



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

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## SIMSBURY BOARD OF SELECTMEN

Main Meeting Room – Simsbury Town Hall – 933 Hopmeadow Street, Simsbury

Regular Meeting – November 26, 2018 – 6:00 p.m.

### PLEDGE OF ALLEGIANCE

### PUBLIC AUDIENCE

### FIRST SELECTMAN'S REPORT

### TOWN MANAGER'S REPORT

### SELECTMEN ACTION

- a) Tax Refund Requests
- b) 2018/2019 JAG Local Violent Crime Prevention (VCP) Grant
- c) Federal FY 2018 State Homeland Security Grant Program
- d) Budget Status Report
- e) Proposed Revisions to Eno Memorial Hall Facility Use Policy and Fee Schedule
- f) Eversource Energy Temporary Access Permit/Agreement
- g) Proposed Tax Abatement and Fee Waivers, 690 Hopmeadow Street and Proposed Revisions to Business Development Incentive Policy
- h) Discussion of 2018-2019 Board of Selectmen Goals

### APPOINTMENTS AND RESIGNATIONS

- a) Resignation of Peter Tedone from the Police Commission

### REVIEW OF MINUTES

- a) Regular Meeting of November 14, 2018



**SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS**

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

**COMMUNICATIONS**

- a) Letter from M. Capriola re: American Flag Donation, dated November 13, 2018
- b) Letter from L. George re: FY2020 Budget Financial Support Request for Visitors Center, dated November 13, 2018

**ADJOURN TO EXECUTIVE SESSION**

- a) Pursuant to CGS §1-200(6)(A) concerning the performance review of the Town Manager

**ADJOURN FROM EXECUTIVE SESSION**

Possible action

**ADJOURN**



# 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 26, 2018
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Colleen O'Connor, Tax Collector  
*Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen supports approving the tax refunds as presented, the following motion is in order:

*Move, effective November 26, 2018 to approve the presented tax refunds in the amount of \$12,040.05, and to authorize Town Manager, Maria E. Capriola, to execute the tax refunds.*

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

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

6. **Financial Impact:**  
The aggregate amount of all tax refunds as presented is \$12,040.05. The attachment dated November 26, 2018 has a detailed listing of all requested tax refunds.
7. **Description of Documents Included with Submission:**
  - a) Requested Tax Refunds, dated November 26, 2018

REQUESTED TAX REFUNDS  
NOVEMBER 26, 2018

	BILL NUMBER	TAX	INTEREST	TOTAL
<b>List 2015</b>				
Infinity IV LLC	15-01-03733	\$1,746.14		\$1,746.14
Leek Morgan S	15-04-82064	\$108.73		\$108.73
<b>Total 2015</b>		<b>\$1,854.87</b>	<b>\$0.00</b>	<b>\$1,854.87</b>
<b>List 2016</b>				
Infinity IV LLC	16-01-03708	\$1,823.28		\$1,823.28
<b>Total 2016</b>		<b>\$1,823.28</b>	<b>\$0.00</b>	<b>\$1,823.28</b>
<b>List 2017</b>				
ACAR Leasing LTD	17-03-50106	\$745.15		\$745.15
CAB East LLC	17-03-52470	\$119.09		\$119.09
CAB East LLC	17-03-52484	\$107.44		\$107.44
Cazzetta Tyler	17-03-52933	\$117.27	\$12.28	\$129.55
Daimler Trust	17-03-54245	\$256.98		\$256.98
Haan Auto Trust	17-03-57631	\$333.35		\$333.35
Honda Lease Trust	17-03-58436	\$141.68		\$141.68
Honda Lease Trust	17-03-58583	\$599.47		\$599.47
JP Morgan Chase Bank	17-03-59372	\$186.10		\$186.10
JP Morgan Chase Bank	17-03-59379	\$160.43		\$160.43
MacNeil Tara	17-03-61564	\$24.33		\$24.33
Porsche Leasing LTD	17-03-65169	\$1,481.38		\$1,481.38
Toyota Lease Trust	17-03-69162	\$482.64		\$482.64
Toyota Lease Trust	17-03-69181	\$263.87		\$263.87
Vault Trust	17-03-69652	\$415.33		\$415.33
Vault Trust	17-03-69662	\$525.54		\$525.54
Vault Trust	17-03-69678	\$513.78		\$513.78
VCFS Auto Leasing Co	17-03-69737	\$417.92		\$417.92
VCFS Auto Leasing Co	17-03-69739	\$434.82		\$434.82
VW Credit Leasing LTD	17-03-69949	\$187.38		\$187.38
VW Credit Leasing LTD	17-03-69966	\$79.39		\$79.39
VW Credit Leasing LTD	17-03-69998	\$278.79		\$278.79
VW Credit Leasing LTD	17-03-70026	\$291.80		\$291.80
VW Credit Leasing LTD	17-03-70034	\$45.02		\$45.02
VW Credit Leasing LTD	17-03-70040	\$81.58		\$81.58
Kilgore Kenneth	17-03-71379	\$59.09		\$59.09
<b>Total 2017</b>		<b>\$8,349.62</b>	<b>\$12.28</b>	<b>\$8,361.90</b>
<b>TOTAL 2015</b>		<b>\$1,854.87</b>	<b>\$0.00</b>	<b>\$1,854.87</b>
<b>TOTAL 2016</b>		<b>\$1,823.28</b>	<b>\$0.00</b>	<b>\$1,823.28</b>
<b>TOTAL 2017</b>		<b>\$8,349.62</b>	<b>\$12.28</b>	<b>\$8,361.90</b>
<b>TOTAL ALL YEARS</b>		<b>\$12,027.77</b>	<b>\$12.28</b>	<b>\$12,040.05</b>





# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** 2018/2019 JAG Local Violent Crime Prevention (VCP) Grant
2. **Date of Board Meeting:** November 26, 2018
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Nicholas Boulter, Chief of Police  
*Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen supports applying for and accepting the 2018/2019 JAG Local VCP grant as presented, the following motion is in order:

*Move, effective November 26, 2018 to apply for and accept the 2018/2019 JAG Local VCP Grant that has been awarded to the town, and to authorize Town Manager, Maria E. Capriola to execute all documents related to the grant application and award.*

5. **Summary of Submission:**  
The state of Connecticut, Office of Policy and Management, is providing grants to assist local police departments with violent crime prevention and public safety improvements. The state of Connecticut receives grant funds from the Federal Justice Assistance Grant (JAG) program and then passes the funds onto local police departments throughout the state. The grant application process for local police departments is simultaneous with the awarding of the funds; applying departments are guaranteed funding. The Office of Policy and Management is distributing the JAG funds from the FY 2015 and 2016 federal grant funds.

The funds can be used for the following types of police equipment:

- Police protective gear and officer equipment (ex: ballistic helmets)
- Technology equipment (ex: body/car cameras, mobile data terminals, cruiser equipment)

The funds which are allocated to municipalities are based on the violent crime rate (VCR). The Simsbury Police Department has been allocated \$6,000. A specific use of these funds has not yet been identified. Examples of past purchases have included radios for police cruisers, audio/video recorder for police interview rooms, and server to host video data from cruiser cameras.

6. **Financial Impact:**

The anticipated grant award is \$6,000. The funds are deposited into fund 230, "Police Equipment Grant" account and are used to make equipment or technology purchases that are in compliance with the grant award.

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

- a) Grant Announcement
- b) Notice of Grant Award





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Secretary of OPM  
Benjamin Barnes

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## 2019 JAG Local VCP

[Printable Version](#)

## 2019 JAG Local VCP Grant Program

### Violent Crime Prevention (VCP)

(Distribution of JAG Local FY 2015 and FY 2016 Federal Grant Funds)

[2015 JAG VCP Grant](#) | [2014 CSJ Racial Profiling Project Support](#) | [2013 JAG PVET Grant](#) | [2012 Summer Violence Prevention Grants](#) |

[2009 ARRA JAG Local Grant](#) | [DOJ Direct Local JAG Awards](#) | [CT Policing Jurisdictions](#) |

[JAG Local Main Page](#) |

## Announcement

The **State of Connecticut Office of Policy and Management (OPM)** is providing grants to assist local police departments with violent crime prevention and public safety improvements.

The grant is funded by the federal Justice Assistance Formula Grant (JAG) program.

- This is a "one-time" grant.
- No future "continuation" or "supplemental" funds are available.
- Primary purpose of this grant is to assist local governments with preventing violent crime and improving public safety.

**Purpose Areas:** The 2019 JAG Local VCP grant must address one or more of the following purpose areas:

- Reduce and prevent violent crime and gun violence
- Reduce and prevent gang/groups violence
- Support and expand community policing strategies
- Improve police response to domestic violence and sexual assault crime
- Improve police response to mentally ill offenders

**Eligibility:** The 2019 JAG Local VCP Grant is available to ninety-one local governments with "organized police departments".

**Grant Allocation:** Funds are allocated to municipalities based on violent crime rate (VCR). (Please refer to the *2019 JAG Local VCP ALLOCATION Chart*.)

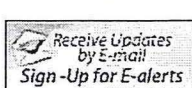
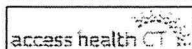
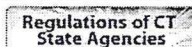
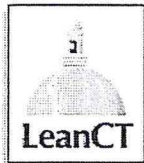
**Match Requirement:** There is **NO** match requirement for the JAG VCP grant.

**Use of Funds:**

Police departments must submit a "Narrative" description of the proposed use of funds as well as a "Budget". **2019 JAG Local VCP** funds may be used for the following types of goods, services and activities which must be described and detailed in the "Narrative" and "Budget".

- Police training curriculum and officer training time
- Community policing events, training and technical assistance
- Body-worn cameras and cruiser camera systems
- Cruiser equipment, mobile data terminal, license plate reader and other cruiser equipment
- Communication and dispatch technology
- Information technology, computers and peripheral equipment
- Police over-time for "special" operation, task force or multi-jurisdictional investigation
- Police protective gear and officer equipment
- Technology and equipment for tactical response, surveillance and investigation

## Deadline for Application Submission:





OPTION C - Allocations to All Local Police Departments with an Offset Calculation for Direct JAG Recipients  
and Flat Grants to Underfunded Direct JAG Cities and Towns Because of This Calculation

<b>2019 JAG Local VCP Grant Program</b> <b>Violent Crime Prevention (VCP)</b> <b>(Distribution of JAG Local FY 2015 and FY 2016 Federal Grant Funds)</b>									
<b>Option C. Allocations to All Local Police Departments with an Offset Calculation for Direct JAG recipients and flat grants to underfunded Direct JAG cities and towns because of this calculation.</b>									
<b>Distribution to 91 Cities and Towns (Excluding Hartford, New Haven and Bridgeport)</b>									
DIRECT JAG recipients are identified by an asterisk (*)									
CITY	2014 Population	2014 # Violent crime	2015 Population	2015 # Violent crime	Two Year VCR Per 1,000 Pop.	Direct JAG (Average FY14-16) USDOJ awards funds directly to high crime jurisdictions	Initial Allocation	Final Adjusted Allocation	Source of Funds
Hartford*	124,943	1,380	124,553	1,421	22.49	\$199,553	\$0	\$0	FY15 LPT
Bridgeport*	147,822	1,338	148,313	996	15.74	\$192,873	\$0	\$0	
New London*	27,526	163	27,312	154	11.61	\$39,142	\$58,000	\$20,858	
New Haven*	130,882	1,380			10.54	\$224,528	\$0	\$0	
New Britain*	72,864	321	72,788	275	8.19	\$38,889	\$58,000	\$21,111	
Waterbury*	109,495	408	109,044	467	8.02	\$46,352	\$58,000	\$13,648	
Norwich*	40,296	153	40,085	127	6.99	\$15,767	\$48,000	\$34,233	
Hamden*	61,599	231	61,372	189	6.84	\$36,573	\$48,000	\$13,427	
Meriden*	60,352	181	60,149	197	6.28	\$22,910	\$48,000	\$27,090	
Waterford	19,504	65	19,407	56	6.23		\$48,000	\$50,000	
East Hartford*	51,185	131	50,977	168	5.87	\$22,641	\$48,000	\$26,359	
Putnam	9,436	29	9,375	25	5.76		\$48,000	\$49,000	
Norwalk*	88,232	258	88,692	239	5.60	\$35,982	\$48,000	\$13,018	
Bloomfield	20,718	39	20,901	57	4.59		\$37,000	\$38,000	
Stamford*	127,385	306	129,682	285	4.56	\$44,466	\$37,000	\$16,000	
Derby	12,776	24	12,735	31	4.32		\$37,000	\$38,000	
Groton City	9,338	15	9,278	24	4.20		\$37,000	\$38,000	
Plainville	17,844	39	17,820	33	4.04		\$37,000	\$38,000	
West Haven*	54,917	145	54,741	68	3.89	\$36,587	\$37,000	\$8,500	
Manchester*	58,204	111	58,070	104	3.70	\$14,534	\$37,000	\$23,466	
Danbury*	84,281	150	84,404	157	3.64	\$15,987	\$37,000	\$22,013	
Willimantic	17,826	38	17,807	25	3.54		\$37,000	\$38,000	
East Windsor	11,462	23	11,483	16	3.40		\$37,000	\$38,000	
Ansonia	18,964	36	18,887	25	3.23		\$37,000	\$38,000	
Middletown	47,256	78	46,894	64	3.03		\$37,000	\$38,000	
GROTON TOWN	30,339	42	30,387	46	2.90		\$14,000	\$15,000	
Clinton	13,164	18	13,100	18	2.75		\$14,000	\$15,000	
Torrington	35,432	44	34,910	47	2.61		\$14,000	\$15,000	
Watertown	22,161	31	21,931	24	2.51		\$14,000	\$15,000	
Stratford*	52,279	64	53,058	69	2.51	\$13,725	\$14,000	\$8,500	
Bristol*	60,590	72	60,593	78	2.48	\$13,524	\$14,000	\$8,500	
Enfield	44,769	53	44,617	52	2.35		\$14,000	\$15,000	
Old Saybrook	10,249	12	10,213	12	2.35		\$14,000	\$15,000	
Vernon	29,158	33	29,079	29	2.13		\$14,000	\$15,000	
Plainfield	15,186	13	15,071	18	2.06		\$14,000	\$15,000	
East Haven	29,093	33	29,001	25	2.00		\$14,000	\$15,000	
Newington	30,803	23	30,714	37	1.95		\$9,000	\$10,000	



OPTION C - Allocations to All Local Police Departments with an Offset Calculation for Direct JAG Recipients  
and Flat Grants to Underfunded Direct JAG Cities and Towns Because of This Calculation

Naugatuck	31,668	27	31,603	34	1.93		\$9,000	\$10,000	FY16 LPT
Stonington	18,541	16	18,505	19	1.89		\$9,000	\$10,000	
Wethersfield	26,470	17	26,390	32	1.86		\$9,000	\$10,000	
Windsor Locks	12,590	15	12,580	6	1.67		\$9,000	\$10,000	
Trumbull	36,701	29	36,708	32	1.66		\$9,000	\$10,000	
West Hartford	63,360	49	63,301	55	1.64		\$9,000	\$10,000	
Seymour	16,579	13	16,537	12	1.51		\$9,000	\$10,000	
Branford	27,977	25	28,274	17	1.49		\$9,000	\$10,000	
Windsor	29,154	22	29,063	19	1.41		\$9,000	\$10,000	
Wallingford	45,137	23	45,054	40	1.40		\$9,000	\$10,000	
East Lyme	19,111	14	19,090	12	1.36		\$9,000	\$10,000	
New Milford	27,681	17	27,317	20	1.35		\$9,000	\$10,000	
Milford	53,222	35	53,499	37	1.35		\$9,000	\$10,000	FY15 <10K
Guilford	22,425	17	22,421	13	1.34		\$9,000	\$10,000	
Shelton	41,353	23	41,724	31	1.29		\$9,000	\$10,000	
Winchester	10,960	8	10,855	6	1.29		\$9,000	\$10,000	
Southington	43,786	33	43,979	22	1.25		\$9,000	\$10,000	
Berlin	20,767	11	20,793	15	1.25		\$9,000	\$10,000	
Cromwell	14,223	8	14,141	9	1.20		\$9,000	\$10,000	
Plymouth	12,002	5	11,837	9	1.18		\$9,000	\$10,000	
North Haven	23,901	20	23,865	8	1.17		\$9,000	\$10,000	
Orange	13,951	9	13,954	7	1.15		\$9,000	\$10,000	
Ledyard	15,492	11	15,475	6	1.10		\$9,000	\$10,000	
Farmington	25,678	20	25,696	7	1.05		\$9,000	\$10,000	
South Windsor	25,877	9	25,850	17	1.01		\$9,000	\$10,000	
Thomaston	7,732	3	7,635	4	0.92		\$5,000	\$6,000	FY16 <10K
Woodbridge	8,945	6	8,907	2	0.90		\$5,000	\$6,000	
Fairfield	61,146	33	61,762	21	0.87		\$5,000	\$6,000	
Newtown	28,243	11	28,291	12	0.81		\$5,000	\$6,000	
Coventry	12,403	9	12,413	1	0.81		\$5,000	\$6,000	
Middlebury	7,569	4	7,594	2	0.79		\$5,000	\$6,000	
Glastonbury	34,850	10	34,832	16	0.75		\$5,000	\$6,000	
Wolcott	16,734	7	16,719	5	0.72		\$5,000	\$6,000	
Portland	9,445	3	9,430	3	0.64		\$5,000	\$6,000	
Suffield	15,790	8	15,823	1	0.57		\$5,000	\$6,000	
East Hampton	12,902	3	12,854	4	0.54		\$5,000	\$6,000	
Brookfield	16,957	3	17,202	6	0.52		\$5,000	\$6,000	
Cheshire	29,120	6	29,245	9	0.51		\$5,000	\$6,000	
Westport	27,529	8	27,848	6	0.50		\$5,000	\$6,000	
North Branford	14,339	3	14,300	4	0.49		\$5,000	\$6,000	
Greenwich	62,676	18	62,942	11	0.46		\$5,000	\$6,000	
Granby	11,333	3	11,317	2	0.44		\$5,000	\$6,000	
Redding	9,348	4	9,344	-	0.43		\$5,000	\$6,000	
Simsbury	23,903	6	24,093	3	0.37		\$5,000	\$6,000	
Darien	21,473	5	21,925	3	0.36		\$5,000	\$6,000	FY16 <10K
Monroe	19,916	3	19,958	3	0.30		\$5,000	\$6,000	
Canton	10,372	2	10,358	1	0.29		\$5,000	\$6,000	
Rocky Hill	19,964	2	20,189	3	0.25		\$5,000	\$6,000	
Avon	18,441	2	18,485	2	0.22		\$5,000	\$6,000	
Bethel	19,425	-	19,560	4	0.20		\$5,000	\$6,000	
Weston	10,417	2	10,437	-	0.19		\$5,000	\$6,000	
New Canaan	20,302	1	20,449	2	0.15		\$5,000	\$6,000	
Ridgefield	25,288	1	25,339	2	0.12		\$5,000	\$6,000	
Madison	18,302	2	18,254	-	0.11		\$5,000	\$6,000	
Wilton	18,807	1	18,851	1	0.11		\$5,000	\$6,000	
Groton Long Point	517	-	517	-	0.00		\$5,000	\$6,000	
Easton	7,645	-	7,663	-	0.00		\$5,000	\$6,000	





# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Federal FY 2018 State Homeland Security Grant Program
2. **Date of Board Meeting:** November 26, 2018
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager *Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen supports participating in the State Homeland Security Grant Program, the following motion is in order:  
  
*Move, effective November 26, 2018 to approve the Federal Fiscal Year 2018 State Homeland Security Grant Program Memorandum of Agreement, which makes the Town of Simsbury eligible for regional allocations made through the Region 3 Regional Emergency Planning Team. Further move, effective November 26, 2018, to approve the attached resolution that authorizes the Town Manager to execute all documents related to the grant award.*
5. **Summary of Submission:**  
The Federal FY 2018 State Homeland Security Grant Program (SHSGP) provides funding to state administrative agencies for emergency preparedness and response activities. The Department of Emergency Services and Public Protection (DESPP) and Department of Emergency Management and Homeland Security (DEMHS) are retaining pass-through funds from this program in the amount of \$1,460,498 for regional projects designed to benefit municipalities. Projects include: regional collaboration; Connecticut Intelligence Center/Fusion Center; CBRNE detection and response, metropolitan medical response system; citizen corps program; medical preparation and response; and cyber security.
6. **Financial Impact:**  
Region 3 Regional Emergency Planning Team (REPT), which we are part of, will receive \$357,659 for regional projects. The Capital Region Council of Governments (CRCOG) will serve as the fiduciary for these funds, and will provide programmatic oversight of the funding allocation. Specific projects will be developed and approved by the Region 3 REPT and DEMHS.
7. **Description of Documents Included with Submission:**
  - a) FY18 State Homeland Security Grant Program Memorandum of Agreement
  - b) Authorizing Resolution



**FFY 2018 STATE HOMELAND SECURITY GRANT  
PROGRAM Region 3 MEMORANDUM OF AGREEMENT**




**Data Sheet**


**Step 1- Fill out this datasheet form to auto populate MOA document in this PDF file.**

**THIS DATASHEET MUST BE COMPLETED ELECTRONICALLY**

**Step 2-After populating the document, print out entire MOA and obtain the correct signatures as outlined by the completion checklist on the following page.**

<b>Town Information:</b> 	
<b>Person Completing Document:</b>	Kevin Kowalski
<b>Municipality Name:</b>	TOWN OF SIMSBURY
<b>Town CEO Name:</b>	Maria Capriola
<b>Town CEO Title (ie. Mayor):</b>	Town manager

**\*Municipality Name - Municipalities can enter the name as either the long or short name, for example: enter name as either "New Haven" or "City of New Haven"**

<b>Point of Contact Information:</b> 	
<b>POC Name &amp; Title:</b>	Kevin J Kowalski - EMD
<b>Address:</b>	871 Hopmeadow st , Simsbury CT 06070
<b>Email:</b>	kkowalski@simsburyfd.org
<b>Phone:</b>	860-658-1971
<b>Fax:</b>	860-658-5611





FFY 2018 STATE HOMELAND SECURITY GRANT  
PROGRAM Region 3 MEMORANDUM OF AGREEMENT  
CHECKLIST



Please use this checklist to insure completion and accuracy of the following agreement.

