2 The Chairperson or Vice Chairperson shall preside at all meetings and hearings of the Commission.

3.3 In the absence of both the Chairperson and Vice Chairperson, a Chairperson pro-tem shall be designated beforehand by the Chairperson, or elected from among the members present at a meeting.

3.4 The Secretary will provide the office of the Director of Community and Social Services with a complete copy of votes taken within forty-eight (48) hours; and a complete copy of minutes taken within five (5) days after a meeting to be incorporated into the records of the Commission.

4.0 MEETINGS

4.1 TIME OF MEETINGS AND HEARINGS

A regularly scheduled organizational meeting of the Commission shall be held every two years in the month of December. Special meetings and hearings shall be held as needed at the discretion of the Director of Community and Social Services, or their designee.

4.2 CASE REVIEW

After a filed complaint has been investigated, the Commission shall review the cases to determine if the case is appropriate for their consideration pursuant to Section 15-4(A).

4.3 PUBLIC MEETINGS

Meetings of the Commission shall be called by the Director of Community and Social Services, or their designee, whenever it is deemed necessary or advisable. If any member of the public wishes to bring a matter to the Commission for consideration, a written request shall be made to the Director of Community and Social Services, or their designee, stating the matter to be discussed, why it is being brought to the Commission,

the name of the spokesperson and other participants and the amount of time requested for presentation and discussion.

Upon receiving the written request, the Director of Community and Social Services, or their designee, if it is found to be an appropriate matter for their consideration, shall, with fourteen (14) days' notice, place the item on the agenda for a forthcoming meeting.

4.4 QUORUM

A quorum for any meeting or hearing of the Commission shall be three (3) members. Any action taken must be passed by an affirmative vote of a majority of members present at any meeting.

5.0 CONFIDENTIALITY OF MATERIAL

5.1 The Commission complies with all requirements of the Freedom of Information Act.

5.2 Landlords, tenants, or their authorized representatives shall have the opportunity to examine the material in their case files during the normal working day of a two-day period preceding a scheduled Hearing. Requests to examine material shall be made to the Director of Community and Social Services, or their designee.

6.0 HEARINGS

6.1 In the absence of one or both parties at a hearing, after being duly notified, the Commission may elect to continue with the hearing.

6.2 The presiding officer shall inform the parties of the hearing procedure before swearing in all witnesses.

6.3 The Commission members may act as witnesses to the facts of their investigation if requested.

7.0 DECISIONS AND ORDERS

7.1 The Commission shall draft decisions in accordance with post-hearing deliberations.

7.2 All decisions shall include identification of persons participating in the hearing, enumeration of exhibits presented, the relevant standards from section 15-4(B), findings, orders, and the appeal process.

7.3 All decisions shall include notice to the landlord that they must comply with the decisions and orders of the Commission. Such notice shall include any penalties for failure to bring the property into compliance.

- 7.1.4 Either party may make a request to have the Commission clarify its decision. Such request must be in writing and submitted within fifteen (15) days of the decision, either by certified mail or secure electronic correspondence to the Director of Community and Social Services, or their designee.
- 7.1.5 Either party may appeal the decision of the Commission. Such an appeal shall be made to the Housing Session of the Superior Court for the Judicial District of Hartford-New Britain at Hartford. Any such appeal shall be considered a privileged matter with respect to the order of trial as provided in Section 7-148e of the Connecticut General Statutes.

DRAFT



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Tax Refund Requests
2. **Date of Board Meeting:** November 13, 2023
3. **Individual or Entity Making the Submission:**
Lee C. Erdmann, Interim Town Manager; Colleen O'Connor, Tax Collector
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 November 13, 2023 to approve the presented tax refunds in the amount of \$7,949.48, and to authorize Interim Town Manager, Lee Erdmann, 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 \$7,949.48. The attachment dated November 13, 2023 has a detailed listing of all requested tax refunds.

7. Description of Documents Included with Submission:

- a) Requested Tax Refunds, dated November 13, 2023

REQUESTED TAX REFUNDS
NOVEMBER 13, 2023

	BILL NUMBER	TAX	FIRE	INTEREST	TOTAL
List 2021					
HONDA LEASE TRUST	21-03-0058336	\$574.69	\$17.70		\$592.39
LANGLOUS KAREN	21-03-0060500	\$82.09	\$2.53		\$84.62
SANBORN KEVIN D	21-03-0066436	\$4.95	\$0.15		\$5.10
SCHMIDT FREDERICK M	21-03-0066656	\$76.05	\$2.35		\$78.40
Total 2021		\$737.78	\$22.73		\$760.51
List 2022					
31 ANTS LLC	22-01-0006047	\$1,653.07			\$1,653.07
SIMSMAR LLC	22-02-0040850	\$151.02	\$4.90		\$155.92
BOUGHTON GEOFFREY M	22-03-0051889	\$212.35	\$6.89		\$219.24
CARDINAL RICHARD J	22-03-0052697	\$80.20	\$2.60		\$82.80
DREHER FRANK A & JENNIFER M	22-03-0055105	\$31.44	\$1.02		\$32.46
DSF TRANSPORT LLC	22-03-0055143	\$120.07	\$3.90		\$123.97
DYAKUN VASYL	22-03-0055298	\$565.24	\$18.34		\$583.58
HONDA LEASE TRUST	22-03-0058557	\$134.65	\$4.37		\$139.02
HYUNDAI LEASE TITLING TRUST	22-03-0058909	\$243.17	\$7.89		\$251.06
JP MORGAN CHASE BANK NA	22-03-0059480	\$162.33	\$5.27		\$167.60
KEARSE NAKIA A	22-03-0059731	\$122.08	\$3.96		\$126.04
KESEL JOHN M	22-03-0059972	\$46.69	\$1.51		\$48.20
THOMSEN MICHAEL B	22-03-0069042	\$28.51	\$0.92		\$29.43
TOYOTA LEASE TRUST	22-03-0069208	\$322.97	\$10.48		\$333.45
TOYOTA LEASE TRUST	22-03-0069230	\$332.85	\$10.80		\$343.65
TOYOTA LEASE TRUST	22-03-0069232	\$182.14	\$5.91		\$188.05
TOYOTA LEASE TRUST	22-03-0069234	\$468.07	\$15.19		\$483.26
TOYOTA LEASE TRUST	22-03-0069244	\$221.69	\$7.19		\$228.88
TOYOTA LEASE TRUST	22-03-0069262	\$181.23	\$5.88		\$187.11
TOYOTA LEASE TRUST	22-03-0069269	\$668.11	\$21.68		\$689.79
TOYOTA LEASE TRUST	22-03-0069279	\$415.61	\$13.48		\$429.09
TOYOTA LEASE TRUST	22-03-0069287	\$437.65	\$14.20		\$451.85
TOYOTA LEASE TRUST	22-03-0069306	\$448.50	\$14.55		\$463.05
TOYOTA LEASE TRUST	22-03-0069341	\$991.14	\$32.16		\$1,023.30
VCFS AUTO LEASING CO	22-03-0169890	\$643.99	\$20.89		\$664.88
Total 2022		\$7,211.70	\$233.98		\$7,445.68
TOTAL 2021		\$737.78	\$22.73	\$0.00	\$760.51
TOTAL 2022		\$7,211.70	\$233.98	\$0.00	\$7,445.68
TOTAL ALL YEARS		\$7,949.48	\$256.71	\$0.00	\$8,206.19



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Donation from Dianne and Mark Orenstein
2. **Date of Board Meeting:** November 13, 2023
3. **Individual or Entity Making the Submission:**
Lee C. Erdmann, Interim Town Manager; Kristen Formanek, Director of Community and Social Services

4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports acceptance of the Orenstein donation, the following motion is in order:

Move, effective November 13, 2023, to accept a donation from Dianne and Mark Orenstein in the amount of \$1,800 for the purpose of supporting Simsbury Community and Social Services Department programs.
5. **Summary of Submission:**
Dianne and Mark Orenstein have provided a financial donation in the amount of \$1,800 to the Community and Social Services Department. As they have requested, we will dedicate half to our "Keep Simsbury Warm" program, and the other half to our clients via our department's discretionary fund.