1.

## Instructions for:

TOWN OF SIMSBURY

Received by: Kevin Kowalski

**For the MOA:**

- ☐ A municipal point of contact been identified in Part III, Section M.
- ☐ The Chief Executive Officer has signed and dated the agreement.
- ☐ The Chief Executive Officer's name and title has been typed in the space provided.

☐ **Authorizing Resolution Attached**

The Blanket Resolution Template includes the recommended language for the resolution. If you do not use this template, the resolution must reference the FFY 2018 Homeland Security Grant Program. No other resolutions will be accepted.

Please note: The Fiduciary and Municipality shall complete Appendix A Custodial Ownership and Memorandum of Agreement (Appendix A), for any municipality that takes ownership of equipment purchased with 2018 HSGP funds by the REPT. *(These documents are not attached to this MOA, but will be sent directly to the Fiduciary)*

Once complete, mail the complete MOA package to: Cheryl Assis, Capitol Region Council of Governments, 241 Main Street, Hartford, CT 06106

2.

## Instructions for the Capitol Region Council of Governments

Received by: \_\_\_\_\_

**Review and Signature**

- ☐ The Chief Executive Officer has signed and dated the agreement.
- ☐ The Chief Executive Officer's name and title has been typed in the space provided.
- ☐ The Region 3 REPT Chair has signed and dated the agreement.
- ☐ The Region 3 REPT Chair's name has been typed in the space provided.
- ☐ All of the items listed on this checklist have been completed and are correct.

Once complete please contact your DESPP/DEMHS Program Manager to schedule a MOA review meeting.

Please note: The Fiduciary shall complete Appendix A, Custodial Ownership, for any Municipality that takes ownership of equipment purchased with 2018 HSGP funds by the REPT. *(These documents are not attached to this MOA, but will be sent directly to the Fiduciary)*

**DUE DATE:** Monday, January 7, 2019



# MEMORANDUM OF AGREEMENT

## REGARDING USE OF FEDERAL FISCAL YEAR 2018 STATE HOMELAND SECURITY GRANT FUNDING AND CUSTODIAL OWNERSHIP OF REGIONAL ASSETS IN DEMHS Region 3

### I. AGREEMENT REGARDING THE USE OF FEDERAL HOMELAND SECURITY GRANT FUNDS TO SUPPORT REGIONAL SET-ASIDE PROJECTS

#### A. Introduction

The following facts are understood and agreed to by all parties:

1. The parties to this part of the Memorandum of Agreement (MOA) are the State of Connecticut Department of Emergency Services and Public Protection (DESPP), including the Division of Emergency Management & Homeland Security (DEMHS), the municipality of TOWN OF SIMSBURY, the Capitol Region Council of Governments (Fiduciary) and the Region 3 Regional Emergency Planning Team (Region 3 REPT).
2. DESPP is the designated recipient and State Administrative Agency (SAA) of the United States Department of Homeland Security for Federal Fiscal Year 2018 State Homeland Security Grant Program (SHSGP), Award No. EMW-2018-SS-00107. DEMHS is the division of DESPP responsible for program management of the grants, including consulting with the DEMHS Advisory Council, and the DEMHS Regional Planning Teams to provide a coordinated and integrated program of emergency management and homeland security.
3. The DEMHS Advisory Council, through its Homeland Security Working Group, has approved the allocation formula for grant funds available under the SHSGP;
4. DESPP/DEMHS is retaining pass-through funds from 2018 SHSGP in the total amount of \$1,460,4984 on behalf of local units of government, for the following seven regional set-aside projects designed to benefit the state's municipalities:
  - a. Regional Collaboration;
  - b. Connecticut Intelligence Center/Fusion Center;
  - c. CBRNE Detection and Response;
  - d. Metropolitan Medical Response System;
  - e. Citizen Corps. Program;
  - f. Medical Preparation and Response; and
  - g. Cyber Security
5. DEMHS – in coordination and cooperation with the municipalities located within DEMHS Region 3 including TOWN OF SIMSBURY – has created, and established bylaws for, the Region 3 REPT, a multi-disciplinary, multi-jurisdictional regional group to facilitate planning and resource coordination within DEMHS Region 3.
6. TOWN OF SIMSBURY is eligible to participate in those Federal Fiscal Year 2018 SHSGP regional allocations made through the Region 3 REPT and not included in the set-aside projects, in the amount of \$357,659 (and an additional \$60,000 for the regional bomb squad) for Region 3 which will be made available to the jurisdictions in Region 3 in the manner recommended by the Region 3 REPT in accordance with its approved bylaws, upon execution of the grant application and as accepted by the SAA.

#### B. Purpose of Agreement

The SAA and TOWN OF SIMSBURY enter into Part I of this MOA authorizing the SAA to act as the agent of TOWN OF SIMSBURY and allowing the SAA to retain and administer grant funds provided under 2018 SHSGP for the seven regional set-aside projects listed above, and also for The Capitol Region Council of Governments to provide the financial and programmatic oversight described below.

#### C. SAA and TOWN OF SIMSBURY Responsibilities.

The SAA agrees to administer the SHSGP grant funds of \$1,460,498 in furtherance of the seven regional set-aside projects listed above.

TOWN OF SIMSBURY agrees to allow the SAA to provide financial and programmatic oversight of the \$1,460,498 for the purpose of supporting the allocations and uses of funds under the



2018 SHSGP consistent with the 2018 State Homeland Security Grant Application that has been reviewed and approved by the federal Department of Homeland Security and supported by the Initial Strategy Implementation Spending Plan (ISIP) as part of the Biannual Strategy Implementation Report (BSIR) approved by the Emergency Management & Homeland Security Council, now known as the DEMHS Advisory Council. TOWN OF SIMSBURY agrees to allow the SAA to hold, manage, and disburse the grant funds that have been reserved for the seven regional set-aside projects listed above.

**D. Capitol Region Council of Governments & TOWN OF SIMSBURY Responsibilities.**

TOWN OF SIMSBURY also agrees to allow the Capitol Region Council of Governments to provide financial and programmatic oversight of the Federal Fiscal Year 2018 regional allocation not included in the seven regional set-aside projects in the amount of \$357,659 (an additional \$60,000 for the regional bomb squad) targeted to member municipalities in DEMHS Region 3 and recommended through the Region 3 REPT in accordance with its approved bylaws. Such funds will be applied to specific projects developed and approved by the Region 3 REPT and DEMHS.

**II. AGREEMENT REGARDING CUSTODIAL OWNERSHIP OF REGIONAL ASSETS**

**A. Introduction**

The following facts are understood and agreed to by all parties:

1. The parties to this part of the Memorandum of Agreement (MOA) are the State of Connecticut Department of Emergency Services and Public Protection (DESPP), including the Division of Emergency Management & Homeland Security (DEMHS), the municipality of TOWN OF SIMSBURY, the Capitol Region Council of Governments (Fiduciary), and the DEMHS Region 3 Regional Emergency Planning Team (Region 3 REPT).
2. DESPP is the designated recipient and State Administrative Agency (SAA) of the United States Department of Homeland Security for grants awarded beginning in Federal Fiscal Year (FFY) 2004, up to the present time. DEMHS is the division of DESPP responsible for program management of the grants, including consulting with the DEMHS Advisory Council, and the DEMHS Regional Planning Teams to provide a coordinated and integrated program of emergency management and homeland security.
3. TOWN OF SIMSBURY has agreed to operate as the custodial owner of the asset(s) described in Appendix A, on behalf of TOWN OF SIMSBURY, the region, and if necessary, the State. (Please note: If a town takes ownership of assets, the Fiduciary will assist them in completing Appendix A. The Appendix will be added to this MOA).
4. The parties also agree that TOWN OF SIMSBURY may operate as the custodial owner of additional assets purchased on behalf of the Region from FFY 2018 grant funds, as approved by the Region 3 REPT, and DEMHS, which assets will be added to Appendix A by the Fiduciary within thirty (30) days of approval by the Region 3 REPT.
5. The Region 3 REPT has been established to foster regional collaboration and mutual aid through, among other things, collaborative plan development, resource sharing and coordination.
6. The Capitol Region Council of Governments (Fiduciary) has agreed to operate as the fiscal agent for the federal SHSGP grants awarded to DEMHS Region 3 for Federal Fiscal Year 2018.

**B. Purpose.**

DESPP/DEMHS, the Region 3 REPT, Capitol Region Council of Governments (Fiduciary), and TOWN OF SIMSBURY, enter into Part II of this MOA regarding asset(s) for which TOWN OF SIMSBURY agrees to be the custodial owner, and which are described in the approved 2018 Subgrant Application and will be added to this MOA as Appendix A.

**C. Agreements and Responsibilities of the Parties.**

**1. Definitions.**

As used in this MOA:

- The term "authorized training" means training that is authorized by DESPP/DEMHS.
- The term "custodial owner" means a political subdivision or tribe that has agreed to accept title and responsibility for the asset(s), subject to possible redeployment under the terms outlined in Paragraph C(4) below.

**2. Responsibilities of DESPP/DEMHS and Capitol Region Council of Governments (Fiduciary)**



In its role as SAA, DESPP/DEMHS will subgrant funds to Capitol Region Council of Governments which, as the Region 3 Fiscal Agent, will procure the asset(s) listed in their approved Subgrant Application (which will be added to Appendix A).

### 3. Appendix A.

The parties agree that decisions regarding the placement of regional assets in TOWN OF SIMSBURY may be made after the execution of this agreement and that Appendix A shall be completed accordingly. TOWN OF SIMSBURY agrees to be bound by the terms of this agreement for any asset added to Appendix A. The parties also agree that Appendix A must be signed by the DEMHS Deputy Commissioner, the chair of the Region 3 REPT, and the Chief Executive Officer, or his/her designee, of TOWN OF SIMSBURY.

### 4. Responsibilities of Custodial Owner

TOWN OF SIMSBURY understands that it is the Custodial Owner, on behalf of itself and the Region, of the asset(s) which will be added to Appendix A, as may be amended pursuant to Paragraph C(4) above. As Custodial Owner, TOWN OF SIMSBURY agrees:

- a. To safeguard the asset(s) in a secure location, including, for example, providing refrigeration or protection from the elements, if appropriate;
- b. To regularly test, use and maintain the asset(s) in working order. It is understood by the parties that trained personnel of TOWN OF SIMSBURY's municipal agencies may use the asset(s) for appropriate emergency response/emergency management purposes, including authorized training and exercise;
- c. To provide the asset(s) in a timely manner, in working order, and with appropriate staffing, if necessary, when deployment is requested: under the terms of this MOA; under a mutual aid agreement, including a civil preparedness mutual aid agreement approved by DESPP/DEMHS, as required by Conn. Gen. Stat. §28-7(d); under the terms of the intrastate mutual aid system, Connecticut General Statutes §28-22a; or at any time by the State of Connecticut, including DESPP/DEMHS;
- d. To provide the asset(s) in a timely manner, in working order, and with appropriate staffing, if necessary, when deployment is requested for authorized training and/or exercise;
- e. To maintain records of the use of the asset(s), including deployment for an actual incident or for authorized training, and to provide these records to DESPP/DEMHS as requested;
- f. To maintain an inventory of the asset(s), including a unique tagging system (including the DEMHS logo) so that the asset(s) can be easily identified as separate from the Custodial Owner's other property, and to provide that inventory to DESPP/DEMHS as requested.
- g. To maintain all necessary insurance regarding the asset(s) and their use;
- h. To cooperate with any state or federal audit of the asset(s) and/or their use;
- i. To abide by the bylaws and/or procedures established under any applicable State of Connecticut or regional plan;
- j. That the State, including DESPP/DEMHS, does not guarantee any further funding for, or provision of repairs to, the asset(s) beyond the terms of this MOA;
- k. That all maintenance and operations of the asset(s) by TOWN OF SIMSBURY shall conform to the manufacturer's recommendations. If appropriate, TOWN OF SIMSBURY shall maintain trained personnel available to transport and supervise the operation of the asset(s). All personnel or agents of TOWN OF SIMSBURY performing any maintenance or repair services in connection with these asset(s) shall be fully qualified and authorized or permitted under federal, state, and local laws to perform such services.

### 5. Responsibilities of the REPT.

The Region 3 REPT understands and acknowledges that, in accepting responsibility as the custodial owner of the asset(s), TOWN OF SIMSBURY is furthering regional collaboration and mutual aid on behalf of all of the members of Region 3.



**6. Assignment of Asset(s).**

If TOWN OF SIMSBURY does not comply with the requirements under this MOA, or terminates its involvement in this MOA, then DESPP/DEMHS, in consultation with the REPT Chair, may redirect the asset(s), preferably to a different town within the Region. Whenever possible, DESPP/DEMHS will provide 60 days' notice before re-assigning the asset.

**III. GENERAL TERMS OF AGREEMENT APPLICABLE TO ALL PARTS OF THIS MEMORANDUM OF AGREEMENT****A. Effective Date.**

The terms of this agreement will become effective when all parties have executed it.

**B. Authority to Enter Agreement.**

DESPP/DEMHS is authorized to enter into this Agreement through the Deputy Commissioner of the DESPP/DEMHS pursuant to the authority provided under Connecticut General Statutes §4-8 and Titles 28 and 29. The Municipality of TOWN OF SIMSBURY is authorized to enter into this agreement through its Chief Executive Officer, authorized pursuant to the attached [original or certified copy of resolution, ordinance or charter provision]. The other persons executing this Memorandum of Agreement (MOA) on behalf of their respective entities hereby represent and warrant that they have the right, power, legal capacity, and appropriate authority to enter into this agreement on behalf of the entity for which they sign, as indicated by valid resolutions, if necessary.

**C. Duration of Agreement.**

Part I of this MOA, as modified with the consent of the parties, remains in full force and effect until the end of the grant period, or any extension thereof, covered by this MOA, unless cancelled by the SAA, giving TOWN OF SIMSBURY written notice of such intention at least thirty (30) days in advance. Any party may terminate its involvement with Part II of this agreement upon sixty days' written notice to the other parties. DESPP/DEMHS reserves the right to cancel any funding under this MOA without prior written notice when the funding is no longer available.

**D. Amendment of the Agreement.**

This agreement may be modified upon the mutual written consent of the parties.

**E. Litigation.**

The Parties agree to good faith consultation with one another to resolve disagreements that may arise under or relating to this MOA before referring the matter to any other person or entity for settlement. The Parties agree that any disputes under Part II, Paragraph C.6 shall be resolved by DEMHS. The Parties also agree that the sole and exclusive means for the presentation of any claim against the State, including the SAA, arising from this agreement shall be in accordance with Chapter 53 of the Connecticut General Statutes (Claims Against the State) and the Parties further agree not to initiate legal proceedings in any State or Federal Court in addition to, or in lieu of, said Chapter 53 proceedings.

**F. State Liability.**

The Parties agree to indemnify and hold harmless the State of Connecticut with regard to the activities described within this MOA, and recognize that the State does not waive its right to sovereign immunity with regard to any provision of this MOA. The State of Connecticut assumes no liability for funding under the terms of this MOA until TOWN OF SIMSBURY, through the Region 3 REPT, is notified by the SAA that this MOA has been approved and executed by DEMHS and by any other applicable state agency.



**G. Confidential Information**

**a. Confidential Information:** Any name, number or other information that may be used, alone or in conjunction with any other information, to identify a specific individual including, but not limited to, such individual's name, date of birth, mother's maiden name, motor vehicle operator's license number, Social Security number, employee identification number, employer or taxpayer identification number, alien registration number, government passport number, health insurance identification number, demand deposit account number, savings account number, credit card number, debit card number or unique biometric data such as fingerprint, voice print, retina or iris image, or other unique physical representation. Without limiting the foregoing, Confidential Information shall also include any information that DESPP/DEMHS classifies as "confidential" or "restricted." Confidential Information shall not include information that may be lawfully obtained from publicly available sources or from federal, state, or local government records which are lawfully made available to the general public.

**b. Confidential Information Breach:** Generally, an instance where an unauthorized person or entity accesses Confidential Information in any manner, including but not limited to the following occurrences: (1) any Confidential Information that is not encrypted or protected is misplaced, lost, stolen or in any way compromised; (2) one or more third parties have had access to or taken control or possession of any Confidential Information that is not encrypted or protected without prior written authorization from the State; (3) the unauthorized acquisition of encrypted or protected Confidential Information together with the confidential process or key that is capable of compromising the integrity of the Confidential Information; or (4) if there is a substantial risk of identity theft or fraud to the client, the Contractor, the Department or State.

**H. Audit Compliance.**

If TOWN OF SIMSBURY through the Region 3 REPT, agrees to serve as a host or custodial owner of equipment purchased with the grant funds referenced in this MOA, then TOWN OF SIMSBURY must comply with the Federal Single Audit Act of 1984, P.L. 98-502 and the Amendments of 1996, P.L. 104-156 and with the Connecticut Statutes §7-396a and 396b, and the State Single Audit Act § 4-230 through 236 inclusive, and the regulations promulgated thereunder.

TOWN OF SIMSBURY agrees that all fiscal records, if any, pertaining to the projects shall be maintained for a period of not less than three (3) years from the date of the signing of this MOA. Such records will be made available to state and/or federal auditors upon request.

**I. Lobbying, Debarment, and Suspension.**

TOWN OF SIMSBURY commits to compliance with the requirements under 28 CFR Part 66 (Uniform Administrative Requirements for Grants to States); 28 CFR Part 69, New Restrictions on Lobbying; 28 CFR Part 67, Government-wide Debarment and Suspension (Non-procurement) and Government-wide Requirements for Drug Free Workplace (Grants); Office of Management and Budget (OMB) Circular A-87, addressing cost principles for grants to state and local governments; 28 CFR Part 70 (Common Rules for Administrative Requirements for Grants to Non-Profits); OMB Circulars A-122 and A-21 addressing Cost Principles for Grants to Non-Profit Entities and requirements included in the Department of Homeland Security Office of Grants and Training Financial Guides.



**J. Executive Orders.**

This contract is subject to the provisions of Executive Order No. Three of Governor Thomas J. Meskill promulgated June 16, 1971, and, as such, this contract may be cancelled, terminated or suspended by the State Labor Commissioner for violation of or noncompliance with said Executive Order No. Three, or any State or federal law concerning non-discrimination, notwithstanding that the Labor Commissioner is not a party to this contract. The parties to this contract, as part of the consideration hereof, agree that said Executive Order No. Three is incorporated herein by reference and made a part hereof. The parties agree and abide by said Executive Order and agree that the State Labor Commissioner shall have continuing jurisdiction in respect to contract performance in regard to non-discrimination, until the contract is completed or terminated prior to completion. TOWN OF SIMSBURY agrees, as part consideration hereof, that this contract is subject to the Guidelines and Rules issued by the State Labor Commissioner to implement Executive Order No. Three, and that it will not discriminate in its employment practices or policies, will file all reports as required, and will fully cooperate with the State of Connecticut and the State Labor Commissioner. This contract is also subject to the provision of Executive Order No. 16 of Governor John G. Rowland promulgated August 4, 1999 adopting a zero tolerance policy for workplace violence, and as such, this contract may be cancelled terminated or suspended by the State for violation of or noncompliance with said Executive Order No. Sixteen. The parties to this contract, as part of the consideration hereof, agree that said Executive Order No. Sixteen is incorporated herein by reference and made a part thereof. The parties agree to abide by such Executive Order. The contract is also subject to provisions of Executive Order No. Seventeen of Governor Thomas J. Meskill promulgated February 15, 1973, and, as such this contract may be cancelled, terminated or suspended by the contracting agency or the State Labor Commissioner for violation of or non-compliance with said Executive Order No. Seventeen, notwithstanding that the Labor Commissioner may not be a party to this contract. The parties to this contract, as part of the consideration hereof, agree that Executive Order No. Seventeen is incorporated herein by reference and made a part hereof. The parties agree to abide by such Executive Order and agree that the contracting agency and the State Labor Commissioner shall have joint and several continuing jurisdiction in respect to contract performance in regard to listing all employment openings with the Connecticut State Employment Service. This contract may also be subject to Executive Order No. 14 and Executive Order No. 49. Executive Order of Governor M. Jodi Rell, promulgated April 17, 2016, concerning procurement of cleaning products and services. Executive Order No. 49 of Governor Dannel P. Malloy, promulgated May 22, 2015, mandating disclosure of certain gifts to public employees and contributions to certain candidates for office in accordance with their respective terms and conditions.

**K. Non-Discrimination Clause.**

In accordance with Public Act 88-351, the Town agrees and warrants that, (a) For the purposes of this section, "minority business enterprise" means any small grantee or supplier of materials fifty-one percent or more of the capital stock, if any, or asset(s) of which is owned by person or persons: (1) Who are active in the daily affairs of the enterprise, (2) who have the power to direct the management and policies of the enterprise and (3) who are members of a minority, as such term is defined in subsection (a) of Conn. Gen. Stat. Sect. 32-9n; and "good faith" means that degree of diligence which a reasonable person would exercise in the performance of legal duties and obligations. "Good faith efforts" include, but not be limited to, those reasonable initial efforts necessary to comply with statutory or regulatory requirements and additional or substituted efforts when it is determined that such initial efforts will not be sufficient to comply with such requirements.

For purposes of the section, "Commission" means the Commission on Human Rights and Opportunities. For purposes of this section, "Public works contract" means any agreement between any individual, firm or corporation and the State or any political subdivision of the State other than a municipality for construction, rehabilitation, conversion, extension, demolition or repair of a public building, highway, or other changes or improvements in real property, or which is financed in whole or in part by the State, including but not limited to, matching expenditures, grants, loans, insurance or guarantees.

The Town agrees and warrants that in the performance of the contract such Town will not discriminate or permit discrimination against any person or group or persons on the grounds of race, color, religious creed, age, marital status, national origin, sex, mental retardation or physical disability, including but not limited to, blindness, unless it is shown by such Town that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the State of Connecticut.



The Town further agrees to take affirmative action to insure that applicants with job related qualifications are employed and that employees are treated when employed without regard to their race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation, or physical disability, including, but not limited to, blindness, unless it is shown by such Town that such disability prevents performance of the work involved: the Town agrees, in all solicitations or advertisements for employees placed by or on behalf of the Town, to state that it is an "affirmative action – equal opportunity employer" in accordance with the regulations adopted by the Commission; the Town agrees to provide each labor union or representative of workers with which such Town has a collective bargaining agreement or other contract of understanding and each vendor with which Town has a contract of understanding, a notice to be provided by the Commission advising the labor union of workers' representative of the Town's commitments under this section, and to post copies of the notice in conspicuous places available to employees and applicants for employment; the Town agrees to comply with each provision of this section and Conn. Gen. Stat. Sect. 46a-68f and with each regulation or relevant order issued by said Commission pursuant to Conn. Gen. Stat. Sect. 46a-56, as amended by Section 5 of Public Act 89-253, 46a-68e and 46a-68f; the Town agrees to provide the Commission of Human Rights and Opportunities with such information requested by the Commission, permit access to pertinent books, records and accounts, concerning the employment practices and procedures of the Town as related to the provisions of this section and section 46a-56. If the contract is a public works contract, the Town agrees and warrants that he will make good faith efforts to employ minority business enterprises as subgrantees and suppliers of materials on such public works project.

Determination of the Town's good faith efforts shall include but shall not be limited to the following factors: The Town's employment and subcontracting policies, patterns and practices; affirmative advertising, recruitment and training; technical assistance activities and such other reasonable activities or efforts as the Commission may prescribe that are designed to ensure the participation of minority business enterprises in public works projects.

The Town shall develop and maintain adequate documentation, in a manner prescribed by the Commission, of its good faith efforts.

The Town shall include the provisions of subsection (b) of this section in every subcontract or purchase order entered into in order to fulfill any obligation or a contract with the State and such provisions shall be binding on a subgrantee, vendor or manufacturer, unless exempted by regulations or orders of the Commission. The Town shall take such action with respect to any such subcontract or purchase order as the Commission may direct as a means of enforcing such provisions including sanctions for non-compliance in accordance with Conn. Gen. Stat. Sect. 47a-56, as amended by Section 5 of Public Act 89-253; provided, if such Town becomes involved in, or is threatened with litigation with a subgrantee or vendor as a result of such direction by the Commission, the Town may request the State of Connecticut to enter into any such litigation prior thereto to protect the interest of the State and the State may so enter.

The Town agrees to comply with the regulations referred to in this section as they exist on the date of this contract and as they may be adopted or amended from time to time during the term of this contract and any amendments thereto.

Pursuant to Public Act 89-227, as amended, as of January 1, 1991, no agency of the State of Connecticut may purchase new products packaged in or composed in whole or part of polystyrene foam if such foam is manufactured using chlorofluorocarbons (CFC). Manufacturers are required by the Act to provide information regarding the CFC content of polystyrene foam used in such products or packaging to any person selling the product who requests such information. By submitting an offer to sell to or accepting an order from the State of Connecticut the vendor certifies that no CFC are used in the manufacture of polystyrene foam contained in such products or packaging.

#### **L. Non-discrimination on the Grounds of Sexual Orientation.**

1. The Town agrees/warrants that in the performance of the contract such Town will not discriminate or permit discrimination against any person or group of persons on the grounds of sexual orientation, in any manner prohibited by the laws of the United States or of the State of Connecticut, and that employees are treated when employed without regard to their sexual orientation.
2. The Town agrees to provide each labor union or representative of workers with which such Town has a collective bargaining agreement or other contract or understanding and each vendor with which such Town has a contract or understanding and each vendor with which such Town or understanding, a notice to be provided by the Commission on Human Rights and Opportunities advising the labor union or workers' representative of the Town's commitments under this section, and to post



copies of the of the notice in conspicuous places available to employees and applicants for employment;

3. The Town agrees to comply with each provision of this Section and Sections 46a-68f of the General Statutes and with each regulation or relevant order issued by said Commission pursuant to Sections 46a-56, 46a-68e and 46a-68f of the General Statutes;
4. The Town agrees to provide the Commission on Human Rights and Opportunities with such information requested by the Commission, and permit access to pertinent books, records and accounts, concerning the employment practices and procedures of the Town as related to the provisions of this section and Section 46a-56 of the General Statutes.
5. The Town shall include the provisions of paragraph (1) of this addendum in every subcontract or purchase order entered into in order to fulfill any obligation of a contract with the State and such provisions shall be binding on a subgrantee, vendor or manufacturer unless exempted by regulations or orders of the Commission. The Town shall take such actions with respect to any such subcontract or purchase order as the Commission may direct as a means of enforcing such provisions including sanctions for non-compliance in accordance with Section 46a-56 of the General Statutes; provided, if such Town becomes involved in, or is threatened with, litigation with a subgrantee or vendor as a result of such direction by the Commission, the Town may request the State of Connecticut to enter into any such litigation or negotiation prior thereto to protect the interests of the State and the State may so enter.

#### M. Points of Contact.

1. The Point of Contact for the SAA	
<b>Name &amp; Title:</b> Deputy Commissioner William J. Hackett	
<b>Address:</b> 1111 Country Club Road, Middletown, CT 06457	
<b>Emails:</b> william.j.hackett@ct.gov and rita.stewart@ct.gov	<b>Phone:</b> 860-685-8531 <b>Fax:</b> 860-685-8902
2. The Point of Contact for <u>TOWN OF SIMSBURY</u> (Please fill in the following fields)	
<b>Name &amp; Title:</b> Kevin J Kowalski - EMD	
<b>Address:</b> 871 Hopmeadow st , Simsbury CT 06070	
<b>Email Address:</b> kkowalski@simsburyfd.org	<b>Phone:</b> 860-658-1971 <b>Fax:</b> 860-658-5611

#### N. Other provisions.

Nothing in this agreement is intended to conflict with current laws or regulations of the State of Connecticut or TOWN OF SIMSBURY. If a term of this agreement is inconsistent with such authority, then that term shall be invalid, but the remaining terms and conditions of this agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the dates written below:

THE TOWN OF SIMSBURY

By: \_\_\_\_\_

Its Chief Executive Officer  
Duly Authorized  
Typed Name &  
Title: \_\_\_\_\_

Maria Capriola

Date: \_\_\_\_\_

Town manager

#### CAPITOL REGION COUNCIL OF GOVERNMENTS

By: \_\_\_\_\_

Its Chief Executed  
Officer Duly  
Authorized  
Typed Name \_\_\_\_\_

Date: \_\_\_\_\_



**MOA THE Region 3 REGIONAL EMERGENCY PLANNING TEAM**

By:

Date:

Its Chair  
Duly Authorized  
Typed Name: \_\_\_\_\_

**DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION/  
DIVISION OF EMERGENCY MANAGEMENT & HOMELAND SECURITY**

Date:

By: \_\_\_\_\_

William J. Hackett  
Duly Authorized

**AUTHORIZING RESOLUTION OF THE**

**Simsbury Board of Selectmen**

**CERTIFICATION:**

I, Ericka Butler, the Town Clerk of the Town of Simsbury, do hereby certify that the following is a true and correct copy of a resolution adopted by the Simsbury Board of Selectmen at its duly called and held meeting on November 26, 2018, at which a quorum was present and acting throughout, and that the resolution has not been modified, rescinded, or revoked and is at present in full force and effect:

RESOLVED, that the Town of Simsbury may enter into with and deliver to the State of Connecticut Department of Emergency Services and Public Protection, Division of Emergency Management and Homeland Security any and all documents which it deems to be necessary or appropriate; and

FURTHER RESOLVED, that Maria E. Capriola, as Town Manager of the Town of Simsbury, is authorized and directed to execute and deliver any and all documents on behalf of the Board of Selectmen and to do and perform all acts and things which he/she deems to be necessary or appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such documents.

The undersigned further certifies that Maria E. Capriola now holds the office of Town Manager and that she has held that office since January 29, 2018.

IN WITNESS WHEREOF: The undersigned has executed this certificate this       day of  
November 2018.

Ericka Butler, Town Clerk

PLACE  
SEAL HERE  
(or "L.S." if  
no seal)





# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Budget Status Report
2. **Date of Board Meeting:** November 26, 2018
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Amy N. Meriwether, Finance Director/Treasurer  
*Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
No action is needed. This item is informational only. The Board of Finance reviewed these materials at their November 13, 2018 meeting.
5. **Summary of Submission:**  
Staff is now preparing quarterly budget status reports, in which we are monitoring operating budget revenues and expenditures, key enterprise and special revenue funds, and capital projects. Below and attached are a summary of the quarterly budget status report.  
  
General Fund Overview  
The fiscal year 2018/2019 general fund budget is proceeding without issue. As of October 31, 2018, revenues total \$48,788,783 or 51% of the budget. Expenditures total \$25,223,995 or 26% of the budget. Below is a summary of budgetary highlights:
  - Tax Revenue – Collections total \$48,014,547 or 55% of budget.
  - Education Cost Sharing Grant – The State of Connecticut is estimating Simsbury's FY2018/19 entitlement to be \$6,039,516. This exceeds budgetary estimates of \$5,402,105 by \$637,411.
  - Investment Revenue – Investment earnings were budgeted at \$175,000. Interest earnings to date total \$158,308 or 90% of budget.
  - Westminster School – The Westminster School's budgeted contribution of \$120,000 has been paid in full.
  - CIRMA Distribution – The Town received \$38,301 as part of its participation in CIRMA's Member's Equity Distribution program. These funds were not included in the FY2018/19 budget, and therefore, is excess revenue to the Town.

### Simsbury Farms Overview

The Simsbury Farms Fund expenditures exceeded revenues by \$307,520 as of October 31, 2018. Fund balance decreased from \$30,679 to (\$276,841).

In comparison to the same period last year, revenues are down \$149,253, not including the general fund contribution. The following revenue line items make up the majority of this decrease: Golf Course Fees (\$94,785), Special Programs (\$22,330) and Court Rental (\$18,646).

Expenditures increased \$30,694 compared to the same period last year. The majority of this increase relates to the Simsbury Farms Complex line item. There are small increases in several sub-accounts that make up this increase.

As previously mentioned, there is a 10 year history where this fund has been losing money year over year. Management is working to identify the cause of the recurring losses. Once an analysis of cause has been identified, a work group will be assembled and tasked with analyzing potential resolutions.

**6. Financial Impact:**

None

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

- a) General Fund Statement of Revenues
- b) General Fund Statement of Expenditures
- c) Simsbury Farms Statement of Revenues, Expenditures and Changes in Fund Balance
- d) Capital Projects Summary



**Town of Simsbury  
General Fund  
Statement of Revenues  
For the Period Ended October 31, 2018**

	<b>2019 Budget</b>	<b>2019 Actual</b>	<b>Budget Variance</b>	<b>Percent of Budget</b>
General Government				
Tax Department	\$ 87,800,198	\$ 48,014,547	\$ (39,785,651)	55%
Building Department	798,000	186,153	(611,847)	23%
Town Clerk	598,700	174,295	(424,405)	29%
Finance Department	394,065	189,483	(204,582)	48%
Assessor's Office	144,539	-	(144,539)	0%
Town Manager's Office	125,000	121,741	(3,259)	97%
Land Use Commission	30,000	8,777	(21,223)	29%
Miscellaneous	-	38,301	38,301	0%
Total General Government	<u>89,890,502</u>	<u>48,733,297</u>	<u>(41,157,205)</u>	<u>54%</u>
Public Safety				
Police Department	63,563	4,108	(59,456)	6%
Animal Control	500	135	(365)	27%
Total Public Safety	<u>64,063</u>	<u>4,243</u>	<u>(59,821)</u>	<u>7%</u>
Public Works				
Eno Memorial Hall	2,500	1,000	(1,500)	40%
Engineering	350	154	(196)	44%
Highway Department	-	3,013	3,013	0%
Total Public Works	<u>2,850</u>	<u>4,167</u>	<u>1,317</u>	<u>146%</u>
Health & Welfare				
Elderly/Handicapped Transport	6,000	-	(6,000)	0%
Total Health & Welfare	<u>6,000</u>	<u>-</u>	<u>(6,000)</u>	<u>0%</u>
Culture & Recreation				
Library	49,000	7,421	(41,579)	15%
Community Gardens	2,500	-	(2,500)	0%
Memorial Pools & Fields	1,500	1,050	(450)	70%
Total Culture & Recreation	<u>53,000</u>	<u>8,471</u>	<u>(44,529)</u>	<u>16%</u>
Education				
Public Schools	5,501,954	38,605	(5,463,349)	1%
Total Education	<u>5,501,954</u>	<u>38,605</u>	<u>(5,463,349)</u>	<u>1%</u>
Intergovernmental				
Transfer In - Designated Fund Balance	1,000,000	-	(1,000,000)	0%
Total Intergovernmental	<u>1,000,000</u>	<u>-</u>	<u>(1,000,000)</u>	<u>0%</u>
<b>Total Revenues</b>	<b>\$ <u>96,518,369</u></b>	<b>\$ <u>48,788,783</u></b>	<b>\$ <u>(47,729,586)</u></b>	<b><u>51%</u></b>



**Town of Simsbury**  
**General Fund**  
**Statement of Expenditures**  
**For the Period Ended October 31, 2018**

	<b>2019 Budget</b>	<b>2019 Actual</b>	<b>Budget Variance</b>	<b>Percent of Budget</b>
<b>General Government</b>				
Town Manager's Office	\$ 456,825	\$ 142,344	\$ (314,481)	31%
Finance Department	322,007	100,779	(221,228)	31%
Building Department	291,911	87,704	(204,207)	30%
Assessor's Office	252,546	87,449	(165,097)	35%
Town Clerk	226,809	67,425	(159,384)	30%
Information Technology	204,413	56,808	(147,605)	28%
Community Development	188,539	62,286	(126,253)	33%
Planning Department	173,430	42,735	(130,695)	25%
Tax Department	168,126	68,886	(99,240)	41%
Legal Services	151,000	38,603	(112,397)	26%
Elections Administration	120,572	39,925	(80,647)	33%
Community Services	108,872	76,563	(32,309)	70%
Administrative Services	98,889	22,610	(76,279)	23%
Economic Development Commission	46,000	45,000	(1,000)	98%
Audit Services	38,000	20,000	(18,000)	53%
Land Use Commission	22,100	1,911	(20,189)	9%
Board of Finance	6,600	360	(6,240)	5%
Regional Probate Court	5,426	-	(5,426)	0%
Historic District Commission	1,400	61	(1,339)	4%
Public Buildings Commission	1,225	453	(772)	37%
Tourism Commission	645	-	(645)	0%
Total General Government	<u>2,885,335</u>	<u>961,902</u>	<u>(1,923,433)</u>	<u>33%</u>
<b>Public Safety</b>				
Police Department	4,784,371	1,465,192	(3,319,179)	31%
Animal Control	70,581	23,910	(46,671)	34%
Emergency Management	6,685	4,712	(1,973)	70%
Total Public Safety	<u>4,861,637</u>	<u>1,493,814</u>	<u>(3,367,823)</u>	<u>31%</u>
<b>Public Works</b>				
Highway Department	2,970,226	803,561	(2,166,665)	27%
Buildings & Maintenance	479,657	142,356	(337,301)	30%
Public Works Administration	270,179	76,008	(194,171)	28%
Engineering	265,288	84,569	(180,719)	32%
Town Office Buildings	145,890	25,276	(120,614)	17%
Library	131,639	29,857	(101,782)	23%
Eno Memorial Hall	71,975	12,393	(59,582)	17%
Landfill	71,500	27,337	(44,164)	38%
Other Buildings	32,272	3,696	(28,576)	11%
Memorial Pool	24,716	15,990	(8,726)	65%
Total Public Works	<u>4,463,342</u>	<u>1,221,044</u>	<u>(3,242,298)</u>	<u>27%</u>
<b>Health &amp; Welfare</b>				
Social Service Administration	258,572	62,660	(195,912)	24%
Senior Center Services	152,720	44,217	(108,503)	29%
Health Department	134,239	67,120	(67,120)	50%