Chapter 100 of our Code of Ordinances, "Gift Policy," Section 100-2 "Monetary Donations" states that no donation of more than \$1,500 may be accepted without Board of Selectmen approval. If the donation is accepted I will direct staff to send a thank you letter to Dianne and Mark Orenstein.
6. **Financial Impact:**
The \$1,800 donation from the Orenstein's will be used to provide heating assistance and other essentials to our local residents in need. The funds would be deposited into a Social Services special revenue fund used for this purpose.
7. **Description of Documents Included with Submission:**
None



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Public Gathering Permit – Simsbury Performing Arts Center – Charity Walk & Talk
2. **Date of Board Meeting:** November 13, 2023
3. **Individual or Entity Making the Submission:**
Lee C. Erdmann, Interim Town Manager; Joseph Hollis, Code Compliance Officer

4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports approving the public gathering permit application as presented, the following motion is in order:

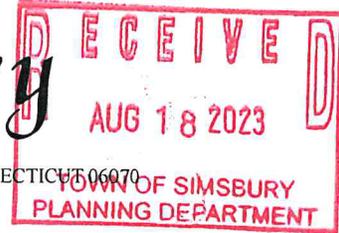
Move, effective November 13, 2023, to approve the public gathering application on behalf of the Simsbury Performing Arts Center and to authorize the issuance of the public gathering permit for the Charity Walk & Talk at the PAC.
5. **Summary of Submission:**
The Public Gathering Committee has approved the application for the Simsbury Performing Arts Center. The event will be held on November 25, 2023 at the Performing Arts Center and surrounding Iron Horse Blvd. Bike Path. The event is scheduled to start at 9:00 AM and end at 1:00 PM, including setup and breakdown.
6. **Financial Impact:**
None
7. **Description of Documents Included with Submission:**
 - a) Application, Map and Summary of Event



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070



PUBLIC GATHERING PERMIT APPLICATION

A Public Gathering Permit (PGP) is required when a proposal is made for a gathering of a number of people on Town property which may cause questions or raise concerns regarding traffic circulation and access issues involving local or state roadways, public safety, or issues regarding a required Special Exception permit from the Zoning Commission. *This application does not apply to block parties, please refer to Simsbury Police Department.

Application should be completed in full, **including original signatures**, before submitting to the Zoning Enforcement Officer at the Simsbury Town Offices, Planning & Zoning Department, 933 Hopmeadow Street, Simsbury, Connecticut 06070. ****Please include 6 copies of your completed application IN ADDITION TO the original when you submit it.** The Board of Selectmen has the final authority to approve or deny public gathering permit applications. The Town reserves the right to cancel an event that does not obtain complete approval, as specified herein.

Applications must be received in office at least 6 WEEKS prior to the date of the proposed event.

Organization's Name: Simsbury Performing Arts Center, Inc.

Applicant's Name: Missy DiNunno

Mailing Address: _____

Phone: _____ Email: _____

Event Location: Simsbury Meadows Performing Arts Center

Exact Date(s) of proposed Public Gathering: (MUST include all required "set up" and "tear down" time, as well as the actual dates of the Public Gathering.)

Exact Time(s)/Date Begin: Saturday, November 25, 2023 (setup 9a)

End: Saturday, November 25, 2023 (1:00p breakdown concludes)

*** Please see attached Event Outline for full schedule*

Number of people expected to be present for the event (incl. staff, volunteers, attendees): 100

- The Town of Simsbury reserves the right to limit the number of attendees. The maximum number of permitted attendees will be determined after consultation with the Town of Simsbury.*

A CERTIFICATE OF INSURANCE MADE OUT TO THE APPLICANT AND TOWN OF SIMSBURY, EVIDENCING COVERAGE OF \$1,000,000 IN FORCE FOR THE DURATION OF THE EVENT, MUST BE SUBMITTED WITH THIS APPLICATION. THIS CERTIFICATE OF INSURANCE MUST INCLUDE A HOLD HARMLESS AGREEMENT FOR THE TOWN.

**Simsbury Police – 860-658-3100 933 Hopmeadow Street.*

*** Number of copies may vary, please check with the Simsbury Zoning Enforcement Officer.*

TOWN OF SIMSBURY USE ONLY:

Fee Received: YES NO N/A
Insurance Received: YES NO N/A
Request Approved: YES NO MORE INFO: _____

Signature: _____ Date: _____

EVENT INFO

Description of Event:

Charity event - Walking with friends and family while having conversations about the stuff that really matters. There will be a tent with resources, coffee/snacks, a drop off for winter clothing donations and a marked walking path.

Please indicate whether you will be bringing:

Additional trash and recycling receptacles: YES NO NUMBER: 4T/4R

- You are responsible for proper collection and removal of all waste generated by your event.

Portable toilets: YES NO NUMBER: 2 plus sink

- If yes, please show locations on attached site plan.

Tent: YES NO SIZE: 10x10
OPEN SIDES ENCLOSED

- Tents must be in compliance with State of Connecticut tent regulations. The Town of Simsbury's Building Official or Fire Marshal can advise on tent requirements.

Lighting and/or sound equipment: YES NO

- If yes, please attach a list of the equipment you plan to use along with a stage plot with locations for the equipment.
- Lighting must meet the requirements of the Town of Simsbury Fire Marshal.

Does your event require electrical access? YES NO

- If so, a plan for electrical access will need to be reviewed with the Town of Simsbury Building Official or Fire Marshal.

Will food be sold or given away at your event? YES NO

- If food is to be served, whether prepared on- or off-site, you must obtain a Temporary Food Permit from the Farmington Valley Health District (www.fvhd.org).

Will alcohol be served at your event? YES NO

Number of vendors: _____ Service start and end times: _____

- If alcohol is to be served, you must obtain all pertinent State permits and abide by all Town and State laws and regulations. An additional list of policies applies if alcohol is to be served.

Will road closure(s) be necessary? YES NO

- Details of proposed traffic circulation and closings must be presented to the Chief of Police prior to his signing of the PGP application. If State roads are proposed for closing, a permit from the CT DOT may be necessary.
- Notification of State DOT will need to be made at a minimum of 90 days, Town of Simsbury should be notified at the time of submittal.

PLANNING & ZONING DEPARTMENT

933 HOPMEADOW STREET, SIMSBURY, CT 06070

860-658-3245

Alcohol

- Does your event require a Special Exception? YES NO
- Has the Zoning Commission approved a S.E.? YES NO
- Have you obtained a State of CT liquor license? YES NO

Signage

- Will your event require temporary signs? YES NO
 - No signage may be erected without written permission granted from the Zoning Enforcement Officer
- Has your organization secured permits for such? YES NO

Attachments:

Site Map

- The site plan/map of the proposed Public Gathering should be to-scale and show exactly:
 - Layout of the Event (tents, booths/vendors, rides, aisles, etc.)
 - Location of Lighting
 - Parking Layout

FARMINGTON VALLEY HEALTH DISTRICT

95 RIVER ROAD, CANTON, CT 06019

www.fvhd.org

860-352-2333

If food will be prepared or dispensed at your event, you must obtain a Temporary Food Permit from Farmington Valley Health District.

Has a Temporary Food Permit been secured? YES NO **coffee and prepackaged snacks

Will food trucks be present? YES NO

Number of food trucks to be present _____

What type of fuel supply will be used for cooking? Propane Solid fuel Generator None

<http://www.fvhd.org/food-protection1.html>

BUILDING DEPARTMENT

933 HOPMEADOW STREET, SIMSBURY, CT 06070

860-658-3234

Tent:

YES NO CAPACITY: 10x10
 OPEN SIDES ENCLOSED
 SQUARE FOOTAGE: 100

- Tents may require a Building Permit, depending on square footage, capacity, enclosure (or not), and if there will be heat and/or electrical. You should contact the Building Official to determine if a permit will be necessary.

Does your event require electrical access? YES NO

- Will you be utilizing portable generators? YES NO

FIRE MARSHAL

871 HOPMEADOW STREET, SIMSBURY, CT 06070

860-658-1973

Will attendance be 1,500 or more persons? YES NO

- If 1,500 or more an incident command tent may be required and will need to be noted on the site map. Where required by AHJ, standby fire personnel shall be provided at the cost of the applicant

Will there be fireworks or special effects? YES NO

Has a state permit been issued? YES NO

When required by the AHJ, standby fire personnel shall be provided at the cost of the applicant.

Are staff aware and are fire or emergency evacuation procedures in place and documented?

YES NO

DEPARTMENT OF PUBLIC WORKS (DPW)

66 TOWN FOREST ROAD, SIMSBURY, CT 06070

860-658-3222

Will barricades/signage be required:

- For the day of the event? YES NO
- In advance? DATES: _____

Are DPW trucks required for use as barricades? YES NO

To be determined by Simsbury Police, Other vehicles are not permitted as barricades.

QUANTITY: 0 _____

- The fee schedule below is for one (1) Truck and one (1) staff member.
- All fees will begin when Public Works Trucks leave the DPW Campus.
- Each Truck will be filled with sand and operated by a single staff member.
- The number and positioning of the Trucks shall be determined by the Simsbury Police Department.
- The fees for using DPW trucks as barricades are as follows:
 - \$250 for first four (4) hours
 - \$50/hour for each additional hour during regular hours
 - \$75/hour for each additional hour on Federal holidays and Sundays

TOTAL FEE DUE: \$250 + (_____ hours x \$50/\$75) = \$ 0.00

Fee is payable by check made out to the Town of Simsbury

Please note:

- **No markings on the roadways or custom signage is allowed.**
- **Traffic cones shall not be provided by DPW.**

POLICE DEPARTMENT

933 HOPMEADOW STREET, SIMSBURY, CT 06070

860-658-3100

Is this event a concert and/or festival? YES NO

If yes, please list recent prior venues that have hosted this concert/festival:

Will on-site private security be provided? YES NO NUMBER: _____

Will on-site emergency medical services be provided? YES NO NUMBER: _____

- Where will they be located? _____

SIMSBURY VOLUNTEER AMBULANCE ASSOCIATION

4 OLD MILL LANE, SIMSBURY, CT 06070

860-658-7213

Will there be any athletic competitions or other activity/activities that could increase the likelihood of injury or illness? YES NO

Will a commercial ambulance be provided? YES NO

If YES the Simsbury Volunteer Ambulance Association needs to be notified.

Will the attendance be equal to or greater than 5000? YES NO NUMBER: 100

Attendance will be: 100

STAGGERED OVER COURSE OF EVENT AT A SPECIFIC TIME TIME: 10a-12p

CULTURE, PARKS & RECREATION

100 OLD FARMS ROAD, SIMSBURY, CT 06070

860-658-3836

Are you serving food? YES NO

- *If so, trash recycling barrels are required at Permittee's expense*

Will you require any special field lining or set up? YES NO

Do you intend to use "staked" tents on athletic fields? YES NO

Will athletic field lighting be necessary? YES NO

Have you provided a parking plan on your site map? YES NO

Portable toilets must be provided at the rate of 1 toilet per 50 patrons, at the Permittee's expense.

• ATTENDANCE: $\frac{100}{50} = 2$ PORTABLE TOILETS REQUIRED

**As per United Site Services Recommendation for event of this size/scope

Public Gathering Permit Required Declaration

I declare that the information provided on this application is true and correct to the best of my knowledge and belief. I understand that if the information I have provided is a misrepresentation of the actual event, or that the actual event digresses in a manner from the approved permit, that the permit will be revoked.

Applicant's Name (Printed): Missy DiNunno

Applicant's Signature: *Missy DiNunno*

Date Signed: 8-18-23

REQUIRED SIGN OFFS (in order required)

	<u>Received Date:</u>	<u>Received By:</u>	<u>Approved By:</u>	<u>Action Date:</u>
Culture Parks And Rec. Director				
Zoning Commission (As may be required by ZEO)				
Building Official				
Police Chief				
Dir of Public Works				
Dir of Health FVHD				
Fire Marshal				
Simsbury Volunteer Ambulance				
Zoning Enforcement Officer				
Board of Selectmen				

EVENT SUMMARY

Walk and Talk for Hope

Saturday, November 25, 2023

Public Gathering Permit Application Submitted: 8-18-23

CONTACT INFORMATION:	
Organization	Honor Connor Event website: https://honorconnor.org
Event Contact	Emily West Community Engagement Manager Honor Connor Inc. 115 N. Saddle Ridge Drive West Simsbury, CT 06092 Phone: 860-559-1084 Email: Emily@honorconnor.org
SMPAC Contact	Missy DiNunno, Executive Director Office: 860-651-4052 Email: missy@simsburymeadowsmusic.com

TIMELINE:

Saturday, November 25, 2023	
9:00a – 10:00a	Load-in & setup
10a – 12p	Walk and Talk for Hope on Iron Horse path
12:00p – 1:00p	Break down

EVENT DETAILS:

Description
Walking with friends and family while having conversations about the stuff that really matters. There will be a tent with resources, coffee/snacks, a drop off for winter clothing donations and a marked walking path.

Ticketing Information	
N/A	https://honorconnor.org

Parking	
Advanced Preparation	N/A
Management	SMPAC to manage
On-site Parking Fee	N/A

Expected Attendance	
Total Attendance Expected	100

Stage/Event Requirements	
Lights	N/A
Sound	Provided by client
Setup	TBD by client

Vendor Information	
Merchandise Sales Vendors	N/A
Food Vendors	Honor Connor will provide participants with coffee and pre-packaged snacks
Services/Other Activities	Location – 10x10 pop up at Circle Garden

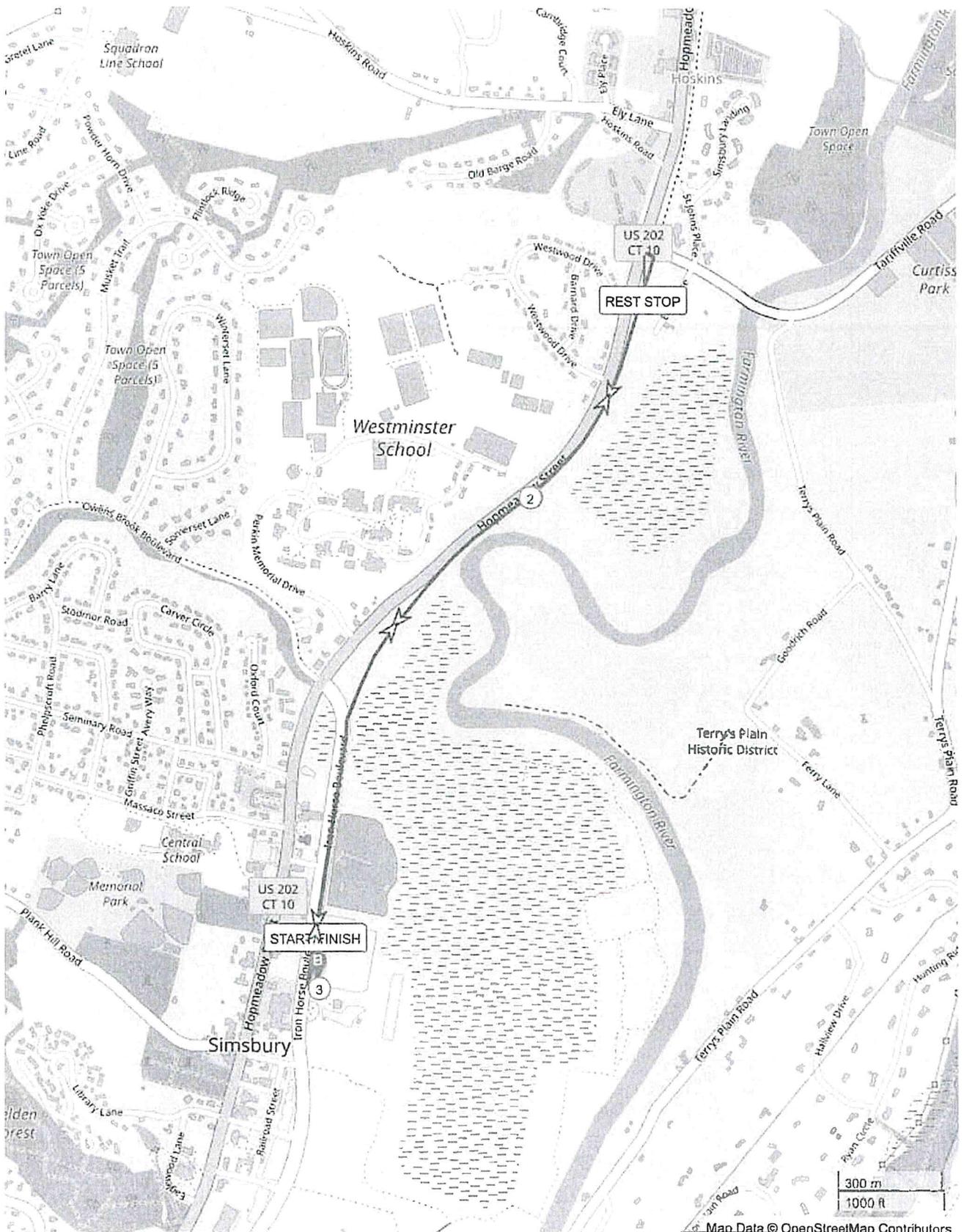
Public Restrooms	
Coordinated by	SMPAC
Units	Standard – 1 Sinks - 1 Accessible - 1 TOTAL - 3
Location	North east field – N/A North west field – N/A South west field (near circle garden) - 3