**Town of Simsbury**  
**General Fund**  
**Statement of Expenditures**  
**For the Period Ended October 31, 2018**

	<b>2019 Budget</b>	<b>2019 Actual</b>	<b>Budget Variance</b>	<b>Percent of Budget</b>
Transportaion Services	123,621	34,448	(89,173)	28%
Outreach Services - Elderly	24,408	7,479	(16,929)	31%
Total Health & Welfare	<u>693,560</u>	<u>215,924</u>	<u>(477,636)</u>	<u>31%</u>
<b>Culture &amp; Recreation</b>				
Library	1,474,097	503,525	(970,572)	34%
Parks & Open Space	674,541	192,570	(481,971)	29%
Recreation Administration	49,522	15,395	(34,127)	31%
Memorial Pool	28,692	19,971	(8,721)	70%
Memorial Field	26,951	6,298	(20,653)	23%
Beautification Committee	4,620	1,423	(3,197)	31%
Total Culture & Recreation	<u>2,258,423</u>	<u>739,182</u>	<u>(1,519,241)</u>	<u>33%</u>
<b>Education</b>				
Board of Education	69,693,042	12,858,491	(56,834,551)	18%
Total Education	<u>69,693,042</u>	<u>12,858,491</u>	<u>(56,834,551)</u>	<u>18%</u>
<b>Intergovernmental</b>				
Employee Benefits	4,781,745	2,377,151	(2,404,594)	50%
Insurance	485,715	292,831	(192,885)	60%
Transfer Out - Health Insurance Fund	-	1,000,000	1,000,000	0%
Transfer Out - Capital Projects	1,741,500	1,741,500	-	100%
Transfer Out - Simsbury Farms	100,000	100,000	-	100%
Transfer Out - Contingency Reserve	89,670	89,670	-	100%
Transfer Out - CNR 2016	83,250	83,250	-	100%
Transfer Out - CNR 2019	83,250	83,250	-	100%
Transfer Out - CNR 2015	83,250	83,250	-	100%
Transfer Out - CNR 2018	83,250	83,250	-	100%
Transfer Out - CNR 2017	68,300	68,300	-	100%
Total Intergovernmental	<u>7,599,930</u>	<u>6,002,451</u>	<u>(1,597,479)</u>	<u>79%</u>
<b>Debt Service</b>				
Principal	3,365,000	1,595,000	(1,770,000)	47%
Interest	698,100	136,188	(561,912.50)	20%
Total Debt Service	<u>4,063,100</u>	<u>1,731,188</u>	<u>(2,331,913)</u>	<u>43%</u>
<b>Total Expenditures</b>	<b>\$ <u>96,518,369</u></b>	<b>\$ <u>25,223,995</u></b>	<b>\$ <u>(71,294,374)</u></b>	<b><u>26%</u></b>



**Town of Simsbury**  
**Simsbury Farms**  
**Statement of Revenues, Expenditures and Changes in Fund Balance**  
**For the Period Ended October 31, 2018**  
**With Comparative Totals for the Period Ended October 31, 2017**

	<b>2019 Budget</b>	<b>2019 Actual</b>	<b>2018 Actual</b>	<b>Actuals Variance</b>
<b>Revenues</b>				
Recreation Programs				
Special Programs	\$ 424,200	\$ 52,699	\$ 75,028	\$ (22,330)
Sponsorships/Advertising	4,500	-	-	-
Playgrounds	-	9,487	15,705	(6,217)
Total Recreation Programs	<u>428,700</u>	<u>62,186</u>	<u>90,733</u>	<u>(28,547)</u>
Simsbury Farms Complex				
Skating	218,000	7,903	9,648	(1,745)
Simsbury Farms Pools	189,400	46,543	40,517	6,027
Vending	29,900	13,855	12,211	1,644
Court Rental	24,000	-	18,646	(18,646)
Apple Barn Rental	3,500	620	996	(376)
Miscellaneous	-	20	591	(571)
Total Simsbury Farms Complex	<u>464,800</u>	<u>68,941</u>	<u>82,609</u>	<u>(13,667)</u>
Golf Course				
Golf Course Fees	920,000	291,711	386,496	(94,785)
Golf Surcharge	42,000	12,436	17,090	(4,654)
Miscellaneous	26,500	3,000	10,600	(7,600)
Total Golf Course	<u>988,500</u>	<u>307,147</u>	<u>414,186</u>	<u>(107,039)</u>
Intergovernmental				
Transfer In - General Fund	100,000	100,000	70,000	30,000
Total Intergovernmental	<u>100,000</u>	<u>100,000</u>	<u>70,000</u>	<u>30,000</u>
<b>Total Revenues</b>	<b><u>1,982,000</u></b>	<b><u>538,275</u></b>	<b><u>657,528</u></b>	<b><u>(119,253)</u></b>
<b>Expenditures</b>				
Golf Course	901,398	352,394	350,640	1,754
Simsbury Farms Complex	479,736	202,229	174,275	27,954
Special Programs	388,078	225,535	223,647	1,888
Simsbury Farms Administration	212,771	65,637	66,539	(902)
<b>Total Expenditures</b>	<b><u>1,981,983</u></b>	<b><u>845,794</u></b>	<b><u>815,101</u></b>	<b><u>30,694</u></b>
<b>Net Change in Fund Balance</b>	<b>17</b>	<b>(307,520)</b>	<b>(157,573)</b>	
Fund Balance - 7/1	<u>30,679</u>	<u>30,679</u>	<u>30,679</u>	
Fund Balance - 10/31	\$ <u><u>30,696</u></u>	\$ <u><u>(276,841)</u></u>	\$ <u><u>(126,894)</u></u>	

**Town of Simsbury  
Capital Project Funds  
Schedule of Expenditures Compared with Appropriations  
For the Year Ended October 31, 2018**

				Appropriations			Expenditures			Uncommitted	
Inception Year	Estimated % Completed	Expected Completion	Project	Balance June 30, 2018	Current Year	Balance June 30, 2018	Balance June 30, 2018	Current Year	Balance October 31, 2018	Encumbrances October 23, 2018	Balance October 31, 2018
Sewer Fund Projects											
FY10	20%	December 2019	Project 2010 - Phelps	\$ 260,000.00	\$ (15,000.00)	\$ 245,000.00	\$ 162,221.04	\$ 61,222.00	\$ 223,443.04	\$ -	\$ 21,556.96
FY13	95%	April 2019	Project 2013 - Bushy	272,320.00	15,000.00	287,320.00	266,376.77	4,000.00	270,376.77	-	16,943.23
FY13	90%	February 2019	Wolcott Pump Station	1,378,500.00		1,378,500.00	1,008,080.31	-	1,008,080.31	41,127.00	329,292.69
FY15	100%	Completed	Sewer Main Extensions	156,000.00		156,000.00	56,879.69	99,119.94	155,999.63	-	0.37
FY16	2%	2020	Sewer Main Extensions - Waterset	371,000.00		371,000.00	-	231,316.26	231,316.26	-	139,683.74
FY16	25%		Hopmeadow/Center Area Sewer repairs	135,000.00		135,000.00	-	-	-	-	135,000.00
FY17	100%	Completed	Sewer Main Extensions/Repairs - Massaco St.	104,000.00		104,000.00	83,593.00	-	83,593.00	-	20,407.00
FY17	25%		Hopmeadow/Center Area Sewer Repairs	100,000.00		100,000.00	-	-	-	-	100,000.00
FY17	100%	Completed	Oxidation Ditch Dissolved Oxygen Control	27,000.00		27,000.00	16,119.64	-	16,119.64	-	10,880.36
FY18	0%	Summer 2019	36 Drake Hill Rd Dike Analysis	75,000.00		75,000.00	-	-	-	-	75,000.00
FY18	0%	Spring 2019	Phosphorus Removal Analysis	150,000.00		150,000.00	-	-	-	-	150,000.00
FY18	100%	Completed	Hayes Road Pump	45,000.00		45,000.00	20,004.35	-	20,004.35	-	24,995.65
FY18	0%	Fall 2019	Tariffville Area Sewer	100,000.00		100,000.00	-	-	-	-	100,000.00
FY18	0%	Spring 2019	WPC Plan update	100,000.00		100,000.00	-	-	-	-	100,000.00
FY19	10%	June 2019	Jet/Flush Truck		175,000.00	175,000.00	-	-	-	-	175,000.00
FY19	0%	Fall 2020	Tariffville Sewer		100,000.00	100,000.00	-	-	-	-	100,000.00
FY19	2%	June 2019	Primary Clarifier		75,000.00	75,000.00	-	-	-	-	75,000.00
FY19	15%	June 2019	Plant H2O Sys Rehab		80,000.00	80,000.00	-	-	-	-	80,000.00
Town Projects											
FY13	N/A	December 2019	Town Security Measures	77,600.00		77,600.00	46,383.51	-	46,383.51	-	31,216.49
FY14	90%	December 2019	Open Space - Betty Hudson Property	275,000.00		275,000.00	243,101.19	4,035.00	247,136.19	-	27,863.81
FY15	50%	December 2019	Center Area Charrette Infrastructure	540,000.00		540,000.00	279,884.44	-	279,884.44	-	260,115.56
FY14	50%	December 2019	Senior/Community Center Design	321,698.56		321,698.56	155,488.93	5,919.00	161,407.93	-	160,290.63
FY14	N/A	January 2019	Town Teledata	125,000.00		125,000.00	122,627.12	-	122,627.12	-	2,372.88
FY15	100%	Completed	Multi Use Trail Connections/Master Plan Updates	212,000.00		212,000.00	82,118.24	-	82,118.24	-	129,881.76
FY15	60%	December 2019	Bridge Improvements (Design-FY15)	115,000.00		115,000.00	48,319.34	-	48,319.34	-	66,680.66
FY15	N/A	June 2019	Technology Infrastructure	635,395.17		635,395.17	495,359.12	-	495,359.12	-	140,036.05
FY16	100%	October 2018	Park Improvements	508,000.00		508,000.00	456,086.09	51,814.00	507,900.09	-	99.91
FY16	10%	December 2019	Weatogue Planning Route 10 and Code Prep	57,000.00		57,000.00	-	-	-	-	57,000.00
FY16	95%	January 2019	Municipal Building Renovations	50,000.00		50,000.00	35,787.44	11,112.56	46,900.00	-	3,100.00
FY16	80%	December 2019	Town Hall Site and Safety Improvements	45,000.00		45,000.00	11,120.31	-	11,120.31	-	33,879.69
FY16	60%	May 2019	Portable Generator / Generator Infrastructure	80,000.00		80,000.00	48,317.20	-	48,317.20	-	31,682.80
FY16	35%	December 2019	Project Planning Fund	28,000.00		28,000.00	9,800.00	-	9,800.00	-	18,200.00
FY17	100%	Completed	Veterans Memorial (STEAP Grant)	680,495.00		680,495.00	412,978.28	-	412,978.28	-	267,516.72
FY17	5%	December 2020	Multi-Use Connections & Master Plan Updates	1,160,000.00		1,160,000.00	40,245.69	37,481.68	77,727.37	-	1,082,272.63
FY17	95%	December 2018	SF Golf Course Improvements	125,000.00		125,000.00	92,642.28	7,311.59	99,953.87	19,764.00	5,282.13
FY17	100%	November 2019	Greenway Improvements	240,000.00		240,000.00	237,474.91	-	237,474.91	-	2,525.09
FY17/FY18	10%	December 2019	Open Space Planning Improvements	540,000.00		540,000.00	49,566.52	10,765.50	60,332.02	-	479,667.98
FY17	96%	May 2019	Street Lighting Purchase / Lighting Improvements	937,321.92		937,321.92	872,935.86	2,270.00	875,205.86	-	62,116.06
FY17	100%	Completed	Highway Pavement Management	2,500,000.00		2,500,000.00	2,395,571.42	101,359.32	2,496,930.74	-	3,069.26
FY17/FY18	50%	December 2021	Dam Evaluations and Repairs	220,000.00		220,000.00	78,219.83	18,373.00	96,592.83	-	123,407.17
FY17	N/A	July 2019	Public Works Complex Infrastructure Improvements	450,000.00		450,000.00	184,092.87	-	184,092.87	-	265,907.13
FY17	0%	December 2019	Town Hall Site and Safety Improvements	385,000.00		385,000.00	-	-	-	-	385,000.00
FY17/FY18	100%	Completed	Plan of Conservation & Development	165,000.00		165,000.00	86,830.16	-	86,830.16	-	78,169.84
FY17	10%	May 2019	Portable Generator Infrastructure	175,000.00		175,000.00	20,477.16	-	20,477.16	-	154,522.84
FY17	0%	December 2019	Land Use Studies	92,500.00		92,500.00	-	-	-	-	92,500.00
FY17	0%	November 2019	Storage Building	65,000.00		65,000.00	-	-	-	-	65,000.00
FY18	95%	June 2019	SF Rink/Pool Improvements	950,000.00		950,000.00	897,516.79	325.00	897,841.79	-	52,158.21
FY18	95%	April 2019	Park Improvements	311,000.00		311,000.00	277,152.85	28,676.18	305,829.03	-	5,170.97
FY18	0%	December 2019	Street Lighting Purchase / Lighting Improvements	400,000.00		400,000.00	-	-	-	-	400,000.00
FY18	80%	June 2019	Iron Horse Blvd Playgourd Renovation	298,000.00		298,000.00	234,510.41	-	234,510.41	-	63,489.59
FY18	20%	December 2019	Finance Security Upgrades	150,000.00		150,000.00	74,822.59	1,214.00	76,036.59	-	73,963.41
FY18	65%	June 2019	Eno Memorial Hall Renovations	300,000.00		300,000.00	2,576.59	200,606.71	203,183.30	-	96,816.70
FY18	N/A	July 2019	Cold Storage Facility	380,000.00		380,000.00	-	-	-	-	380,000.00
FY18	0%	December 2019	Town Facilities Master Plan	400,000.00		400,000.00	8,640.17	-	8,640.17	-	391,359.83
FY18	8%	September 2019	Library Interior/Parking Renovations	584,500.00		584,500.00	13,040.00	-	13,040.00	-	571,460.00
FY18	10%	December 2019	Library Lower Level Improvements	906,048.00		906,048.00	82.61	4,396.38	4,478.99	-	901,569.01
FY18	0%	December 2019	Zoning Regulation Update	65,000.00		65,000.00	-	-	-	-	65,000.00
FY18	0%	June 2020	Bridge Improvements	805,000.00		805,000.00	-	-	-	-	805,000.00
FY18	N/A	June 2019	Drainage Improvements	125,000.00		125,000.00	81,903.81	25,108.02	107,011.83	-	17,988.17
FY19	30%	August 2019	Sidewalk Resurface		250,000.00	250,000.00	-	14,092.00	14,092.00	-	235,908.00
FY19	25%	June 2019	Ashborer Tree Mig		85,000.00	85,000.00	-	-	-	85,000.00	-



Town of Simsbury  
Capital Project Funds  
Schedule of Expenditures Compared with Appropriations  
For the Year Ended October 31, 2018

Inception Year	Estimated % Completed	Expected Completion	Project	Appropriations			Expenditures			Encumbrances October 23, 2018	Uncommitted Balance October 31, 2018
				Balance June 30, 2018	Current Year	Balance June 30, 2018	Balance June 30, 2018	Current Year	Balance October 31, 2018		
FY19	0%	December 2020	Multi-Use Trail		1,020,000.00	1,020,000.00	-	-	-	-	1,020,000.00
FY19	70%	June 2019	Highway Pavement Management		845,000.00	845,000.00	-	576,898.92	576,898.92	-	268,101.08
FY19	0%	July 2019	Greenway Improvements		275,000.00	275,000.00	-	-	-	-	275,000.00
<b>Education Projects</b>											
FY14	100%	June 2019	Boiler Replacement Squadron Line	850,000.00		850,000.00	740,125.07	-	740,125.07	-	109,874.93
FY15	99%	August 2019	HJMS Phase 1A	1,255,000.00		1,255,000.00	1,168,299.83	-	1,168,299.83	-	86,700.17
FY15/FY16	99%	June 2019	SHS Turf Field Replacement	910,000.00		910,000.00	862,911.19	-	862,911.19	-	47,088.81
FY15	99%	June 2019	Squadron Line Main Office Project	1,050,000.00		1,050,000.00	867,602.43	-	867,602.43	-	182,397.57
FY16	93%	January 2020	District Network Infrastructure	200,000.00		200,000.00	186,256.96	-	186,256.96	-	13,743.04
FY16/FY17	70%	June 2019	Climate Control Phases 1 (FY16) & 2 (FY17)	3,100,000.00		3,100,000.00	2,171,928.14	-	2,171,928.14	11,065.00	917,006.86
FY16	99%	January 2020	Central School Roof Replacement	770,000.00		770,000.00	620,602.49	-	620,602.49	-	149,397.51
FY17	100%	June 2019	District Network Infrastructure	450,000.00		450,000.00	409,418.22	33,528.00	442,946.22	-	7,053.78
FY17	99%	June 2019	HJMS Renovation - Phase 2	1,950,000.00		1,950,000.00	1,751,859.38	-	1,751,859.38	-	198,140.62
FY18	99%	June 2019	SHS Tennis Court Replacement		740,000.00	740,000.00	523,786.03	27,048.90	550,834.93	-	189,165.07
FY19	0%	September 2019	Boiler Replacement Latimer		900,000.00	900,000.00	-	-	-	-	900,000.00
FY19	35%	January 2020	School Security Improvements		850,000.00	850,000.00	-	113,830.04	113,830.04	62,184.84	673,985.12
FY19	0%	January 2020	School Facility Master Plan		200,000.00	200,000.00	-	-	-	-	200,000.00
FY19	34%	January 2020	District Network Infrastructure		400,000.00	400,000.00	-	39,529.80	39,529.80	97,065.36	263,404.84
FY19	1%	June 2021	HJMS Renovation - Phase 3		23,965,620.00	23,965,620.00	-	153,785.09	153,785.09	895,759.45	22,916,075.46
				<u>\$ 30,288,378.65</u>	<u>\$ 29,960,620.00</u>	<u>\$ 60,248,998.65</u>	<u>\$ 19,011,738.27</u>	<u>\$ 1,865,138.89</u>	<u>\$ 20,876,877.16</u>	<u>\$ 1,211,965.65</u>	<u>\$ 38,160,155.84</u>



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Revisions to Eno Memorial Hall Facility Use Policy and Fee Schedule
2. **Date of Board Meeting:** November 26, 2018
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager *Maria E. Capriola*

4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen supports adopting the revisions to the Eno Memorial Hall Facility Use Policy and fee schedule, the following motion is in order:

*Move, to adopt the revisions to the Eno Memorial Hall Facility Use Policy and fee schedule as presented, effective January 1, 2019.*

5. **Summary of Submission:**

The Eno Memorial Hall Facility Use Policy was last updated in July 2010. Staff has noted a number of challenges with the existing policy such as but not limited to:

- Prioritization of requests to use the space
- Reasons fee waivers will be granted, and the number of times they will be granted in any one given year
- A fee schedule that often does not provide an affordable fee for not for profit groups, leading to a large number of events with fee waivers. These fee waivers prevent the Town from securing adequate funds to cover the operating costs for opening the building for non-town events

In recent months staff has received several requests from non-profit organizations seeking fee waivers for use of Eno on a regular basis, which the current policy doesn't adequately address.

A work group of the Board of Selectmen was established to review and recommend revisions to the Eno Memorial Hall Facility Use Policy and fee schedule. Cheryl Cook and Eric Wellman assisted with this initiative. In addition to me, Director of Public Works Tom Roy, Director of Community and Social Services Kristen Formanek, Senior Center Coordinator Kathy Marschall, and graduate student intern Tom Fitzgerald were the key staff members supporting the work group.

Proposed changes to the policy are attached. Staff also worked to standardize the process for waiving the fees associated with renting a room at Eno Memorial Hall by revising the fee waiver form, policy, and fee schedule accordingly.



**6. Financial Impact:**

Based on the proposed revisions to the fee schedule we are anticipating increased revenue. The fee schedule has been updated to appropriately cover custodial fees and facility operational costs.

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

- a) Proposed Revised Eno Facility Use Policy
- b) Proposed Revised Eno Facility Use Fee Schedule



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## Eno Memorial Hall - Facility Use Guidelines *ADOPTED BY THE BOARD OF SELECTMEN JULY, 2010* *REVISED JANUARY 1, 2018*

### I. Purpose

The Eno Memorial Hall Facility Use Guidelines have been developed to provide a facility for Town functions and resident use while managing the Town's operating costs for this historic building. The Board of Selectmen reserves the right to modify or change this policy at any time or for any specific function.

The Daughters of the American Revolution (DAR) Room is for the sole and exclusive use of the DAR and does not fall under this policy.

### II. Effective Date

This Policy shall be effective immediately and shall remain in effect until revised or rescinded.

### III. ~~Operating~~ Hours Building is Available for Rental:

Monday to Thursday	8:30 AM to 10:00 PM
Friday	8:30 AM to 11:00 PM
Weekends	7:00 AM to 11:00 PM
Holidays	Closed

The hours listed are not the normal operating hours for this facility and represent the hours available for rental. The Town reserves the right to limit the available times for building rental based on staff availability. Exceptions to these hours are permissible with the written authorization from the ~~First Selectmen~~ Director of Public Works or his/her designee. All guests are asked to be out of the building at closing time.

### IV. Permitted Uses/~~Prioritization~~ of Groups

Eno Memorial Hall may be used for community-based events by Town organizations and Simsbury based non-profit groups. Use will be limited to the ~~operating~~ available hours for the building. In priority order, groups permitted to use the facility include:

- 1) Town sponsored programs and events
  - o Meetings of official Town boards, Board of Selectmen, Board of Finance, Board of Education, Commissions, and Advisory Boards
  - o Meetings or activities sponsored by Town Departments or Town Agencies
- 2) Other Governmental Agencies
- 3) Party caucuses or Town Committees
- 4) Charitable service organizations and recognized non-profit groups
  - o Groups whose primary function is to serve the greater good of Simsbury, such as: VFW, American Legion, Lions, Boy/Girl Scouts, etc.



- 5) Community Groups (membership consisting of at least 50% Simsbury residents), such as: theatre and performing arts groups, political committees, little league, sports clubs, card clubs, hobby clubs, religious organizations, condo associations, etc.
- 6) Fundraising activities sponsored by community or political groups other than those listed above

## V. Restrictions

- Eno Memorial Hall is not to be used for private parties of any kind.
- Alcoholic beverages are not permitted.
- Use of tobacco products of any kind is not permitted.
- Any decorations must be in conformance with the Eno Memorial Hall Decoration Guidelines. Please see addendum for guidelines.
- ~~When the piano is required to be removed for a group, that group will be responsible for the full cost of moving the piano and returning it to its original position. Each time the piano is~~
- The piano located in the Auditorium will not be moved.
- Groups may not store materials or supplies in the building. Everything brought into the building, must be removed the same day as the event\*. ~~Charitable service organizations may be provided with limited storage in designated areas of the building with approval from the Town Manager or his/her designee.~~ There is no storage available in the building.
- ~~The Daughters of the American Revolution Room does not fall under this policy.~~

\*Sets for plays and other performances may be permitted to be stored on the stage provided it does not conflict with any senior center activities and can be completely hidden behind the curtain.

## VI. General Rules

- A responsible person, whose name and contact information must be provided on the Facility Use Request Form application, must be present to admit participants and supervise activities. Such person(s) shall remain in the designated area until all participants and spectators have left, and shall be responsible for the security of all furniture and materials in the room(s) used and all equipment used.
- Any individual or group using disruptive or abusive language, unacceptable behavior, or otherwise creating a hostile environment will be asked to leave the premises.
- Children under the age of 16 will not be left unattended.
- Only service animals are permitted inside Eno Memorial Hall, all other pets are not permitted. ~~Only animals properly identified as service animals will be allowed.~~
- No alterations or additions to grounds, facilities or equipment shall be made without prior approval of the Director of Public Works. No nails, tacks or tape may be used on the walls.
- Any decorations must follow the Eno Memorial Hall Decoration Guidelines.
- A group using any a Town facility must reimburse the Town at full cost for any damages to Town property or equipment. The facility must be left clean and in good condition, or the group will be assessed additional custodial fees.
- Parking of vehicles, including those off loading or loading equipment must be in designated parking spaces in the parking lot. No vehicles are allowed on the grass areas or front entry beyond the sidewalk at any time. No vehicle is allowed to be driven or parked on the flagstones in the front of the building.

- Use time shall include time to set up and take down equipment and settings. Groups may not be permitted to access the space before designated start time; and shall not be permitted to remain past designated ending time. All guests, regardless of use permit must exit the building by its closing time. All non-Town property shall be removed by the group using the facility at the end of the activity.
- Any group intending to serve food in a space where that is permitted must obtain a food permit from the Farmington Valley Health District and present that to the Senior Center Coordinator at least a week prior to the event.
- All advertising and public notices of events held in Town facilities must clearly designate the organizational sponsorship. An organization or group may not use any Town facility for its official address. An organization or group can't use any official Town logo in its marketing materials for events being held on Town premises unless the Town is an official co-sponsor of the event.
- Use of Town buildings and grounds does not imply endorsement, support, or co-sponsorship by the Town of the activities that take place or the beliefs of the group using them. Groups or individuals using Town facilities may not imply that the event or program is sponsored, co-sponsored, or endorsed by the Town in any advertising or publicity.
- Meeting space will not be available for use in the event that a Town building is closed due to emergency conditions, exigent circumstances, or inclement weather.
- Groups which fail to adhere to the stipulations in this Policy will be denied future access to use of Town facilities.

## **VII. Available Rooms**

*Auditorium:* Maximum capacity of ~~400~~ 284 persons for performances or 156 persons with tables and chairs. The auditorium is only to be used by groups of 25 persons or more. Food service is permitted.

*Youth Room:* Maximum capacity of ~~90~~ 72 persons. Food service is permitted.

*Old Court Room:* Maximum capacity of 49 persons. Food service is permitted.

~~*North Conference Room:* Maximum capacity of 30 persons. Food service is not permitted. Light refreshments may be setup outside the room in the hallway/rotunda.~~

*South Conference Room:* Maximum capacity of ~~20~~ 34 persons. Food service is not permitted. Light refreshments may be setup outside the room in the hallway/rotunda.

Room has exercise equipment set-up at one end of the room.

*Kitchen:* Use of the kitchen requires \$25 per day fee and a \$200 security deposit. Groups using the kitchen are responsible for cleaning the kitchen after their use and taking away all food and beverages brought into the building.

\*Maximum room capacity should not exceed the posted occupancy set by the Fire Marshal.

## **VIII. Reservation Policy**

Groups interested in using Eno Memorial Hall can contact the Simsbury Senior Center Monday 8:30 to 7:00, Tuesdays thru Thursday 8:30 to 4:30 and Friday 8:30 am to 1:00 ~~4:30~~ pm at (860)



658-3273. ~~For Charitable Service Organizations, rooms may be reserved up to four months prior to the event date, and for Community Groups rooms may be reserved up to two months prior to the event date. The Town reserves the right to reschedule any events at its sole discretion up to two weeks prior to the event for Town functions. For large events, the Town will provide 1-month notices when possible.~~ Facilities will be allocated according to priorities outlined in Section IV of this Policy. From time to time, the Town may have to rescind its granting of meeting/activity space for groups ranked higher on the priority listing. This bumping is anticipated to be infrequent and only due to exigent circumstances. For large events, the Town will provide one month notice when possible. If the Town has to rescind its approval of a space, the Town will refund any monies already paid. The Town will not be responsible for any costs incurred by an organization resulting from rescinding a previously approved use of Eno; this does not include fees paid to the town that will be refunded.

For re-occurring events rooms may be “penciled in” on an annual basis running from July 1st to June 30th. Staff will attempt to schedule other activities around the penciled in dates, however, these dates are subject to change or cancellation.

#### **IX. Cancellation Policy**

Groups that cancel an event with less than 24-hours’ notice or are a “no show” will be charged a ~~\$45~~ \$50 custodial fee for the room setup. Groups may not use the facility until all balances are paid in full. Consideration for adverse weather events will be given.

#### **X. Large Events (50 people or more or using the auditorium):**

Groups larger than 50 people or requiring the use of the auditorium must provide a certificate of insurance to the Town and pay a room use fee. Rates for large groups and the auditorium are included in on the attached fee structure. Large groups may be required to obtain additional Town permits and hire security staff.

#### **XI. Fees and Security Deposit**

The Board of Selectmen will adopt a fee schedule for various Eno Memorial Hall facility use charges which may be amended by the Board from time to time. Custodial fees for Eno Memorial Hall are \$200 for the first four hours and \$50/hour for each additional hour, or as may be amended from time to time. Being approved for a rental fee waiver does not waive the custodial fees you or your organization will be charged. All estimated fees and a security deposit of \$250.00 will be required to be paid at least 7 days in advance of the event. The security deposit will be returned after it is determined that there is no damage to the building caused by the event. In the event that it is determined damage was caused, the security deposit will not be returned and the Town reserves the right to charge you or your organization for the cost to repair any damages.

#### **XII. Fee Waivers**

Requests for fee waivers can be filed by completing the “Eno Memorial Hall Room Rental Request for Waiver of Rental Fee” form on the Department of Public Works webpage. The Director of Public Works has the authority to approve or deny requested fee waivers based on criteria stated in this policy for groups that provide a significant cultural and civic benefit directly to the Town of Simsbury. In his/her absence the Town Manager, or Deputy Town Manager, has the authority to approve or deny requested waivers.

Administrative approvals are for Eno Memorial Hall facility fee waivers requested by non-profit agencies and individuals, non-profit groups maintaining or adding to the Town's infrastructure and assets or non-profit groups fundraising to support town of Simsbury programs and services. Fee waivers may not be granted more than twice per calendar year to any one organization. Fee waivers do not apply to custodial fees.

Economic Development Commission (EDC) approvals will be needed if a non-profit agency is requesting a fee waiver citing that the use of Eno Memorial Hall is supporting Economic Development in town.

### **XIII. Insurance & Hold Harmless**

- The Town reserves the right to require any applicant to have a certificate of insurance on file providing proof of current, valid coverage. In some instances, a certificate of insurance may be required before permission is granted for use.
  - When a certificate of insurance is required, "Town of Simsbury, 933 Hopmeadow Street, Simsbury, CT 06070" should be named as additional insured on the policy. The following minimum limits will typically apply: \$1 million general liability; \$1 million excess/umbrella liability; statutorily required workers compensation coverage plus \$1,000,000 employer's liability (if the user will have paid employees on the premises). The Town reserves the right to amend or add to these coverages as necessary.
  - If a group does not carry the requisite insurance coverage, or wishes to obtain an event-specific policy, it can purchase special event coverage through the Town's Tenant User Liability Insurance Program (TULIP). TULIP, which is administered through the Town's insurer, provides liability and property damage coverage for the event, and the Town is automatically listed as additional insured; the premium will be based on the nature of the event. Users may contact the Town Manager's Office for additional information.
- The Town of Simsbury carries liability and property insurance to cover property and equipment owned by the Town; this insurance coverage does not extend to property or persons from an outside agency, group, or organization listed in #2-#7 of Section IV of this Policy. Any other kind of insurance coverage is the responsibility of the user.
- The renter hereby agrees to defend, indemnify and hold harmless the Town and its officers, directors, employees, agents, servants, successors and assigns (collectively, the "the Town Indemnitees") against all suits, claims, damages, losses, liabilities, costs and expenses of every nature arising out of or as a consequence of the acts, omissions or negligence of Renter in performance of this Rental Agreement or use of the Facility hereunder.



APPENDIX A  
RESERVATION FORM



## Eno Memorial Hall

754 Hopmeadow Street, Simsbury, CT 06070

Phone: (860) 658-3273 / Fax: (860) 408-7046

dolson@simsbury-ct.gov

### User Agreement/Room Rental

Group Name: \_\_\_\_\_

Title of Meeting/Event: \_\_\_\_\_

Event Date(s): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Start Time: \_\_\_\_\_ End Time: \_\_\_\_\_ # of Attendees \_\_\_\_\_

Contact Person: \_\_\_\_\_

Cell Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Secondary Contact Person: \_\_\_\_\_

Cell Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Group Classification:

\_\_\_ Town Organization \_\_\_ Charitable Service Group \_\_\_ Community Group

Room(s) Requested: (Rooms are subject to change without notice)

\_\_\_ Auditorium \_\_\_ Old Court Room \_\_\_ Youth Room \_\_\_ Craft Room

\_\_\_ South Conference Room \_\_\_ Kitchen





APPENDIX B  
DECORATIONS GUIDELINES

## Eno Memorial Hall Decoration Guidelines

### A. Purpose

Because Eno Hall is a very active community center and it also has great architectural importance, recognized by the National Register of Historic Places, the Town of Simsbury would like to efficiently maintain both the building's beauty and its active use.

### B. Exterior

1. No decorations may be installed on the building, grounds or landscaping without prior written permission.

### C. Interior

1. Nothing may be affixed to painted, wallpapered, wood or stone surfaces.
2. Decorations may be hung on glass surfaces using painters' masking tape (blue masking tape). No other adhesives are acceptable; no duct tape, staples, tacks, nails, or self-stick products may be used
3. Nothing may be suspended from the ceiling tiles or supports, curtains or blinds.
4. Nothing may be stuck to the carpet.

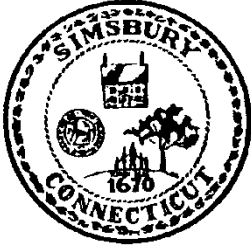
### D. Safety Regulations

1. Fire doors must remain clear and closed as appropriate
2. Clear fire lanes within each room must be maintained (7') as designated by the Fire Marshal, i.e. tables and chairs cannot block the safe egress from the room.
3. No covering the lights.
4. Entrances/exits must remain clear.
5. No shredded mylar, confetti, or silly string as they are extremely combustible.
6. No open flames.

### E. Procedures

1. Please send in a sheet detailing the decorations as planned, and any electrical needs if out of the ordinary (light systems, sound systems, plug cords, etc.). If you have further questions about fire regulations, you may wish to call the Town Fire Marshal at (860) 658-1971
2. Temporary equipment must gain approval through the Director of Public Works, and must be placed appropriately for clearance around machines, their use, and any electrical needs.
3. An appropriate reimbursement will be assessed for any damage to the building

APPENDIX C  
FEE SCHEDULE



# Town of Simsbury

## Eno Memorial Hall - Fee Structure

### Week Day - Large Group Fee:

*Large Group is 50 persons or more*

	Old Court Rm	Youth Room	Kitchen*	Auditorium		Entire Building
Group Size:	< 50	50 - 90	n/a	<-150	150+	< 500
First 4 hours	NA	\$ 35	\$ 35	\$ 100	\$ 150	NA
Each additional hour	NA	\$ 15	\$ 10	\$ 15	\$ 35	NA

### Weekend/Holiday Fee Structure:

	Old Court Rm	Youth Room	Kitchen*	Auditorium		Entire Building
Group Size:	< 50	< 90	n/a	< 200	200+	
First 4 hours	\$ 400	\$ 400	\$ 100	\$ 800	\$1,200	\$ 2,500
Each additional hour	\$ 50	\$ 50	\$ 15	\$ 150	\$ 200	\$ 400

\* Fees for kitchen use are concurrent with fees for other rooms. Kitchen is to be cleaned by occupants before leaving.

\*\* Charitable Service Organizations as defined by the Eno Facility Use Policy will receive a 50% discount on the rates shown above.

Adopted by the Board of Selectmen on November 26, 2018



APPENDIX D  
FEE WAIVER FORM

**ENO MEMORIAL HALL REQUEST FOR WAIVER OF RENTAL FEE**

*Please note that if room rental fee is waived, custodial charges will still apply*

Group Name: \_\_\_\_\_

Event Name: \_\_\_\_\_

Date(s) of Function: \_\_\_\_\_

Time: from: \_\_\_\_\_ to: \_\_\_\_\_ Anticipated # of Participants: \_\_\_\_\_

Requestor's Name: \_\_\_\_\_

Are you a non-profit supporting Simsbury residents? Yes: \_\_\_\_\_ No: \_\_\_\_\_

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

Reason for Request: \_\_\_\_\_

\_\_\_\_\_

Will you be using stage lighting? Yes: \_\_\_\_\_ No: \_\_\_\_\_

Have fees been waived in the past? \_\_\_\_\_ If so, provide date(s): \_\_\_\_\_

Will this event provide financial support to a Town of Simsbury program, service, or asset?

Yes: \_\_\_\_\_ No: \_\_\_\_\_

If yes, in what way? \_\_\_\_\_

\_\_\_\_\_

Will this event provide an economic development benefit to Simsbury? Yes: \_\_\_\_\_ No: \_\_\_\_\_

If yes, in what way? \_\_\_\_\_

\_\_\_\_\_

Will tickets be sold for this event? Yes: \_\_\_\_\_ No: \_\_\_\_\_

If yes, where do proceeds from ticket revenue go and how much is being charged per ticket? \_\_\_\_\_

\_\_\_\_\_

Signature of Applicant

Date Submitted

---

*INTERNAL USE ONLY*

Request Approved: Yes: \_\_\_\_\_ No: \_\_\_\_\_ N/A (econ dev benefit see below): \_\_\_\_\_

---

Thomas J. Roy, P.E.  
Director of Public Works

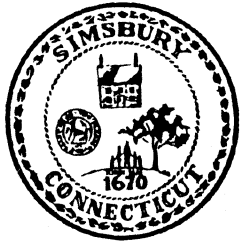
Date Approved or Denied

For Fee Waiver Requests based on an economic development benefit, Economic Development Commission (EDC) approval/denial is required:

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Thomas J. Roy, P.E.  
Director of Public Works

Date Approved or Denied by EDC



# Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

## Eno Memorial Hall – Fee Structure

754 Hopmeadow Street, Simsbury, CT 06070

### Week Day – Large Group Fee:

	Old Court Room	Youth Room	Kitchen*	Auditorium		Entire Building
Group Size:	<50	50 – 90	N/A	<150	150+	<500
First 4 hours	N/A	\$35	\$25	\$100	\$150	<del>\$350</del> NA
Each additional hour	N/A	\$15	\$10	\$15	\$35	<del>\$85</del> NA

### Weekend Fee Structure:

	Old Court Room	Youth Room	Kitchen*	Auditorium		Entire Building
Group Size:	<50	< 90	N/A	<200	200+	<500
First 4 hours	<del>\$300</del> 400	<del>\$300</del> 400	\$100	<del>\$750</del> 800	<del>\$1000</del> 1200	<del>\$2000</del> 2500
Each additional hour	<del>\$40</del> 50	<del>\$40</del> 50	\$15	\$150	\$200	<del>\$300</del> 400

\*Fees for kitchen use are concurrent with fees for other rooms. Kitchen is to be cleaned by occupants before leaving. A \$200 deposit is required for use of the kitchen area.

\*\* Charitable Services Organizations as defined by the Eno Facility Use Policy will receive a 50% discount on the rates shown above.





# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Eversource Energy Temporary Access Permit/Agreement
2. **Date of Board Meeting:** November 26, 2018
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Jerome F. Shea, Town Engineer  
*Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
The Board has three options for action regarding the temporary access permit:
  - A. *Option A:* Approve granting the temporary access permit as presented.
  - B. *Option B:* Refer to Conservation Commission and take action at a future meeting.
  - C. *Option C:* Deny granting the temporary access permit.