Security	
Stage Security	N/A
Field Security	N/A
Overnight Security	N/A

Public Safety	
Police	N/A – all participants remain on Iron Horse Path
Fire	N/A
EMS	N/A

Tents		
10x10	Number: 1	Sides: No
20x20	Number: 0	Sides: No
30x30	Number: 0	Sides: No
20x40	Number: 0	Sides: No

Walk and Talk for Hope



ROUTE DIRECTIONS

No	Miles	Turn	Directions
----	-------	------	------------

No	Miles	Turn	Directions
1	0.000		Start - Simsbury Meadows Performing Arts Center START/FINISH
2	0.017	→	Turn right onto Farmington Canal Heritage Trail
3	0.481	↗	Keep right onto Farmington Canal Heritage Trail
4	1.500		Rest Stop - Farmington Canal Heritage Trail & Tariffville Rd REST STOP
5	1.503		Turn Around Point - turn around at rest stop and head back down the Farmington Canal Heritage Trail
6	2.982	←	Turn left into performing arts center
7	3.000		FINISH

-RUBBER SIGN BASE BY
MYPARKINGSIGN OR
APPROVED EQUAL (TYP.)

****Additional
Parking in
Lot C & D****

ACCESSIBLE SPACES

PASSENGER LOADING ZONE

VAN ACCESSIBLE SPACES

FUTURE PROPOSED
RESTROOM PAVILION

EXISTING TRAILER
DROP-OFF LOCATION

PROPOSED FUTURE
BUILDING EXPANSION

PROPOSED 5' CONCRETE SIDEWALK

BIKE RACK (4)
6'X14' CONCRETE PAD

**ACCESSIBLE
37
Spots**

**LOT A
25
Spots**

**LOT A
11 spots**

BIKE RACK (2)
6'X8' CONCRETE PAD

PROPOSED VEGETATED WATER QUALITY BASIN

RELOCATE EXISTING LIGHT POLE
162 FT. - 5 FT. WIDE AND
PERMEABLE PAVERS ISLANDS
GRAVEL SHOULDER
(TYP.)

WATER QUALITY BASIN SIDE
SLOPES TO BE SEEDDED WITH
NEW ENGLAND CONSERVATION/WILDLIFE
SEED MIX (TYP.)
WATER QUALITY BASIN
BOTTOM TO BE SEEDDED WITH
NEW ENGLAND WETMIX (TYP.)

PROPOSED TIMBER GUIDE
RAIL (TYP.)

**LOT B
70 spots**

PROPOSED TIMBER GUIDE
RAIL (TYP.)

Effective FEMA AE Floodplain
(E1, 150' (15' NAVD83))

Future FEMA Floodplain
(E1, 157' (15' NAVD83))

Unimproved Future FEMA AE
Floodplain (E1, 150' (15' NAVD83))

Gravel
Islands

TREE TO BE REMOVED

RELOCATE EXISTING
ELECTRICAL STRUCTURES
AND LIGHT POLE

RELOCATE EXISTING LIGHT
POLE AND CONDUIT

PROPOSED VEGETATED WATER QUALITY BASIN



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/20/2023

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 Fraleigh & Gray Inc. 2450 Main Street P.O. Box 1139 Glastonbury CT 06033-6139	CONTACT NAME: Chris Maheux PHONE (A/C, No, Ext): (860) 633-1880 E-MAIL ADDRESS: chrism@fraleigh-gray.com	FAX (A/C, No):	
	INSURER(S) AFFORDING COVERAGE		NAIC #
INSURED Honor Connor, Inc. P.O. Box 489 West Simsbury CT 06092	INSURER A : Philadelphia Indemnity Insurance Company		
	INSURER B :		
	INSURER C :		
	INSURER D :		
	INSURER E :		
	INSURER F :		

COVERAGES **CERTIFICATE NUMBER:** Master COI Special Event **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.

INSR 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 GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y	Y	EV127044	11/25/2023	11/26/2023	EACH OCCURRENCE \$ 1,000,000
	DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000						
	MED EXP (Any one person) \$ EXCL						
	PERSONAL & ADV INJURY \$ 1,000,000						
	GENERAL AGGREGATE \$ 3,000,000						
	PRODUCTS - COMP/OP AGG \$ 3,000,000						
	\$						
AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> AUTOS ONLY							COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$							EACH OCCURRENCE \$ AGGREGATE \$ \$
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					PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

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

additional insured status applies to the certificateholder on a primary & noncontributory basis and includes a waiver of subrogation, when each are required via written contract



CERTIFICATE HOLDER Town of Simsbury 933 Hopmeadow Street 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 DocuSigned by: <i>Christopher Maheux</i> C10BF69F7A044CE

REQUIRED SIGN OFFS (in order required)

	<u>Received Date:</u>	<u>Received By:</u>	<u>Approved By:</u>	<u>Action Date:</u>
Culture Parks And Rec. Director			T. Tyburdski 8/18/23	
Zoning Commission (As may be required by ZEO)				
Building Official				
Police Chief			G. Samsecki 8/18/23	
Dir of Public Works			T. Roy 8/21/23	
Dir of Health FVHD			J. Brown 8/18/23	
Fire Marshal			P. Tourville 8/18/23	
Simsbury Volunteer Ambulance			K. Stewart 8/18/23	
Zoning Enforcement Officer			J. Hollis 10/30/23	
Board of Selectmen				



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Public Gathering Permit – Unite by Light Event
2. **Date of Board Meeting:** November 13, 2023
3. **Individual or Entity Making the Submission:**
Lee C. Erdmann, Interim Town Manager; Joseph Hollis, Code Compliance Officer

4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports approving the public gathering permit application as presented, the following motion is in order:

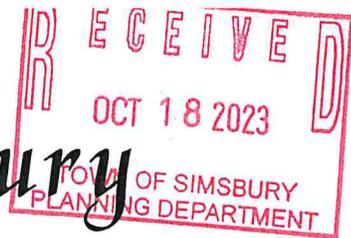
Move, effective November 13, 2023 to approve the public gathering application on behalf of For All Ages, Inc to authorize the issuance of the public gathering permit for Unite by Light along Hopmeadow Street.
5. **Summary of Submission:**
The Public Gathering Committee has approved the application on behalf of For All Ages, Inc. The event will be held on December 3, 2023 along Hopmeadow Street. The event is scheduled to start at 3:00 PM and end at 8:00 PM, including setup with cleanup following the end of the event.
6. **Financial Impact:**
None
7. **Description of Documents Included with Submission:**
 - a) Application, Map and Summary of Event



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070



PUBLIC GATHERING PERMIT APPLICATION

A Public Gathering Permit (PGP) is required when a proposal is made for a gathering of a number of people on Town property which may cause questions or raise concerns regarding traffic circulation and access issues involving local or state roadways, public safety, or issues regarding a required Special Exception permit from the Zoning Commission. *This application does not apply to block parties, please refer to Simsbury Police Department.

Application should be completed in full, **including original signatures**, before submitting to the Zoning Enforcement Officer at the Simsbury Town Offices, Planning & Zoning Department, 933 Hopmeadow Street, Simsbury, Connecticut 06070. ****Please include 6 copies of your completed application IN ADDITION TO the original when you submit it.** The Board of Selectmen has the final authority to approve or deny public gathering permit applications. The Town reserves the right to cancel an event that does not obtain complete approval, as specified herein.

Applications must be received in office at least 6 WEEKS prior to the date of the proposed event.

Organization's Name: For All Ages, Inc.

Applicant's Name: Deb Bibbins

Mailing Address: _____

Phone: _____ Email: _____

Event Location: Hopmeadow St.

Exact Date(s) of proposed Public Gathering: (MUST include all required "set up" and "tear down" time, as well as the actual dates of the Public Gathering.)

Exact Time(s)/Date Begin: Sun., 12/3 (or 12/10) 3 pm (lighting); event 5 pm
End: 8 pm

Number of people expected to be present for the event (incl. staff, volunteers, attendees): 500 or so?

- *The Town of Simsbury reserves the right to limit the number of attendees. The maximum number of permitted attendees will be determined after consultation with the Town of Simsbury.*

A CERTIFICATE OF INSURANCE MADE OUT TO THE APPLICANT AND TOWN OF SIMSBURY, EVIDENCING COVERAGE OF \$1,000,000 IN FORCE FOR THE DURATION OF THE EVENT, MUST BE SUBMITTED WITH THIS APPLICATION. THIS CERTIFICATE OF INSURANCE MUST INCLUDE A HOLD HARMLESS AGREEMENT FOR THE TOWN.

*Simsbury Police – 860-658-3100 933 Hopmeadow Street.

** Number of copies may vary, please check with the Simsbury Zoning Enforcement Officer.

TOWN OF SIMSBURY USE ONLY:

Fee Received: YES NO N/A
Insurance Received: YES NO N/A
Request Approved: YES NO MORE INFO: _____

Signature: _____ Date: _____

EVENT INFO

Description of Event:

Unite by Light luminary event:
Sunday, December 3, 2023 (inclement weather date of Sunday, December 10)

A one mile stretch of sidewalks along both sides of Hopmeadow St. in the center of Simsbury will be lit with 1,200 luminaries decorated by residents of all ages, uniting young and old for a night of connection and reflection. In addition, music and vocal performances will take place along the route.

Lighting by volunteers begins at 3 pm. Volunteers receive luminaries and safety vests via drive-through in First Church parking lot. All luminaries will be lit by 4 pm.

Event performances along Hopmeadow St. begin at 5 pm and continue until 8 pm.

Residents are invited to stroll along the sidewalks to enjoy the luminaries and the night of music and vocal performances. Residents with limitations are welcome to drive the mile and enjoy a performance at one or more venues.

We are working on a plan to have volunteers clean up the luminaries that evening directly following the event.

Small sponsor signs are placed along the mile from First Church to Liberty Bank on Saturday, December 2 and will be removed by Monday, December 4.

Please indicate whether you will be bringing:

Additional trash and recycling receptacles: YES NO NUMBER: _____

- *You are responsible for proper collection and removal of all waste generated by your event.*

Portable toilets: YES NO NUMBER: _____

- *If yes, please show locations on attached site plan.*

Tent: YES NO SIZE: _____
OPEN SIDES ENCLOSED

- *Tents must be in compliance with State of Connecticut tent regulations. The Town of Simsbury's Building Official or Fire Marshal can advise on tent requirements.*

Lighting and/or sound equipment: YES NO

- *If yes, please attach a list of the equipment you plan to use along with a stage plot with locations for the equipment.*
- *Lighting must meet the requirements of the Town of Simsbury Fire Marshal.*

Does your event require electrical access? YES NO

- *If so, a plan for electrical access will need to be reviewed with the Town of Simsbury Building Official or Fire Marshal.*

Will food be sold or given away at your event? YES NO

- *If food is to be served, whether prepared on- or off-site, you must obtain a Temporary Food Permit from the Farmington Valley Health District (www.fvhd.org).*

Will alcohol be served at your event? YES NO

Number of vendors: _____ Service start and end times: _____

- *If alcohol is to be served, you must obtain all pertinent State permits and abide by all Town and State laws and regulations. An additional list of policies applies if alcohol is to be served.*

Will road closure(s) be necessary? YES NO

- *Details of proposed traffic circulation and closings must be presented to the Chief of Police prior to his signing of the PGP application. If State roads are proposed for closing, a permit from the CT DOT may be necessary.*
- *Notification of State DOT will need to be made at a minimum of 90 days, Town of Simsbury should be notified at the time of submittal.*

PLANNING & ZONING DEPARTMENT
933 HOPMEADOW STREET, SIMSBURY, CT 06070

860-658-3245

Alcohol

- Does your event require a Special Exception? YES NO
- Has the Zoning Commission approved a S.E.? YES NO
- Have you obtained a State of CT liquor license? YES NO

Signage

- Will your event require temporary signs? YES NO
 - No signage may be erected without written permission granted from the Zoning Enforcement Officer
- Has your organization secured permits for such? YES NO

Attachments:

Site Map

- The site plan/map of the proposed Public Gathering should be to-scale and show exactly:
 - Layout of the Event (tents, booths/vendors, rides, aisles, etc.)
 - Location of Lighting
 - Parking Layout

FARMINGTON VALLEY HEALTH DISTRICT
935 RIVER ROAD, CANTON, CT 06019

www.fvhd.org
860-352-2333

If food will be prepared or dispensed at your event, you must obtain a Temporary Food Permit from Farmington Valley Health District.

Has a Temporary Food Permit been secured? YES NO

Will food trucks be present? YES NO

Number of food trucks to be present _____

What type of fuel supply will be used for cooking? Propane Solid fuel Generator None

<http://www.fvhd.org/food-protection1.html>

BUILDING DEPARTMENT
933 HOPMEADOW STREET, SIMSBURY, CT 06070

860-658-3234

Tent: YES NO CAPACITY: _____
 OPEN SIDES ENCLOSED
 SQUARE FOOTAGE: _____

- Tents may require a Building Permit, depending on square footage, capacity, enclosure (or not), and if there will be heat and/or electrical. You should contact the Building Official to determine if a permit will be necessary.

Does your event require electrical access? YES NO

- Will you be utilizing portable generators? YES NO

FIRE MARSHAL

871 HOPMEADOW STREET, SIMSBURY, CT 06070

860-658-1973

Will attendance be 1,500 or more persons? YES NO

- *If 1,500 or more an incident command tent may be required and will need to be noted on the site map. Where required by AHJ, standby fire personnel shall be provided at the cost of the applicant*

Will there be fireworks or special effects? YES NO

Has a state permit been issued? YES NO

When required by the AHJ, standby fire personnel shall be provided at the cost of the applicant.

Are staff aware and are fire or emergency evacuation procedures in place and documented?

YES NO

DEPARTMENT OF PUBLIC WORKS (DPW)

66 TOWN FOREST ROAD, SIMSBURY, CT 06070

860-658-3222

Will barricades/signage be required:

- For the day of the event? YES NO
- In advance? DATES: _____

Are DPW trucks required for use as barricades? YES NO

To be determined by Simsbury Police, Other vehicles are not permitted as barricades.

QUANTITY: _____

- *The fee schedule below is for one (1) Truck and one (1) staff member.*
- *All fees will begin when Public Works Trucks leave the DPW Campus.*
- *Each Truck will be filled with sand and operated by a single staff member.*
- *The number and positioning of the Trucks shall be determined by the Simsbury Police Department.*
- *The fees for using DPW trucks as barricades are as follows:*
 - *\$250 for first four (4) hours*
 - *\$50/hour for each additional hour during regular hours*
 - *\$75/hour for each additional hour on Federal holidays and Sundays*

TOTAL FEE DUE: \$250 + (_____ hours x \$50/\$75) = \$_____

Fee is payable by check made out to the Town of Simsbury

Please note:

- **No markings on the roadways or custom signage is allowed.**
- **Traffic cones shall not be provided by DPW.**

POLICE DEPARTMENT

933 HOPMEADOW STREET, SIMSBURY, CT 06070

860-658-3100

Is this event a concert and/or festival? YES NO

If yes, please list recent prior venues that have hosted this concert/festival:

Will on-site private security be provided? YES NO NUMBER: _____

Will on-site emergency medical services be provided? YES NO NUMBER: _____

- Where will they be located? _____

SIMSBURY VOLUNTEER AMBULANCE ASSOCIATION

4 OLD MILL LANE, SIMSBURY, CT 06070

860-658-7213

Will there be any athletic competitions or other activity/activities that could increase the likelihood of injury or illness? YES NO

Will a commercial ambulance be provided? YES NO

If YES the Simsbury Volunteer Ambulance Association needs to be notified.