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

*Move, effective November 26, 2018 to authorize Town Manager Maria E. Capriola to execute a temporary access agreement/permit with Eversource Energy for the purposes of accessing their existing right of way on the east side of Ryan Circle and Hunting Ridge Road on Parcel ID 109 106 000 owned by the Town of Simsbury. The permit will be issued through June 30, 2019.*

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

*Move, effective November 26, 2018 to refer the temporary access agreement/permit with Eversource Energy to the Conservation Commission for the purposes of reviewing and commenting on the proposed access to the Eversource Energy right of way through the identified Town owned open space parcel (Parcel ID 109 106 000). Further move to table the matter to a future meeting.*

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

*Move, effective November 26, 2018 to deny the temporary access agreement/permit with Eversource Energy for the purposes of accessing their existing right of way on the east side of Ryan Circle and Hunting Ridge Road on Parcel ID 109 106 000 owned by the Town of Simsbury.*

5. **Summary of Submission:**

Eversource Energy has requested a temporary access permit from the Town of Simsbury to replace structures supporting existing electrical transmission lines as part of the 1726 Line Structure Replacement Project. These structures are currently not accessible from the

existing Eversource right of way due to the setback of the Eversource right of way from the public roadway and challenging terrain from their current access off Wintonbury Road to the north. Therefore, Eversource is seeking access to their structures through a town owned open space parcel located east of Ryan Circle and west of Penwood State Forest. This open space parcel is contiguous to another town open space parcel and a state park. To minimize the impact on abutters, we have requested that access over town property be restricted to the hours of 7:00 am – 5:00 pm Monday to Friday and that no access be allowed on the weekends with the exception of emergency access. We have also requested that if emergency access is required on the weekends, that notice be provided to the town in advance of this emergency access when possible; if this is not possible a brief written report will be provided to the town soon after the incident detailing the nature of the emergency. Eversource has also informed us of their intent to request a permanent access agreement in the future consistent with the temporary access agreement.

As part of the permit agreement, Eversource will have the right to cut and remove trees, brush, rocks, and other obstructions within the temporary access area and to fill depressions or roughly grade the surface of the temporary access area for the purpose of exercising the rights herein. If the temporary access area is disturbed or damaged due to the project's construction activity, Eversource agrees to restore said temporary access area to a condition substantially the same as that which existed prior to said construction. Restoration shall include final grading where necessary and any repairs to the access road caused by the project's construction activity. No electric transmission facilities or other permanent structures will be constructed on the temporary access area. Base on a recent field visit to the area, it appears that the temporary access way over town property may have been previously used for access as there is evidence of a processed stone roadway on the property.

The Town Attorney has reviewed the attached temporary access agreement. The Board of Selectmen may also want to consider a referral to the Conservation Commission. Abutters in the area were notified by Eversource in October about the planned work (attached).

**6. Financial Impact:**

None

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

- a) Proposed Temporary Access Permit/Agreement with Attachment
- b) Notification letter to abutters, dated October 2018



Return To:  
Eversource Energy  
107 Selden Street  
Berlin, CT 06037

**ATTN: JEFFERY COCHRAN, ESQ**

### **TEMPORARY ACCESS PERMIT**

The Town of Simsbury, acting through, Maria Capriola, Town Manager for the Town of Simsbury, for the agreements set forth below and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby permit and license the Connecticut Light and Power Company d/b/a Eversource Energy a specially chartered Connecticut corporation having its office in Berlin, Connecticut ("CL&P"), the right, privilege and authority for CL&P, its agents, employees and contractors, to pass and repass with vehicles and equipment over and across a strip of land of varied width (the "Temporary Access Area"), as more particularly described and shown on the attached Exhibit(s) A over property owned by the Town of Simsbury and located off Ryan Circle, Simsbury, CT to provide CL&P access to its electric transmission facilities for the 1726 Line Structure Replacement Project (the "Project").

CL&P shall have the right to cut and remove trees, brush, rocks, and other obstructions within the Temporary Access Area and to fill depressions or roughly grade the surface of the Temporary Access Area for the purpose of exercising the rights herein.

If the Temporary Access Area is disturbed or damaged due to the Project's construction activity, CL&P agrees to restore said Temporary Access Area to a condition substantially the same as that which existed prior to said construction. Restoration shall include final grading where necessary and any repairs to paved driveway caused by the Project's construction activity.

Said Temporary Access Area being a portion of that tract described in a deed recorded in Volume 340 Page 958 of the Simsbury, CT land records.

This Temporary Access Permit will begin on the date hereof and shall terminate on June 30, 2019. It is understood by both parties that no electric transmission facilities or other permanent structures shall be constructed on the Temporary Access Area. Construction will be replacing 5 structures 8142, 8143, 8144, 8145 and 8146 on Exhibit A. Construction expects to have the replacements completed by the end of February. If weather permitting, they would also expect to have the restoration completed. However, if the weather does not cooperate then restoration would be moved out to May and completed no later than the end of June.



This Temporary Access Permit allows for access during weekdays only. The access work hours will be from Monday to Friday 7:00 am. to 5:00 pm. CL&P shall not, except in the event of an emergency use the access road on weekends. If emergency access is required on the weekends CL&P will make a reasonable attempt to contact the Engineering Department of the Town of Simsbury. If advanced notification is not possible, CL&P will provide a brief written report to the Town Engineers office detailing the nature of the emergency.

The above-referenced consideration is full compensation for all damages on the above described Temporary Access Area resulting from CL&P's use thereof. CL&P shall leave the Temporary Access Area in a neat and orderly condition upon completion of CL&P's activities.

**Engineers Contact:**

Jerome F. Shea  
Town Engineer  
Town of Simsbury  
Email: jshea@simsbury-ct.gov  
Phone: 860-658-3260

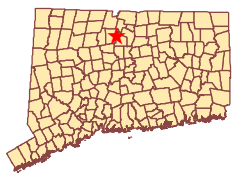
Owner: Town of Simsbury

\_\_\_\_\_  
Maria Capriola, Town Manager for  
the Town of Simsbury

\_\_\_\_\_  
(Witness)

\_\_\_\_\_  
Date







October 2018

Dear Neighbor,

As part of our everyday effort to deliver reliable energy to our customers and communities, we will be replacing existing wood transmission structures in Bloomfield, Simsbury, Avon, West Hartford and Farmington. Maintaining the infrastructure that supports electric lines is one of the many ways Eversource ensures the safe, secure transmission of electricity throughout the region.

### **We Are Always Working to Serve You Better**

Starting soon, crews from Supreme Industries and Michels Electric will be working to replace existing transmission structures on or near your property.

### **What You Can Expect**

Since your property is on or near the project route, here is important information about how we will work in your neighborhood:

- **Reliable Service:** Be assured that this work will not interrupt electric service to your property.
- **Proper Identification:** All people working on this project carry identification.
- **Where We Will Be Working:** Construction activity will take place within the existing right of way (transmission corridor) in Bloomfield, Simsbury, Avon, West Hartford and Farmington.
- **Communication:** Keeping the lines of communication open is important to us. Our field outreach representatives will be in touch, either in person or with a door hanger notice. Feel free to reach out to us by email at [TransmissionInfo@Eversource.com](mailto:TransmissionInfo@Eversource.com) or call 1.800.793.2202 if you have any questions.
- **Construction Hours:** The hours for construction are 7 a.m. to 7 p.m. Monday through Sunday.
- **Construction Activities:** Project construction will include the following:
  - Overall, you can expect:*
    - Construction vehicles on the right of way, including heavy equipment, though we will make every effort to minimize any impact to your property.
    - Site grading, mowing/vegetation removal, adding gravel to the access road, and setting timber mats in wetland areas.
    - The wood structures will be replaced with steel structures of similar height.
    - When the project is completed, crews will restore areas that were disturbed by the work.
- **Project Completion:** We expect all work, including restoration, to be complete by the Spring 2019.

### **Contact Us**

Eversource is committed to be a good neighbor and doing our work with respect for you and your property. Again, if you have any questions about this work, please call 1.800.793.2202 or email us at [TransmissionInfo@eversource.com](mailto:TransmissionInfo@eversource.com). Thank you.

Sincerely,

***Brian Ragozzine***

Brian Ragozzine  
Project Manager -- Eversource Energy

-OVER-

## Work Area Preparation



Construction vehicles and equipment must be able to access each transmission structure. For these vehicles, we will build or enhance gravel roads to provide access to structure locations. We'll also install level work pads to create a stable work area for equipment, such as drill rigs and cranes.

We use timber mats to protect environmentally sensitive areas. Temporary soil erosion and sedimentation controls (for example, silt fences and straw bales) and other environmental controls may be installed near the work areas during construction. We will maintain

these controls as needed throughout the construction process. Typically, these environmental controls are removed after construction, though some may remain until the area is restored.

## Foundation Drilling



When required, drilling activities usually take place for a few days at each location where structures are being replaced. Depending on soil conditions, the drilling may last longer. The size of the hole will also vary with the size of the new structure and soil conditions. At the end of the work day, any open foundation holes will be safely covered and secured. Once we complete the foundation installation, we will assemble and install the new structures.

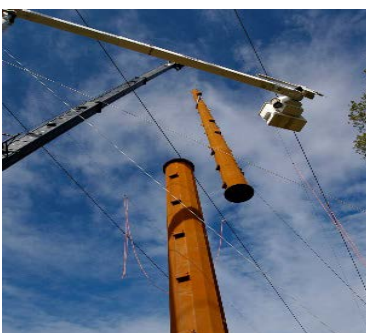
## New Structure Installations & Modifications to Existing Structure



Once the foundations are complete, we'll begin installing the new steel replacement structures. Steel structures often come in sections that are assembled on site. The structure pieces will be delivered to the right of way in advance of this installation process. Cranes and/or bucket trucks are used to lift the structures and set them into position on the foundations.

Where existing structures are being modified, crews will climb the structure or use bucket trucks to make the necessary modifications. Generally, it takes one to three days to assemble and erect each new structure or modify an existing structure.

## Existing Structure Removal



The existing structures being replaced will be taken apart and removed from the site. Where needed, the old concrete foundations will be removed and the hole filled with soil. We will recycle or properly dispose of all material removed from the site.

*Photos show typical work areas, and are for illustration only.*



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Tax Abatement and Fee Waivers, 690 Hopmeadow Street and Proposed Revisions to Business Development Incentive Policy
2. **Date of Board Meeting:** November 26, 2018
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager *Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
If the Board of Selectmen supports the recommendations of the Business Development Incentive Committee for the property located at 690 Hopmeadow Street, the following motion is in order:  
  
*Move effective, November 26, 2018 to approve the requested 10 year tax abatement at the percentages presented below and to waive 50% of the cost of the construction, HVAC equipment, plumbing, electrical, fire sprinkler, and demolition permit fees incurred by the property owners. Further move to authorize the Town Manager and Town Attorney to negotiate an agreement reflective of this resolution.*  
  
If the Board of Selectmen supports the proposed revisions to the Business Development Incentive Policy, the following motion is in order:  
  
*Move, effective November 26, 2018 to revise the Business Development Incentive Policy as presented.*
5. **Summary of Submission:**  
On September 24, 2018 the Town received an application for business development assistance for the property located at 690 Hopmeadow Street. The application requested a 10 year tax abatement from Grand List Year 2020 through Grand List Year 2029, a waiver of the sewer hookup charge, and the waiver of 6 permit fees related to construction and building.

The current Business Development Incentive Policy allows for up to 50% of the total permit fees to be waived. It also allows for tax abatements to be granted for up to 7 years. State statute has changed and tax abatements can now be granted for up to 10 years.

The plan for 690 Hopmeadow Street calls for the renovation of the existing Ensign Mansion and Annex. The first floor of the Annex and Mansion will be converted into a 7,000 sq ft restaurant and approximately 1,400 sq ft of office space. The second and



third floors of the mansion will be converted into 5 residential apartments. In their attached application the property owners have stated a desire to:

- Restore the Ensign House in keeping with its historic character
- Fill the commercial space with viable enterprises, ensuring its survival for the next hundred years
- Keep the ground floor of the mansion open to the community
- Make the house as energy efficient as possible

Staff reports indicated that the applicant's requests were consistent with criteria outlined in the existing policy. At their November 19, 2018 meeting, the Business Development Incentive Committee unanimously supported and forwarded favorable recommendations to the Board of Selectmen for the following:

- Authorize a 10 year reduction of taxes per the schedule presented below. The estimated value is \$446,000.
- Authorize the waiver of 50% of all requested construction and permit fees. The estimated value of the fee waivers is \$16,969 but will be dependent upon actual costs incurred by the property owners.
- Revise the Business Development Incentive Policy to reflect the statutory change that tax abatements may be granted for up to 10 years.

Waiver of the sewer hookup charge was also reviewed at the November 19, 2018 meeting. The Business Development Incentive Committee unanimously supported and will forward a favorable recommendation to the WPCA for the following:

- Authorize the waiver of 50% of the sewer hookup fee. The value of that fee waiver is \$14,063.

#### **6. Financial Impact:**

The property is currently valued at \$1,105,000 (full value) and the assessed (taxable) value is \$773,500. Following construction, the total anticipated full value will be about \$2.1 million and the assessed (taxable) value will be \$1,470,000. The estimated total cost of investment into rehabilitating the property is \$3,745,000.

The real estate taxes associated with this property for FY 18/19 and estimated FY 19/20 is \$28,171 and \$28,734, respectively. Under the proposed abatement request it will take about 7 years to attain the same value of tax revenue the town is currently receiving. Any revenue generated from personal property taxes of business leasing space at 690 Hopmeadow Street are not part of this analysis or the applicant's request.

The total recommended 10-year tax abatement request is as follows:

- 100% reduction in the tax bill for years 1 & 2 (FY 21/22, FY 22/23)
- 95% reduction in the tax bill for year 3 (FY 23/24)
- 90% reduction in the tax bill for year 4 (FY 24/25)
- 85% reduction in the tax bill for year 5 (FY 25/26)
- 75% reduction in the tax bill for year 6 (FY 26/27)
- 65% reduction in the tax bill for year 7 (FY 27/28)
- 55% reduction in the tax bill for year 8 (FY 28/29)
- 35% reduction in the tax bill for year 9 (FY 29/30)
- 15% reduction in the tax bill for year 10 (FY 30/31)

Staff's conservative estimate of the value of the abatement schedule as presented is \$446,000.

The total recommended fees to be waived at 50% of the costs incurred are as follows:

- Construction permit fees, estimated at \$9,424
- HVAC equipment permit fees, estimated at \$4,278
- Plumbing permit fees, estimated at \$1,625
- Electrical permit fees, estimated at \$1,085
- Fire sprinkler fees (associated with the building permit), estimated at \$400
- Demolition permit fees, estimated at \$157

The estimated fee waivers reflect \$16,969, or 50% of anticipated fees that will be paid by the property owners. The total value of the fee waivers will be dependent upon actual costs incurred by the property owners.

The total (conservative) estimated value of the recommended tax abatement and fee waivers under the purview of the Board of Selectmen is \$462,969. If the WPCA authorizes waiver of 50% of the sewer hook-up fee, the estimated grand total of the abatement and fee waivers would be \$477,032.

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

- a) Business Development Assistance Application, 690 Hopmeadow Street
- b) Planning Director's Staff Report
- c) Finance Director's Staff Report
- d) Town Assessor's Staff Report
- e) Proposed Revisions to the Business Development Incentive Policy





# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## Town of Simsbury Business Development Assistance Application

Application should be completed in full, including original signatures, before submitting to the Director of Planning & Community Development at the Simsbury Town Offices, Planning Department, 933 Hopmeadow Street, Simsbury, Connecticut 06070.

Applicant Name: Ensign House

Name of Authorized Agent: \_\_\_\_\_

Business's Officers: Mark and Ieke Scully

Name of Business: Solectran LLC

Property Address: 690 Hopmeadow Street

Property is Located within Simsbury Center Zone:

☒ Yes

☐ No

Assistance Requested:

☒ Tax Abatement  
%-Based

\$ \_\_\_\_\_

Number of years: 10

☒ Reduction of Fees  
62,064

\$ \_\_\_\_\_

Number of years: 2

☐ Infrastructure Rebate

\$ \_\_\_\_\_

Number of years: \_\_\_\_\_

Other Requested Public Incentives (state, federal, other municipal): State and federal historic tax credits

Description of Business, Including Products & Services: Restaurant, offices and apartments.

Signature of Applicant: \_\_\_\_\_

9/21/2018

Date: \_\_\_\_\_

Signature of Agent: \_\_\_\_\_

Date: \_\_\_\_\_

Telephone (860) 658-3245

Facsimile (860) 658-3205

Form Dated 8/8/18

An Equal Opportunity Employer

[www.simsbury-ct.gov](http://www.simsbury-ct.gov)

8:30 - 7:00 Monday

8:30 - 4:30 Tuesday through Thursday

8:30 - 1:00 Friday

Page 1 of 2



## Project Details:

Acquisition	\$ 1,600,000	3.24 acres	23,446 sq ft existing buildings
New Construction	\$	187	sq ft of proposed building
Rehabilitation	\$ 3,745,000	23,446	sq ft of existing building
Equipment	\$		
Personal Property	\$		
Total Value	\$ 5,345,000		

Estimate of Duration of Construction Activities: August 2018 - August 2019

Has the project received approval from the Zoning Commission: ☒ Yes ☐ No

If so, date of approval: 6 / 4 / 2018

### Employment Details:

	Present #	Future #	Temp. Construction Jobs #
Full Time Employees	<u>0</u>	<u>15</u>	<u>0</u>
Part Time Employees	<u>0</u>	<u>35</u>	<u>13</u>

### Proposed Project Type (Select all that apply):

<input type="checkbox"/> Manufacturing	<input checked="" type="checkbox"/> Professional Office
<input type="checkbox"/> High Technology	<input type="checkbox"/> Wholesale/Warehouse
<input type="checkbox"/> New Retail in Center Zone	<input checked="" type="checkbox"/> Residential Development in Center Zone
<input checked="" type="checkbox"/> Mix Use/ Other: <u>Restaurant, offices and apartments</u>	

Statement of Benefits to Town: 1. Preservation of historic building in center district and keeping it accessible to the public;

2. Generate additional tax revenue through restaurant, offices and apartments;

3. Generate further economic activity in center district from apartment residents, office occupants and restaurant guests;

4. Provide employment opportunities;

Estimate of Local Taxes to be Paid on Year-to-Year basis for as long as the requested incentive lasts:

\$827,014 before abatement, \$255,325 after abatement

### Internal Use Only

<input type="checkbox"/> Planning Director	_____	Date: _____
<input type="checkbox"/> Finance Director	_____	Date: _____
<input type="checkbox"/> Town Manager	_____	Date: _____

**Please Note:** The Town Manager, Business Development Committee and Board of Selectmen reserve the right to request supplemental documentation which supports the request. It is recommended that documents, such as business plan, appraisals, construction proposals, etc., are included with the application in order for the request to be fully reviewed.

Business Development Assistance Application  
690 Hopmeadow Street (Ensign House)  
Submitted September 21, 2018

**Background**

On June 27, 2017, Mark and Ieke Scully (“we”), acting through their wholly owned LLC, Solectran, purchased the property known as the Ensign House. After reviewing a wide range of options for the property, we have developed plans to restore the historic 1906 brownstone as well as the 1960s-era addition (“the annex”) and bring social and economic life to the site. These plans were approved by the Zoning Commission in June of this year.

While we have considered different specific designs, our vision for this project has not changed from the day we submitted a bid to purchase the property. This vision includes:

- Restore the Ensign House in keeping with its historic character,
- Fill it with some form of viable enterprises, ensuring its survival for the next hundred years,
- Keep the ground floor of the mansion open to the community,
- Make the house as energy efficient as possible.

A project of this nature will bring many long-term benefits to the community, but also entails significant cost. Prior development teams have studied this property, its condition and potential development opportunity and have failed to find an economically viable plan. Viewed in purely economic terms, the optimal approach would be to raze the buildings, thereby freeing up the entire site (including the front lawn, currently under a preservation easement tied to the buildings) for development. We never considered this option.

Rather, we have invested our savings into this project in the hope of achieving the vision articulated above. We are also seeing additional forms of funding, including a bank loan, historic tax credits, energy rebates and, hereby, abatement of local property taxes and fees. By helping us to complete this project, the Town of Simsbury will unleash significant economic, social and aesthetic benefits long into the future.