Will the attendance be equal to or greater than 5000? YES NO NUMBER: _____

Attendance will be: 500 or so

STAGGERED OVER COURSE OF EVENT AT A SPECIFIC TIME TIME: _____

CULTURE, PARKS & RECREATION

100 OLD FARMS ROAD, SIMSBURY, CT 06070

860-658-3836

Are you serving food? YES NO

- If so, trash recycling barrels are required at Permittee's expense

Will you require any special field lining or set up? YES NO

Do you intend to use "staked" tents on athletic fields? YES NO

Will athletic field lighting be necessary? YES NO

Have you provided a parking plan on your site map? YES NO

Portable toilets must be provided at the rate of 1 toilet per 50 patrons, at the Permittee's expense.

• ATTENDANCE: _____ / 50 = _____ PORTABLE TOILETS REQUIRED

**Public Gathering Permit
Required Declaration**

I declare that the information provided on this application is true and correct to the best of my knowledge and belief. I understand that if the information I have provided is a misrepresentation of the actual event, or that the actual event digresses in a manner from the approved permit, that the permit will be revoked.

Applicant's Name (Printed): Deb Bibbins

Applicant's Signature: Deborah Bibbins

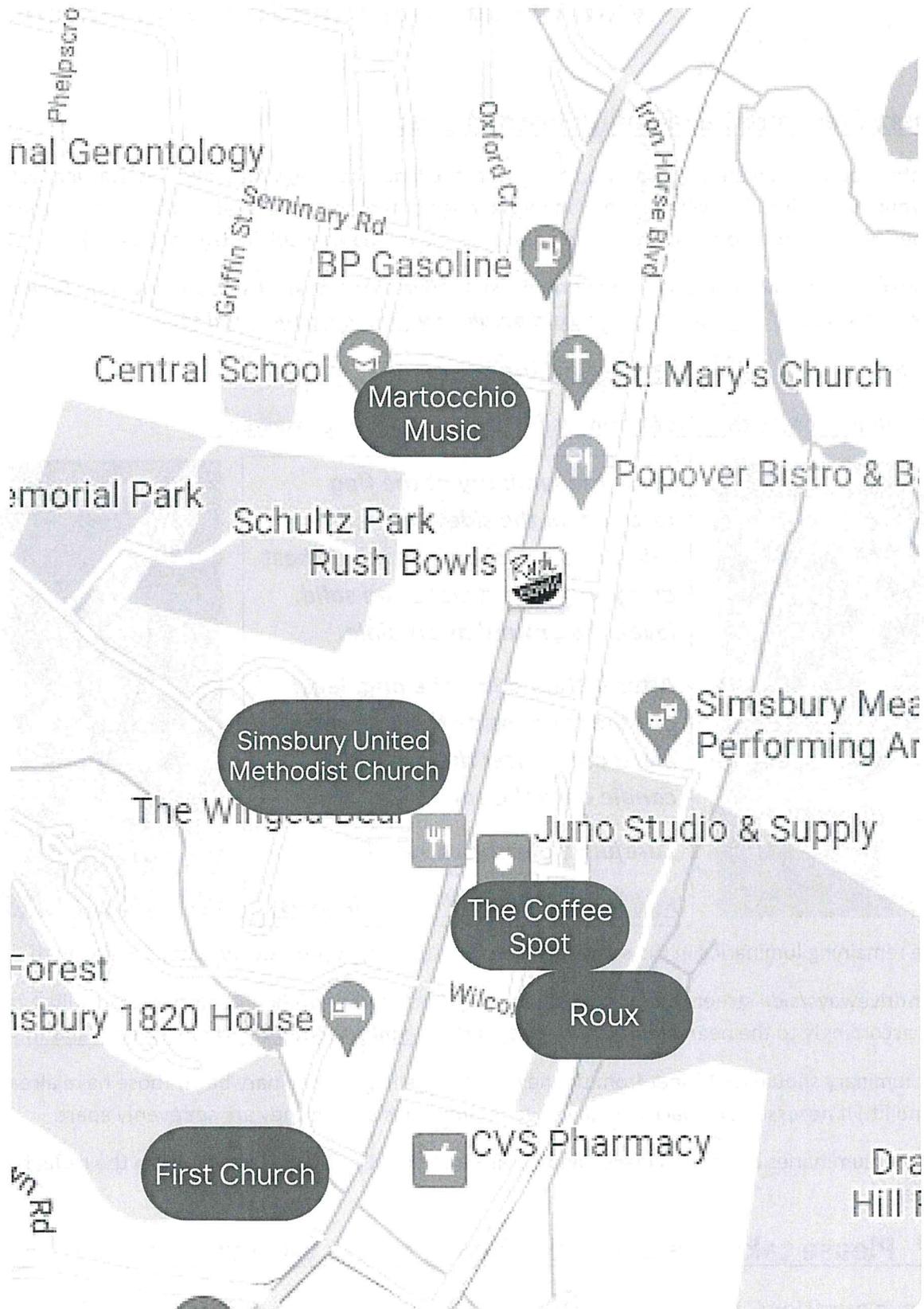
Date Signed: 10/9/23

REQUIRED SIGN OFFS (in order required)

	<u>Received Date:</u>	<u>Received By:</u>	<u>Approved By:</u>	<u>Action Date:</u>
Culture Parks And Rec. Director				
Zoning Commission (As may be required by ZEO)				
Building Official				
Police Chief				
Dir of Public Works				
Dir of Health FVHD				
Fire Marshal				
Simsbury Volunteer Ambulance				
Zoning Enforcement Officer				
Board of Selectmen				

UNITE BY LIGHT 2023

PERFORMANCE VENUES





**Thank you for helping set Simsbury *AGLOW*
with the spirit of Friendship and Community!**

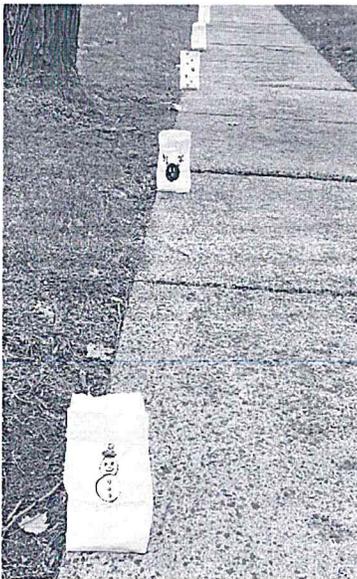
Luminary Placement and Safety Instructions:

The number you were given will be printed on the Orange landscape flags that mark the starting location for placing your luminaries. You will see them on the far edge of the sidewalk. Odd numbers are on the west side of Hopmeadow St. (Boy Scout Hall side); even numbers are on the east side (Fitzgerald's side).

You've been given a landmark close to your number(s). Drive to the nearest safe parking spot. **Do not simply pull over on the side of the road unless you are parallel parking in a designated spot.**

Each person must wear a reflective vest for safety.

Also, if needed, cross the street only using the designated crosswalks.

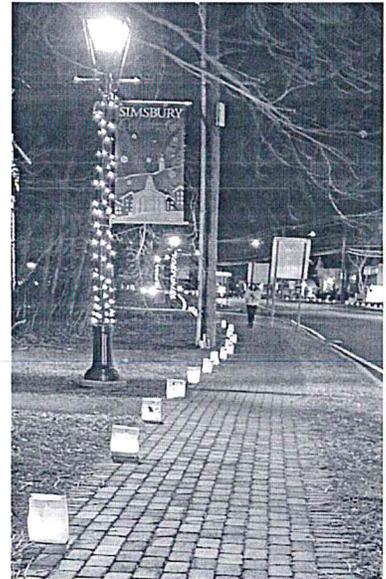


Place the luminary at the flag location on the sidewalk in the orientation as shown here, farthest away from the street or on solid, level, dry ground as possible.

After setting down the bag, level out the sand inside the bag and place and center the cup and candle onto the sand.

Carefully light the candle!!

Pick up the flag and return it to us!



Place the remaining luminaries in the same fashion every 10 feet, approx. every 4 steps in line with the others.

Skip over driveways/side streets but place a luminary on each corner of the intersection and adjust the distance accordingly to the nearest luminary. **This marks the intersection clearly for people and motorists.**

Your last luminary should be 10 feet from the next landscape flag (or luminary bag if those have already been placed and lit.) If necessary, go back and adjust your luminaries so that they are set evenly apart.

After all your luminaries have been placed and lit, **drive back to Boy Scout Hall to return the reflective vests and flag(s)**

******* Please take the Luminary boxes home with you to recycle *******

If you have questions, text or call Deb at 860-899-8867 or Gary at 860-328-5943

THANK YOU!!!



THE HARTFORD
BUSINESS SERVICE CENTER
3600 WISEMAN BLVD
SAN ANTONIO TX 78251

October 9, 2023

Town of Simsbury
933 HOPMEADOW ST
SIMSBURY CT 06070

Account Information:

Policy Holder Details :	For All Ages, Inc.
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Contact Us

Need Help?

Chat online or call us at
(866) 467-8730.

We're here Monday - Friday.

Enclosed please find a Certificate Of Insurance for the above referenced Policyholder. Please contact us if you have any questions or concerns.

Sincerely,

Your Hartford Service Team

REQUIRED SIGN OFFS (in order required)

	<u>Received Date:</u>	<u>Received By:</u>	<u>Approved By:</u>	<u>Action Date:</u>
Culture Parks And Rec. Director			T. Tybursek 10/19/23	
Zoning Commission (As may be required by ZEO)				
Building Official			H. Mign 10/18/23	
Police Chief			M. Christian 10/20/23	
Dir of Public Works			T. Roy 10/19/23	
Dir of Health FVHD			J. Brown 10/30/23	
Fire Marshal			P. Touville 10/18/23	
Simsbury Volunteer Ambulance			K. Stewart 10/18/23	
Zoning Enforcement Officer				
Board of Selectmen				



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Resignation of Elizabeth Peterson from the Technology Task Force

2. **Date of Board Meeting:** November 13, 2023

3. **Individual or Entity Making the Submission:**
Lee C. Erdmann, Interim Town Manager; Trish Munroe, Town Clerk

4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen accepts the resignation, the following motion is in order:

Move, retroactive to November 6, 2023, to accept the resignation of Elizabeth Peterson as a Regular Member of the Technology Task Force.

5. **Summary of Submission:**
The Town Clerk has received the resignation of Elizabeth Peterson (R) as a Regular Member of the Technology Task Force effective November 6, 2023. Ms. Peterson's term was to expire December 4, 2023.

6. **Financial Impact:**
None

7. **Description of Documents Included with Submission:**
a) Resignation from Elizabeth Peterson dated November 6, 2023

From: Simsbury CT via Simsbury CT <cmsmailer@civicplus.com>
Sent: Monday, November 6, 2023 4:17 PM
To: Town Clerk <townclerk@simsbury-ct.gov>
Subject: Form submission from: Resignation Submission Form

Submitted on Monday, November 6, 2023 - 4:17pm
Submitted by anonymous user: 2600:8802:6404:4900:1985:30c6:beed:3b2c
Submitted values are:

Member's Name: Elizabeth Peterson
Address:
Phone #:
Email:
Type of Member: regular
Name of Board/Commission: Technology Task Force
Effective Date of Resignation: 11/6/2023
Reason for Resignation: Moved out of Simsbury
Any Additional Comments:

The results of this submission may be viewed at:

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. Present were: First Selectman Wendy Mackstutis; Board members Chris Peterson, Eric Wellman, Sean Askham and Heather Goetz. Others in attendance included: Interim Town Manager Lee C. Erdmann; Deputy Town Manager Tom Fitzgerald; Finance Director/Treasurer Amy Meriwether; Planning and Community Development Director George McGregor, and other interested parties.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

PUBLIC HEARING

a) Proposed Revision to Town Code 85-6.1, Complex Projects

Ms. Mackstutis said this Public Hearing is to receive public comments on changing the Town Code Section 85-6.1 as to what and when the Inland Wetlands and Conservation Commissions can do for large and complex projects.

Mr. McGregor said the proposed change to the Town Code now allows our land use commissions to secure outside technical assistance costs to be applied to the application costs. This proposal would allow technical assistance beyond the staff's ability or time that they might have and defines complex projects specifically over 100,000 sq. ft. of a development and/or 2000 parking spaces. Inland Wetlands and Conservation Commissions are asking for this threshold to be removed. Planning and Zoning is not asking for this.

Ms. Winters said they have had a few applications where they could have used more help from an outside technical assistant on large complex projects.

Susan Masino, 41 Madison Lane, wondered if development would be for the environment in general or for environmentally friendly and sustainable.

After no further comments, Mr. Askham made a motion to adjourn the Public Hearing at 6:33 p.m. Mr. Wellman seconded the motion. All were in favor and the motion passed.

PUBLIC AUDIENCE

- **Participants can address the Board of Selectmen in person at the meeting**
- **email townmanager@simsbury-ct.gov by noon on Monday, October 23, 2023, 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**

Mark Orenstein, SCTV, said new microphones have been used since September 27, 2023. You can see the green light in the ceiling, and they were purchased by a grant. Hopefully, they will be able to get more for the Board of Education meetings as well.

John Alexopoulos, 40 Cambridge Court, spoke about the developer at Cambridge Crossing and his absent promises. He said these are other issues since the last meeting. This is an unprecedented situation at this point. He said they are not guaranteed services that were supposed to be provided for, such as plowing, trash removal, lawn/property maintenance. The residents have now contracted with Paine's Trash Removal and have to mow their own lawns and take care of their own properties. He said the residents don't own the roads so they don't feel they can hire anyone to plow the roads. The contractor has been in the news, and it doesn't look good for the residents. They are asking for the Town to plow their roads, that are under a mile long, for a short period of time until they get this issue resolved.

Robert Barslow, 106 Cambridge Court, spoke about three issues: neighborhood infrastructure like drainage issues; snow removal issues. Nothing is being scheduled consistently at this point. There are also issues with foreclosures. He said the HOA should be functioning and taking care of all of this, but it doesn't seem to be functioning and they don't get any answers from the contractor. They really need the Town's help to expedite the process on these issues and help in resolving them.

Ms. Mackstutis said the Board should review this issue to the Town Manager, Public Works, and Attorney DeCrescenzo. Hopefully they can get a plan together for discussion at the next meeting.

Katie Barslow, 106 Cambridge Court, said they really need some kind of answers before the snow comes. They don't know their limitations and need feedback on these issues or some kind of plan. There are 33 families that need help, and they would like to have a good relationship with the Town and have a contingency plan in place their property.

Joan Coe, 26 Whitcomb Drive, spoke about the Interim Town Manager's presentation at the Board of Finance meeting on September 19, 2023, where the Volunteer Ambulance Association is looking for financial assistance. She spoke about plantings on the corner of Seminary and Firetown Roads obstructing the line of sight; the East Coast Greenway study concerns; new Board and new Town Manager coming in November; conflicts of interest issues; prompt responses to concerns, etc.

Susan Masino, 41 Madison Lane, spoke about the grand finale of the Beaver Pond Wildlife series on November 9th (social time is a 6 p.m. and film is at 7:00 p.m.); the open space draft POCD, which is in progress, and some confusion on this issue.

Lori Boyko, 15 Oakhurst Road, spoke about her tax increases and mortgage increases this year. She said insurance doesn't cover flooding and wants to know what to do if they have flood situations. She also spoke about Main Street Partnership being a 501(c)(3) and the \$50,000 they get every year. She said this is taxation without representation.

a) Farmington Valley Visiting Nurse Association

Nancy Sheets said the Farmington Valley VNA is also a non-profit organization, a homecare and hospice agency. She thanked the Town for supporting them. She went through some of the things they do for the Town such as glucose and blood pressure clinics. They also sit on the Public Safety Commission and partner with the Fire and Ambulance services with "steps to safety." They provide free skilled visits to assist people who want to stay in their homes instead of going into a facility. They also offer CPR and AED training and COVID mask fitting, as well as other help they can offer the Town, etc. They did have to secure their financial future and have now partnered with VNS of Litchfield County. They will always take care of the residents.

b) Fair Rent Commission Status Update

Mr. Fitzgerald said the Fair Rent Commission was started in 1986, but it hasn't met since November 1990. He said the Fair Rent Commission has the power to study, investigate and have public hearings on complaints received on rental charges and accommodations. They also have the power to issue subpoenas and issue corrective orders.

He said the Town sent a letter to the Department of Housing that the Town does have a Fair Rent Commission, even though it hasn't met in 30 years, and therefore needs some updates/changes. He went through the proposed ordinance changes such as 7 members to 5 with 2 alternates. He said the Board needs to schedule a public hearing to discuss these changes further. After some discussion, the Board will schedule a public hearing.