**1. Specific Assistance Requested and Rationale for the Request**

a. Tax Assessment Reduction

We request the reduction of our tax assessment over a ten-year period based on the percentages shown in column (6) of the table below. This reduction comprises 100% for the first two years, and a decreasing percentage over the next eight years. Based on our current best estimate of property taxes over this period (shown in the table below), this abatement represents roughly \$571,690. Over the ten years subsequent to the abatement period, we estimate the taxes to the town will be \$1,039,641; over the subsequent 100 years, this figure is \$29.6 million.

In the event that actual taxes are lower than expected, for example due to lower restaurant revenues or greater apartment/office vacancy, both total taxes and the amount of abatement would be lower, and vice versa.

This ten-year, percentage-based approach is similar to one recently employed on a development in East Hartford. Appendix A contains a description of this project and tax

treatment.

Year	Est.Taxes Before Abatement	Proposed Abatement Percentage	Amount of Abatement	Taxes Paid
(1)	(2)	(3)	(4)	(5)
2020	\$67,803	100.0%	\$67,803	\$0
2021	71,724	100.0%	71,724	0
2022	75,807	95.0%	72,017	3,790
2023	79,841	90.0%	71,857	7,984
2024	84,310	85.0%	71,664	12,647
2025	85,996	75.0%	64,497	21,499
2026	87,716	65.0%	57,015	30,701
2027	89,470	55.0%	49,209	40,262
2028	91,260	35.0%	31,941	59,319
2029	93,085	15.0%	13,963	79,122
Total	827,014		571,690	255,324

Estimated Taxes: 10 Years after Abatement Ends \$1,039,641

Estimated Taxes: 100 Years after Abatement Ends \$29,645,451

b. Waiver of Fees

We request the waiver/refund of the following fees associated with this project:

i. Sewer hookup	\$28,126
ii. Construction permit	18,848
iii. HVAC equipment permit	8,556
iv. Plumber	3,250
v. Electrician	2,170
vi. Fire Sprinkler	800
vii. Demolition	314
viii. Subtotal town fees	\$62,064

c. Infrastructure Rebate

We are not requesting infrastructure rebate.

2. **Project Description**

After careful consideration, we are proposing the following mixed-use program for the site:

- The majority of the ground floor of the Ensign House and annex will be the restaurant Metro Bis.
- The upper floors of the Ensign House will comprise five apartments.
- The remaining space will comprise two offices and conference room in the Ensign House and office space in the lower level of the addition.



We believe that this mixed-use program will enable a wide range of people to enjoy this historic site. This use of the space will bring direct and indirect economic life into this section of the town center, while keeping the most historic sections of the Ensign House and front lawn available to the general public for dining and events.

### **3. Description of Applicant's Business**

The development and management of the Ensign House is the sole business of the applicants. Mark Scully retired from the insurance business and Ieke Scully has dedicated herself to raising a family and extensive volunteer work in town. Mark and Ieke have resided in town since 1985; Mark was raised here.

### **4. Description of the Application**

This application comprises a request for abatement of tax assessment and waiver of fees for the restoration of the Ensign House and annex, located at 690 Hopmeadow Street. Upon completion, the property will house a restaurant, apartments and offices.

### **5. Estimate of the Value of Proposed Improvements**

Ownership and restoration of a property such as this entails considerable costs. The building was not built in a manner that allows for cost effective development and compliance with current building codes. The restoration work must include abatement of extensive asbestos and lead paint, complete replacement of all HVAC systems, extensive gutting and reconstruction of internal walls, re-design and upgrade to stairs, railings, egress doors and windows, and build-out of apartment spaces. Current estimates of proposed improvements for this project (not including the purchase price) are:

a. Abatement, demolition and construction: Ensign House	\$1,700,000
b. Abatement, demolition and construction: Annex	1,300,000
c. Site work	400,000
d. Professional Fees	250,000
e. Permits, Licenses and Fees	95,000
f. Subtotal improvements	\$3,745,000

### **6. Estimate of Employment Provided**

#### **a. Construction**

We estimate this project will employ 73 contractors, as listed below:

Site	3	Landscaping	5
Demolition	5	Steel	3
Concrete	3	Masons	2
Framers	3	Sheetrockers	6
Carpenters	3	Insulation	3
Painting	5	Flooring-Tile/Carpet	3
Flooring-Wood	3	Casework	3
Counters	2	Roofing	5
Plumbing	2	Fire Sprinkler	4
HVAC	5	Electricians	3

To the extent possible, we are engaging local contractors. We estimate that 18 of these jobs are with Simsbury-based companies.

**b. Operational**

- i. Restaurant: 5 full-time, 30 part-time (vs. 2 full-time, 16 part-time currently)
- ii. Offices: 10 full-time (vs. 0 currently)
- iii. Maintenance: 5 part-time (vs. 0 currently)

**7. Anticipated Project Construction Schedule**

Construction will proceed on this project in three phases:

- |   |                            |
|---|----------------------------|
| <b>a.</b> Buildout of restaurant in annex:            | August 2018 - January 2019 |
| <b>b.</b> Buildout of restaurant in the Ensign House: | October 2018 – April 2019  |
| <b>c.</b> Construction of apartments and offices      | October 2018 – August 2019 |

**8. Other Public Incentives**

The Ensign House is listed on the national historic registry and some of the construction costs on the building may be eligible for state and federal historic tax credits. These tax credits comprise:

- State: 20% of eligible hard and soft costs
- Federal: 25% of eligible hard costs

We estimate the value of these historic tax credits to be roughly \$513,000 in total.

In addition, we intend to apply for any energy rebates available on the project. We are still exploring these incentives, but believe they may include rebates for upgrading lighting to LEDs, rebates for installing heat pumps and possibly rebates for creating energy-efficient apartments. Our current very rough estimate of the value of energy rebates is \$2,000.

**9. Benefits to the Town**

- a.** Foremost among the benefits to the town is the fact that the Ensign House and its story will be preserved for future generations. We, along with many town residents, were horrified when a similar brownstone building, the Belden House, situated across the street from the Ensign House, was destroyed and lost forever. The Ensign House is located at the southern gateway to the town center and is an iconic landmark of historic significance. Working with the State and Federal Historic Preservation Offices, we will preserve the historic features and character of this building. Appendix B presents a brief overview of the historical significance of the Ensign House.
- b.** Moreover, the site will remain accessible to the public. Some alternate uses, including for example, build-out of the entire site as apartments, would entail less risk than a restaurant, but would benefit a smaller share of the public. The restaurant and front lawn will remain available to town residents and organizations for meals and events.
- c.** The Ensign House will allow the restaurant Metro Bis not only to stay in town, but also to expand its business, including notably events such as wedding and, anniversaries. Over twenty years, Metro Bis has established a strong reputation for culinary and service excellence and draws customers into town from across Connecticut and beyond.
- d.** Direct economic benefits to the town include jobs during construction, jobs in the restaurant and office occupants and future property tax revenues from the property owners.
- e.** More broadly, completion of this project will bring economic life into this neighborhood, with concomitant indirect economic benefits. These include:
  - residents of the apartments availing themselves of area merchants and professional

services;

- restaurant patrons bringing guests and planning events in town, making use of hotels and related businesses;

- office occupants using local businesses.

It is likely that these indirect economic benefits will be a multiple of direct benefits. The benefits of historic preservation have been exhaustively researched by economist Donovan Rypkema. Appendix C provides an overview of Mr. Rypkema's research, highlighting the significant benefits in a wide range of areas, including jobs, household income, tourism, city center revitalization and sustainability.



**RENTSCHLER FIELD DEVELOPMENT**

# Ground Finally Broken

## After 4 Years Of Planning, Outlet Shoppes Construction Underway

**By JESSE LEAVENWORTH**  
[jleavenworth@courant.com](mailto:jleavenworth@courant.com)

**EAST HARTFORD** — The 282,000-square foot Outlet Shoppes at Rentschler Field is scheduled to open in November 2018, a tight timeline that speakers at the soggy groundbreaking on Thursday acknowledged.

Despite the steady rain and pressing construction schedule, the mood inside a tent raised for the ceremony was upbeat as the planned development finally launched after almost four years of planning.

"These outlets are going to draw people here and these outlets are going to keep people here," state Labor Commissioner Scott Jackson said.

Covering about 40 acres, the center is to include 70 shops, along with restaurants, a central courtyard with a fireplace and a children's play area. Developer Horizon Group Properties said there is a potential to expand the shopping center by 140,000 square feet, adding 30 to 35 stores.

Touted for its easy access from both I-84 and I-91, the shops "will serve as a compelling tourism magnet for the region, generating thousands of new jobs and an estimated \$223 million in state tax revenue over a 20-year period," a Horizon news release said.

The shopping center will be the first retail development on the 650-acre Rentschler Field property since Cabela's opened in 2007. Horizon and property owner United Technologies signed an agreement paving the way for the outlet center in August. The initial phase is expected to cost \$100 million, and the project could create 1,200 construction jobs and 1,300 permanent jobs, Mayor Marcia Leclerc said. Part of an ongoing revival of the Silver Lane corridor, the outlet stores will attract visitors from near and far, she said.

The project comes at a time when outlets are a bright spot in the nationwide retail market.

"While obituaries are regularly being written about traditional malls," an April article in *Forbes* said, "outlet malls by all indications are thriving."

Over the past five years, sales at outlet malls have doubled to about \$50 billion, according to Green Street Advisors. The relatively low rent that outlet stores pay, compared with rents in enclosed malls, and the promise to shoppers of "a treasure hunt experience" are two reasons for the continued success of outlets, experts say. Downsides, however, include the reality that "factory" deals often are more perception than reality and the oversaturation of outlet centers, *Forbes* reported. One expert quoted in the article said outlets are not immune to the "digital commerce sea change" and other challenges that traditional malls face.

Only one other outlet center is scheduled to open next year in the nation, Horizon President Gary Skoien told the audience. The retail leasing environment is as tough as he has seen in 27 years in the business, Skoien said. He noted that the Rentschler project at first was to be 350,000 square feet, but had to be scaled down.

But Skoien said he is confident the shops will succeed and that a second phase will be built. He would not name the stores coming to East Hartford, but said they will be top end retailers. Connecticut currently hosts one outlet center, Clinton Crossing Premium Outlets in Clinton.

The East Hartford Town Council has unanimously approved a tax break of up to \$16.86 million for the Rentschler shops. The incentive is to extend over 10 years, with 100 percent of taxes forgiven during the first two years and a decreasing percentage over the next eight years. The breaks would come from deferring the increase in the real estate assessment on the property, or the difference between the value of the vacant land and the value of the development.

The town still expects to see about \$9 million in real estate taxes over the 10 years and an additional \$2 million over the same period through personal property tax revenue from each of the 70 retailers. The town finance director has estimated that the personal property tax revenue could bring in between \$150,000 to \$225,000 in the first year.

Illinois-based Horizon owns and develops outlet shopping centers across the nation. This will be its first in New England.

## Appendix B: A Brief History of the Ensign House

### ***The Ensign-Bickford Company***

The history of the Ensign House is inextricably linked with that of the Ensign-Bickford Company. In 1831, William Bickford invented the safety fuse in Cornwall, England. The safety fuse revolutionized mining, leading to dramatic improvements in safety. Mr. Bickford entered into a partnership with Connecticut native Richard Bacon to manufacture safety fuses on his East Weatogue farm. The bookkeeper and lay Methodist minister Joseph Toy was appointed to manage the fledgling American operation, called Bacon, Bickford, Eales & Co. In 1851, after the original factory burned down for a second time, Toy relocated it to its current location west of the Farmington River, dissolved his partnership with Richard Bacon and formed Toy, Bickford & Co. Toy moved from East Weatogue into a house on the hill just north of the manufactory known as Chestnut Hill.

When Joseph Toy's son, Joseph Jr., died from disease contracted in the Civil War, his son-in-law Ralph Hart Ensign became the logical successor of the family business. He was named a partner in 1870 and upon Joseph Toy's death in 1887, he took over the business, changing its name to Ensign Bickford & Company. The eldest son of Susan Toy Ensign and Ralph Hart Ensign, Joseph Ralph ("J.R.") Ensign, joined the company around 1890. He married Mary J. Phelps and they had one daughter Mary, whom they called Polly.

The influence of the Ensign Bickford Company and its predecessors on Simsbury is immeasurable. The company provided fire protection for the town and provided capital and management to the new Simsbury Electric Company and the Village Water Company. J.R. Ensign was a founding director of the Simsbury Bank and Trust Company and president of the Simsbury Cemetery Association for 31 years.

### ***The Ensign House***

In the 1890s, young J.R. Ensign, fresh out of college, joined Ensign Bickford Company. In 1906, he had the stone Ensign House constructed, using red sandstone primarily from the local Ketchin Quarry. His house replaced his grandfather's wooden house that previously occupied the site. The front half of the wooden house was removed to the rear of the property and the other half became factory worker's housing on Woodland street. The Ensign House became the face of Ensign Bickford and served as Joseph's office, a place of meetings and entertainment, lodging for company guests and as part-time residence for Joseph, Mary and Polly. The family spent summers at their beach home in Rhode Island and winters at their home in Florida. This picture shows the Ensign House in 1910s, with Polly in her carriage



### ***The Annex***

In 1955, Polly Ensign Lovejoy sold the Ensign House to the First Church of Christ across the street for \$10,000. The church used the house as a Parish House and in the early 1960s built an addition ("the annex") immediately to the south of the house. For the church, the annex provided a chapel, fellowship hall and classrooms.

The entire property was subsequently sold in 1985 and served as a bank and offices, ending with Webster Bank occupying the space until 2013.

# What Is Preservation Worth?

## Some Results from Other Places

While Donovan Rypkema's aim at the workshop in Hartford (see page 1) was to show how economists can measure the economic impact of preservation activities in Connecticut, in the process he cited results from studies in other places that begin to make the case that preservation can produce concrete economic benefits. Here are some of his points:

### Jobs and household income:

Of more than 500 categories of economic activity recognized by one common model for measuring economic impact, almost none create as many jobs and as much household income as historic preservation. Some, such as restaurants, create more jobs, but at a low income level, while others, such as nuclear power plants, create high levels of income, but for only a few people.

Compared to new construction, building rehabilitation spends less on materials (which tend to come from somewhere else) and more on labor. Because labor tends to be local, money spent on it will stay longer in the community.

One of Rypkema's charts, derived from work by David Listokin of Rutgers University Center for Urban Policy Research, compares the economic impact of highway construction, new building construction and rehabilitation of historic buildings. Listokin finds that, for every million dollars spent, highway construction creates 33.6 jobs, new construction 36.1 jobs, and rehabilitation 38.3 jobs. Rehabilitation also generates more household income and generates more in state and local taxes.

This confirms results from Norway and Australia, both of which have devoted significant portions of their economic stimulus spending to heritage programs. In Norway, thirteen percent of stimulus spending goes for preservation, because that was found to be effective in the last economic downturn. Australia recently released figures reporting that in the heritage portion of its stimulus spending it cost \$22,000 to create each job. The United States recently reported spending \$248,000 to create each job across all stimulus programs.

### Heritage tourism:

While Rypkema finds the total impact of heritage tourism difficult to measure, studies consistently show that heritage visitors tend to stay longer and spend more per day than other tourists.

### Center city revitalization:

Rypkema says "I cannot identify a single example of sustained success in downtown revitalization that did not involve historic preservation."

Historic buildings are best suited to the needs of small businesses, and it's important to pay attention to them, because most of our economy is driven by small businesses, not the huge Fortune 500 companies. Small businesses have done better than large companies at retaining employees. Historic buildings tend to be better for small businesses because they're less expensive; "You can't build new and rent cheap," said Rypkema.

Although there is no objective study, Rypkema said that the National Trust's Main Street program has a highly effective engine for downtown revitalization—"the most cost effective program of economic development in America, bar none."

### Local historic districts:

The effect of local historic districts (LHDs) on property values has been the most widely studied economic aspect of historic preservation, and the results have been highly consistent. Studies in districts across the nation, in a wide variety of economic levels, have shown that property values in historic districts appreciate more rapidly and consistently than those in both local markets overall and in comparable non-designated neighborhoods.

This result might seem puzzling, since LHDs might seem less attractive

because they impose additional burdens on property owners. But their value is that they offer assurance that surrounding properties will be preserved. In other words, they offer what Rypkema called "protection from the lunatic across the street."

A particularly rigorous study of LHDs has just been completed in Louisville, Kentucky and published in the *Journal of Urban Studies* (<http://www.informaworld.com/smpp/ftinterface-content=a913321085-fulltext=713240930>)

In a study of LHDs in Indiana, Rypkema found that districts have the greatest impact on property values when they have

- professional staff,
- clear, written, illustrated guidelines,
- firm but consistent decisions, and
- active, ongoing educational outreach.

### State rehabilitation tax credits:

The state that has seen the most dramatic results from a state preservation tax credit is Missouri, where the rapid turnaround in the fortunes of Saint Louis can be directly attributed to the credit. Factors that make tax credits more effective are dedicating substantial funds to the credits (usually not capping them, or at least setting caps high), so that a lot of projects and large projects can be done, and the ability to

sell the credits, so that even developers who cannot directly benefit can still use the credits. (On the other hand, he said that the Connecticut Historic Homeowner Tax Credit, which requires that homeowners sell the credits to

I cannot identify a single example of sustained success in downtown revitalization that did not involve historic preservation.

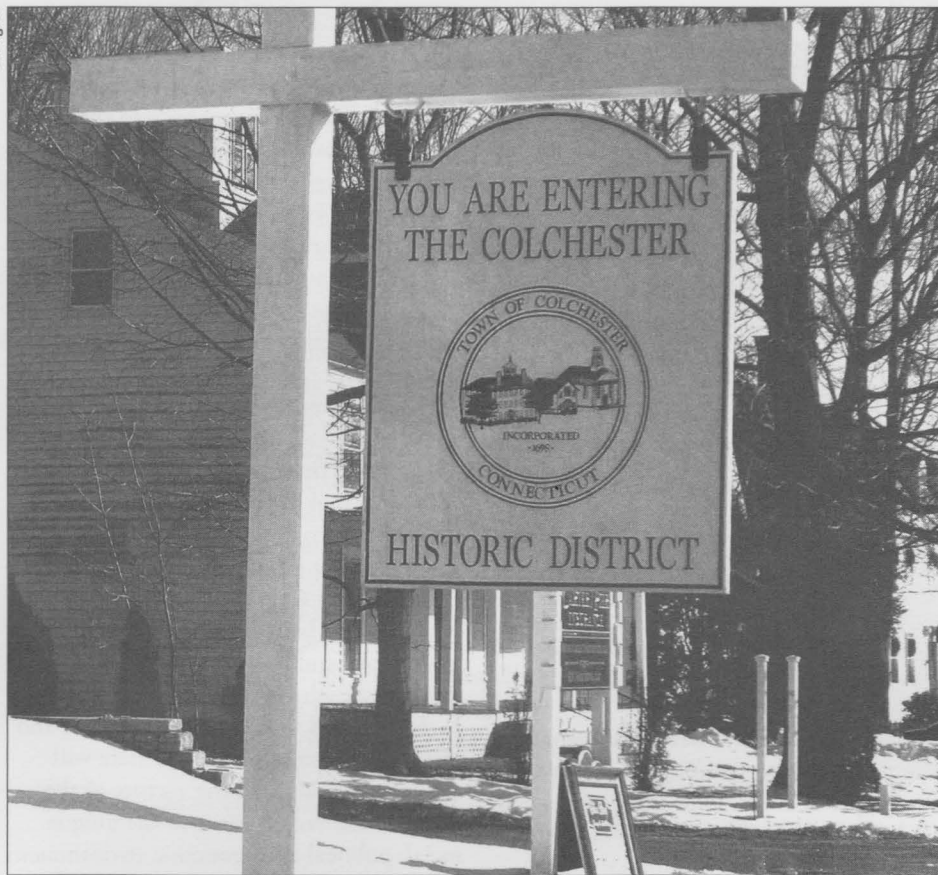
—Donovan Rypkema

corporations, is "bizarre.")