FIRST SELECTMAN'S REPORT

Ms. Mackstutis, First Selectman, reviewed her First Selectman's report.

TOWN MANAGER'S REPORT

Interim Town Manager, Lee C. Erdmann, reviewed his Town Manager's report.

Mr. Askham made a motion to add item J to the agenda: The Greater Hartford Transit. Mr. Wellman seconded the motion. All were in favor and the motion passed.

SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS

- a) **Personnel** – there was no report at this time.
- b) **Finance** – there was no report at this time.
- c) **Public Safety** – Mr. Askham said Public Safety met last week and updates will be given to the Board and public. He noted that AMR is struggling with their own staffing in Avon and Simsbury has had to go to help them. We hear that ambulance service is struggling state-wide. We have some plans for our future and will be discussing them further. He also noted that there is a state process if you want to change ambulance services, we just can't do it ourselves.
- d) **Board of Education** – there was no report at this time.

Ms. Goetz said she attended the Main Street Partnership meeting where they discussed their "best year yet" and some fundraising ideas moving forward.

Ms. Mackstutis said there was no Finance Sub-Committee meeting, but Ms. Meriwether is going to give them a list of projects that can be worked on.

SELECTMEN ACTION

a) Proposed Revision to Town Code 85-6.1 Complex Projects (1:24:13)

Mr. Askham made a motion, effective October 23, 2023, to adopt the proposed revision to Town Code 85-6.1 Complex Projects as presented, which should be effective 21 days after publicized in a newspaper, having a

circulation withing the Town of Simsbury. Further move, to authorize a summary of the adopted ordinance to be published. Ms. Goetz seconded the motion. All were in favor and the motion passed.

b) Discussion on Plan of Conservation and Development

Ms. Mackstutis said the Board has the opportunity to bring up issues on the POCD or if there is any consensus of what the Board wants to bring forward to the Planning Commission, they do have the chance to bring them up to the meeting tomorrow night. She said the Board has a chance to endorse it, reject it or just receive it without comment.

Ms. Mackstutis said she found some potential ideas for the new Board to look at like different agencies, like Main Street and the Chamber, working together with the EDC. Also, having a Housing Advisory Commission for changes in the community.

After some discussion, no motion was made at this time.

c) Fiscal Year 22/23 Year End Financial Results

Ms. Meriwether went through the General Fund Revenues and Expenses. She also went through the employee benefits section, Simsbury Farms Funds, Health Insurance Funds, and different transfers. She also went through the Board of Education revenues and expenses. She also went through CNR items. Ms. Meriwether went through fund balances and different transfers to be made.

There was discussion on the different proposed funding projects like IT, the PAC, Police Department wants and Fire Safety issues. The PAC and Fire Marshall need to come to a Board meeting to discuss their projects further.

After further discussion, no motion was made at this time.

d) FY 22/23 Year End General Fund and Capital Transfers (2:57:25)

Mr. Askham made a motion, effective October 10, 2023, to transfer \$3,465,000 from the General Fund to the Capital Reserve Fund in the amount of \$3,300,000 and CNR Fund in the amount of \$165,000 and further move to appropriate the CNR Funds for the following projects: (1) Managed Network Detection and Responses (\$18,000), (2) Network Switches (\$37,000); and Compensation and Classification Study (\$75,000) and recommend to the Board of Finance. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion, effective October 23, 2023, to roll over encumbrances totaling \$ 68,319.00 and appropriate the funds in the FY24 budget in accordance with the “Open Purchase Order Detail” report and recommend to the Board of Finance. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion, effective October 23, 2023, to approve the year end budget transfers in accordance with the “General Fund Budget Transfers – Budgetary Basis” document and recommend to the Board of Finance. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion, effective October 23, 2023, to approve the capital transfers in accordance with the “Capital Transfers Request” document and recommend to the Board of Finance. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

e) Tax Refund Requests (3:01:05)

Mr. Askham made a motion, effective October 10, 2023, to approve the presented tax refunds in the amount of \$11,159.91 and to authorize Interim Town Manager, Lee C. Erdmann to execute the tax refunds Mr. Wellman seconded the motion. All were in favor and the motion passed.

f) Appropriation of Funds for CT Department of Agriculture Farm Viability Grant (3:01:53)

Mr. Fitzgerald said the Board authorized the application of the grant and now they need to authorize spending of the funds.

Mr. Askham made a motion, effective October 23, 2023, to appropriate the grant funds, if awarded and recommend said appropriation to the Board of Finance. Mr. Wellman seconded the motion. All were in favor and the motion passed.

g) Simsbury Public Library Grant Application for CT Humanities Implementation (3:03:14)

Mr. Fitzgerald said this is similar to the trial grant, which went well. The total implementation would be \$20,000, with the grant being \$10,000 and a Town match of \$10,000.

Mr. Askham made a motion, effective October 23, 2023, to authorize the Simsbury Public Library to submit a grant application to CT Humanities Implementation for \$20,000 and to authorize Interim Town Manager, Lee C. Erdmann, to execute the grant application.

In that the grant is awarded: Move to accept the grant and to authorize Interim Town Manager, Lee C. Erdmann, to execute all documents related to the grant award. Further move to appropriate the grant funds, if awarded. And recommend the said appropriation to the Board of Finance. Mr. Wellman seconded the motion. All were in favor and the motion passed.

h) Schedule a Public Hearing for Proposed Ordinance Prohibiting the Use of Tobacco, Vaping, and Cannabis Products on Public Property (3:04:21)

Ms. Mackstutis said this meeting had to be rescheduled as there was no quorum at the last meeting. More information was included in the packets.

Ms. Goetz made a motion, effective October 23, 2023, to set a Public Hearing to receive public comment on the proposed Ordinance to Prohibit the use of Tobacco, Vaping, and Cannabis Products on Public Property for 6:00 p.m. on Monday, November 13, 2023. Mr. Askham seconded the motion. All were in favor and the motion passed.

i) Schedule a Public Hearing for Proposed Amendments to Fair Housing Commission Ordinance (3:04:55)

Mr. Askham made a motion, effective October 23, 2023, to set a Public Hearing to receive public comment on the proposed amendments to the Fair Rent Commission Ordinance for 6:00 p.m. on Monday, November 13, 2023. Ms. Goetz seconded the motion. All were in favor and the motion passed.

j) Greater Hartford Transit (3:05:32)

Mr. Askham made a motion, effective October 23, 2023, to accept the FY 23/24 grant funds from the Greater Hartford Transit District to support our Dia-a-Ride program and to authorize Interim Town Manager, Lee C. Erdmann, to execute all documents related to the grant award. Further move, to appropriate the grant funds, if awarded, and recommend said appropriation to the Board of Finance. Mr. Wellman seconded the motion. All were in favor and the motion passed.

REVIEW OF MINUTES

a) September 27, 2023 Regular Meeting Minutes

There were no changes to the minutes and, therefore, they were adopted.

EXECUTIVE SESSION (3:06:16)

a) Pursuant to General Statutes Section 1-200 (6)(A): Town Manager Employment Agreement

b) Pursuant to General Statutes Section 1-200 (6)(B): Discussion of Pending Claim

Mr. Askham made a motion to adjourn to Executive Session pursuant to General Statutes Section 1-200 (6)(B): Discussion of Pending Claim at 9:08 p.m. and to include Interim Town Manager, Lee C. Erdmann, Deputy Town Manager Tom Fitzgerald and Attorney Robert DeCrescenzo. Ms. Goetz seconded the motion. All were in favor and the motion passed.

ADJOURN FROM EXECUTIVE SESSION

Mr. Askham made a motion to adjourn Executive Session at 9:32 p.m. Mr. Wellman seconded the motion. All were in favor and the motion passed.

SELECTMEN ACTION

k) Town Manager's Employment Agreement

Mr. Askham made a motion, effective October 23, 2023, to execute the Town Manager's Employment Agreement between the Town of Simsbury, CT and Marc Nelson, for a three-year term commencing on January 8, 2024 and expiring on January 7, 2027. Mr. Wellman seconded the motion. All were in favor and the motion passed.

ADJORN

Mr. Askham made a motion to adjourn at 9:34. Mr. Wellman seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio
Clerk