### Affordable housing:

Rypkema said, "The current need for affordable housing is disproportionately being met by older and historic houses. The vast majority of this housing is provided with no subsidies, incentives, or gov-





Economic studies consistently show that local historic districts enhance property values.

ernment intervention of any kind. However the existing supply of older and historic housing is disappearing at an alarming rate—557 units every day for the last 30 years. If today we had to replace the older and historic buildings occupied by households below the poverty level, using the most cost-effective Federal programs, the bill would be \$335 billion.”

**The Main Street program has been the most cost effective program of economic development in America, bar none.**

—Donovan Rypkema

energy represented by the building to be demolished, as one factor to be considered in determining if demolition is justified.

Historic buildings tend to be con-

structed of the *least* energy-consumptive materials—timber, brick, plaster, concrete. New buildings tend to be constructed of the *most* energy-consumptive materials—steel, plastic, vinyl, aluminum.

Preservationists must stop justifying buildings that waste energy and focus on ways to improve their performance.

Making a new aluminum window requires 126 times the energy required to repair historic wood windows. A far better use of stimulus money would be to train workers to repair wood windows. ♻️

*For more information...*

Donovan Rypkema:

[www.placeeconomics.com](http://www.placeeconomics.com)

Connecticut Main Street Center:

[www.ctmainstreet.org](http://www.ctmainstreet.org)

#### **Smart growth:**

“Historic preservation supports smart growth—in fact, historic preservation *is* smart growth.”

#### **Sustainability:**

Demolishing a 25 by 120-foot downtown commercial building negates the environmental benefit of recycling 1,344,000 aluminum cans.

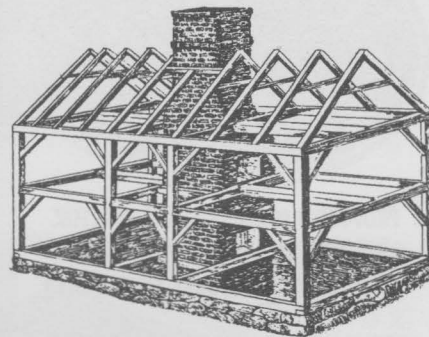
Rypkema has proposed that the city of Tacoma, Washington, require every demolition request to report the embodied

## West River Restoration



18th and early 19th century structural repair, restoration and recreation.

Doors, windows, trim, siding, period rooms, floors, sills, framing, fireplaces, masonry, kitchens, baths, and barns.



**Thomas Linskey**

350 Middle Haddam Rd.

Portland, CT 06486

860-342-2289

860-463-1185

*“An old house craftsman dedicated to perpetuating early Connecticut architecture, one job at a time, large or small, for individuals and organizations.”*



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

Date: October 31, 2018

To: Maria Capriola MPA, Town Manager

From: Michael Glidden CFM CZEO  
Director of Planning and Community Development

Re: Business Development Assistance Application of Solectran LLC for 690 Hopmeadow Street

Maria:

I have reviewed the application and supporting documentation of Solectran LLC (Mark and Ieke Scully) for business development assistance. The application is specific to the re-development or re-use of the Ensign Mansion for a mixed use project.

## Property Background

The subject property contains a mansion with annex which is commonly referred to as the Ensign Mansion. According to the Simsbury Center Historic District dated 04/12/1996, the brownstone house at 690 Hopmeadow Street was constructed in 1909. This structure is noted as being a contributing property for the Simsbury Center Historic District (see attached pages from district report).

## Project

On June 4, 2018; the applicant received approval from the Zoning Commission for a site plan amendment (see attached approval letter). The intent of the site plan amendment was for the first floor of the annex and mansion to be converted into a 7,160 sq ft restaurant and 1,457 sq ft office space. The second and third floors of the mansion would be converted into 5 residential dwelling units (see attached floor plans).

## Review of Policy

### Targeted Businesses/Industries

The Business Development Assistance Policy lists eight types of business described as being preferred types of development. The proposed business appears to be considered a mixed use development, as defined in category number 7. A mixed use development is defined as development which contains at least 25% of its floor area designated for commercial use that is located in the Simsbury Town Center Code area.

### Sustainable Businesses

The policy discusses the characteristics associated with a business that are determined to be sustainable such as the generation of additional tax revenue or providing lasting employment. The restaurant planned for the first floor is

Telephone (860) 658-3200  
Facsimile (860) 658-9467

An Equal Opportunity Employer  
[www.simsbury-ct.gov](http://www.simsbury-ct.gov)

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

Metro Bis which is currently located in Simsbury at the 1820 House. The work force that will be employed at the new location is an increase from the current employment totals for the business.

The sustainability description mentions improving aesthetics of the community and historic preservation as other areas on which the community places importance. As stated earlier, the structure at 690 Hopmeadow Street is considered to be contributing property in the Simsbury Center Historic District. The Simsbury Form Based Code also identifies this structure as a "protected building" due to its historic significance. Unlike previous proposals, the applicant is planning on preserving both the mansion and annex.

### **Tax Abatement Schedule**

The applicant is requesting a reduction of tax assessment for a period of ten years. The policy outlines that the maximum period of time for abatements is seven years. The Statement of Purpose for the policy refers to the enabling statute (CGS 12-65b and 12-65h). Statute permits towns to develop tax abatement policies for up to ten years.

While the requested time period exceeds the policy document outline, it is consistent with State Statute.

### **Business Development Incentive Minimum Requirements**

The project has secured all applicable zoning approvals related to the change of use. I am not aware of any outstanding fees or taxes associated with this project.

The Zoning Enforcement Officer inspected the site on 10/31/2018. At the time of her inspection there were no violations of the applicable Zoning Regulations or recorded approvals. It appears that all work associated with the change in use is progressing in compliance with the site plan.

I have attached to this memorandum excerpts from the 2017 Plan of Conservation and Development (POCD) which are relevant to the property/project. The site is identified on page 40 as a character place.

On page 48, the plan recommends *"support efforts to protect historic sites and areas"*.

Also on page 48 in section D Adaptation/Re-Use the plan states the following goals:

- "1. Consider allowing adaptive reuse of historic buildings (residential, commercial, governmental and industrial) if that will be instrumental in preserving them.*
- 2. Maintain the architectural integrity of historic structures and site when adapted for re-uses for commercial, industrial, or residential purposes.*
- 3. Encourage preservation of the historic character of structures and sites and the preservation/maintenance of such buildings in an appropriate way"*

Lastly on page 48 the plans states that the Town of Simsbury will *"Pursue and promote financial incentives for preservation (grants, tax incentives, loans, easements, assessments deferrals, etc.)"*.

On page 66 of the POCD, the plan states: *"Encourage greater density and intensity in Simsbury Center to help create a larger "critical mass" and a greater sense of activity provided it enhances the character of community."*

Page 67 of the POCD speaks to encouragement of mixed use development in Simsbury Center. Specifically it states the following activities that the Town will do:

- "1. Encourage or require multi-story buildings in Simsbury Center, preferably mixed use buildings*
- 2. Maintain regulations that permit residential use, including a mixed-use development within the Simsbury Center area"*



## Staff Comments

The role of the Business Development Commission is to provide an advisory opinion to the Board of Selectmen concerning requests for tax abatements, fee reductions, or infrastructure rebates. Any recommendations made by this commission would be shared with the Board of Selectmen and taken into consideration before final action is taken on said requests.

As noted above the applicant is requesting tax abatement for a period of ten years. Statute permits abatements for up to ten years; however, the policy indicates that seven years is the maximum allowed. The policy refers to the enabling statute which was updated recently.

The applicant is requesting a reduction of sewer connections fees. Attached to this correspondence is the determination of change of use fees issued by Water Pollution Control Authority. The reduction of this fee will require action by the Water Pollution Control Authority. This portion of the request should be made to the Water Pollution Control Authority not the Business Development Commission.

The applicant has clearly demonstrated by the documentation provided that the proposed project will result in preservation of a historically significant structure. The new restaurant will result in an expansion of the existing Metro Bis labor force.

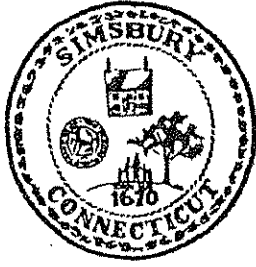
Staff has provided all of the relevant sections of the Plan of Conservation and Development, of which this proposal appears to be consistent with the goals and objectives. It is staff's opinion that the proposal overall meets or conforms to the goals and objectives of the 2017 Plan of Conservation and Development.

All of the development approvals, such as zoning approvals and building permits, have been secured by the applicant at this time.

The re-invest and re-use of the property will result in an increase of property and personal taxes which are collected from this property.

The granting of abatements will help preservation and enhancement of a historically significant structure that serves as a gateway to the Simsbury Center Historical District. Long-term the project will increase the taxes both personal property and real estate that is collected by the Town of Simsbury. The development will provide an orderly re-development of property in the center which will promote mixed use with both commercial and residential.

Staff supports the granting of tax abatement for the project.

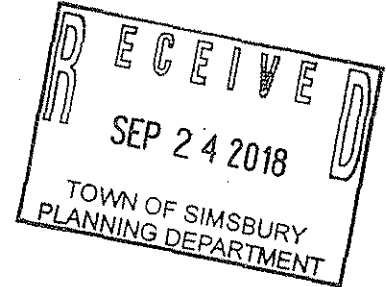


# Town of Simsbury

WATER POLLUTION CONTROL  
36 Drake Hill Road Simsbury, Connecticut 06070

September 21, 2018

Mark Scully  
29 Notch Road  
West Simsbury, CT 06092



Re: Change of Use at 690 Hopmeadow Street, Simsbury, CT

Dear Mr. Scully:

Evaluation of the proposed change of use at 690 Hopmeadow Street, Simsbury, CT has been completed. The change of use includes office use, a 284 seat restaurant, and five (5) apartments totaling 23,446 square feet. This building was formally listed as office use only.

The enclosed spreadsheet provides the calculation of the Change of Use. The calculated Change of Use is 1587 gallons per day increase for the location. This change of use requires a one-time charge because of the increased sewer flow that will be generated. The Change of Use Fee will be \$28,126.00.

The FCC Change of Use is typically paid prior to the business obtaining the certificate of occupancy.

Additionally, you must ensure the facility has an approved grease recovery unit installed that is designed for the expected flow.

If you have any questions, please call 860-658-3258.

Sincerely,

Anthony Piazza  
Superintendent

Enclosure

Cc: P. Gilmore, Chairman, WPCA  
T. Roy, Director of Public Works  
H. Miga, Building Official  
M. Glidden, Director of Planning

Capacity Review: 690 Hopmeadow Street

Property's underlying zoning **SCZ**

Gross acreage available **3.24**

gpd, allocated flow from the site **5919 \***

Proposed development	sq.ft.	gpd
Existing Use - Office	23446	-2345
<b>New Use</b>		
284 Seat Restaurant		2840
Office Space	1920	192
Apartments - 6 Bedrooms		900
1-Studio FCC \$2865		
3-1 Bedroom FCC each \$2865		
1-2 Bedroom FCC \$3275		

Total projected use from site 3932  
Total new use from site 1587

	Calc'd	Applied
FCC units	7.55	6.87
Facility Connection Charge		\$28,126

REVISED:

\* Allocation waver granted by WPCA to 11000 GPD

Constants	
43560	sq.ft./acre
15000	R15 sq.ft./lot
3	R15 bedrooms/lot
0.85	R15 building lot % available
40000	R40 minimum building lot square feet
3.2	R40 & R80 bedrooms/lot
0.8	R40 building lot % available
80000	R80 minimum building lot square feet
0.75	R80 building lot % available
0.4	B1 percent maximum floor area
1100	B1 allocation, gpd/vacant acre
1827	B2,B3, SCZ allocation, gpd/vacant acre
3220	I1 allocation, gpd/vacant acre
3400	I2 allocation, gpd/vacant acre
150	gpd/bedroom
15	gal/person-day, low range, day school, with cafeteria and showers
21	gal/person-day, high range, day school, with cafeteria and showers
0.1	office/large retail/commercial bldg, flow per sq.ft. gross area
20	bar/cocktail lounge, gpd/seat
8	restaurant, without bar, gpd/customer
10	Restaurant, gpd/seat
1.5	Takeout, gal/meal served
10	retail, gpd/employee
50	beauty salon, per chair
210	gallons per EDU
4095	Facility Connection Charge, \$/unit
2500	sq.ft. per FCC unit, Office, Retail, Commercial

NOTE 1:

The Simsbury Sewer Use Ordinance prohibits discharge of non-contact cooling water and condensate to the sanitary sewage system. Permission of the Simsbury WPCA would be required for this method of non-contact cooling water or condensate disposal.



overhang of its gabled roof. The Central of New England Railroad Station, 736 Hopmeadow Street, ca.1880, is a one-story frame rectangular building, with bracketed roof overhang.

Modest commercial and industrial development, perhaps aided by railroad transportation, occurred in the district late in the 19th century and early in the 20th century. The turn-of-the-century one- and two-story brick industrial building at 9 Phelps Lane features bays divided by pilasters and corbeled roof line in the district's only display of such brick-laying craftsmanship. The adjoining small frame gable-roofed house at 5 Phelps Lane, 1883, has a distinctive recessed porch at a front corner. The Welden Hardware Company's three-story brick building, 10-14 Station Street, 1900, is a vernacular but well-preserved commercial block representative of its time.

Accommodation for travelers brought by rail was provided at the Maple Tree Inn, 781 Hopmeadow Street, 1897, a gambrel-roofed frame building which is one of a row of three. To its south is 765-767 Hopmeadow Street, ca.1900, a frame house with first- and second-floor front porches. To its north is 783-789 Hopmeadow Street, ca. 1910, an American Four-Square house now with retail space at first floor. Its first-floor retail space has a front pent roof which extends along a 1920 rectangular cinder-block building, 775-779 Hopmeadow Street, located in front of two adjoining frame houses, 781 Hopmeadow Street and 765-867 Hopmeadow Street, which are set back farther from the street. The arrangement is an example of early adaptation to commercial use along Hopmeadow Street.

In early 20th century the dominant forces in the district's development were three prominent Simsbury families, Eno, Belden, and descendants of Joseph Toy. Amos Eno, son-in-law of Elisha Phelps, a Simsbury native who made a fortune in New York City real estate, owned the brick house at 731 Hopmeadow Street, built in 1822 in the Federal style, which underwent major Colonial Revival alterations. He was the donor of Simsbury Free Library, 749 Hopmeadow Street, 1887 (Photograph 2), an early example of work in the Colonial Revival style by Melvin H. Hapgood, architect. His daughter, Antoinette Eno Woods, made the extensive changes and additions to her father's house at 731 Hopmeadow Street at the turn of the century, at which time it assumed its present Colonial Revival-style appearance. Her philanthropy provided the funds for Eno Memorial Hall, 754 Hopmeadow Street, 1932, Smith & Bassette, architects (Photograph 3), which is an elaborate and skillful essay in the Colonial Revival style now in an excellent state of preservation.

Horace Belden supported the town in a variety of ways. In 1872 he was a founder of the Simsbury Water Company, now housed in a 1933 building at 6 Station Street. A notable philanthropy was his gift to the town of the Horace Belden School, now Simsbury Town Office Building, 933 Hopmeadow Street, 1907, Edward T. Hapgood, architect (Photograph 9). It is a one-story solid brownstone ashlar building designed in an eclectic combination of Richardsonian Romanesque and Gothic Revival styles. The Simsbury Grammar School, 1913, up the hill to the west, is also a brownstone building; it displays Renaissance Revival influence in its design.

Joseph Toy was a founder of the fuse-manufacturing company which became Ensign-Bickford Company, still the town's largest employer. Through marriages of his daughters, ownership of the company was continued in the Ensign, Ellsworth, and Darling families. Ralph H. Ensign donated \$50,000 for the 1909 Methodist Episcopal Church, 799 Hopmeadow Street (Photographs 5, 6). George Keller, Hartford's leading 19th-century architect, who received the commission, designed what he referred to as a "Modern Gothic" brownstone edifice in an example of the less angular and more unified work characteristic of the maturity that came toward the end of his career. Joseph R. Ensign built the large two-story brownstone house at 690 Hopmeadow Street, 1909, for which the architect is unknown. Its red

sandstone stable/garage stands across the street at 700 Hopmeadow Street. He also organized the Simsbury Bank & Trust Company, 760 Hopmeadow Street, 1917, Smith & Bassette, architects. The bank is a two-story Colonial Revival commercial building of red brick with two-story fluted pilasters and roof-line balustrade, which was also used for stores and offices.

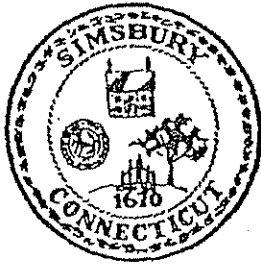
The frame Darling house at 720 Hopmeadow Street burned in 1918, to be replaced by the existing Robert and Julia Darling House, 1927, architect unknown, again an example of the Colonial Revival in red brick with white trim. The earlier Darling stables on Mall Way, 1904-1914, are a large U-shaped two-story complex in red sandstone with gable roof, partially slate-covered. One stem of the U terminates in a house. The former Harry E. Ellsworth House is no longer standing, but is remembered by its frame caretaker's cottage, 740 Hopmeadow Street, 1900, distinctive for its square cupola, and by the Ellsworth icehouse, 1889, on Massacoh Plantation, 800 Hopmeadow Street. The Ellsworth family also gave to the town the memorial gateway to Simsbury Center Cemetery, 755 Hopmeadow Street, 1922, and Emmet and Annie Ellsworth Schultz Park, 1976.

The range of buildings in the district spans three centuries and a wide variety of types, functions, and architectural styles representative of Simsbury Center's development from colonial settlement to the present.

### Inventory

C and NC in the first column indicate whether the resources are considered to be contributing or non-contributing to the historic and architectural significance of the district. Dates are taken from the Historic and Architectural Resource Survey of Simsbury Center and/or Assessor's field cards.

C/ NC	Address	Year	Description
C	689 Hopmeadow Street	1830	First Church of Christ. 2-story Federal/Greek Revival frame church with pedimented pavilion and 3-stage steeple. Isaac Damon, architect. (Photograph 1)
C	690 Hopmeadow Street	1909	Joseph R. Ensign House. Large 2-story brownstone Italianate asymmetrical structure with tile roof. William M. Ketchin, builder.
C	695 Hopmeadow Street	1839	Simsbury Townhouse. 1-story frame Greek Revival structure with tetrastyle portico under flush pediment. Listed on the National Register of Historic Places.
C	700 Hopmeadow Street	ca.1905	Joseph R. Ensign House Garage. 1-story rectangular brownstone gable-roofed building.
C	720 Hopmeadow Street	1927	Robert and Julia Darling House (part of parcel, see map). 2-story Colonial Revival brick 23-room house. Listed on National Register of Historic Places.



# Town of Simsbury

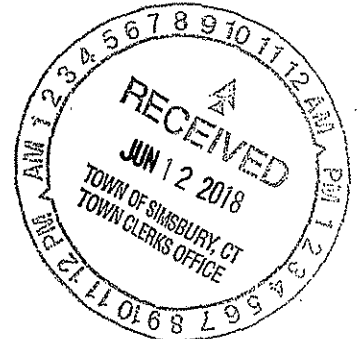
933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

*Office of Community Planning and Development*

June 12, 2018

Mark Scully  
29 Notch Road  
West Simsbury CT 06070



**REFERENCE:** Application #18-25 of Solectran, LLC, Owner, for a Site Plan Amendment for a change of use on the property located at 690 Hopmeadow Street (Assessor's Map G11, Block 132, Lot 053). Zones SC-1 and SC-3

Dear Mr. Scully:

The Town of Simsbury's Zoning Commission, at a regular meeting held on Monday, June 4, 2018, approved, with modifications and conditions, your application for a Site Plan Amendment for a change of use on the property located at 690 Hopmeadow Street.

The site plan amendment is subject to the following conditions of approval:

1. An administrative zoning permit is required for the change in use.
2. For issuance for an administrative zoning permit the final plan shall incorporate the following changes:
  - a. Plans are to be signed and sealed by all applicable professionals.
  - b. Sidewalk improvements depicted in the state right of way are to be removed from the plans
  - c. Spot grades are to be provided in area of ADA compliant parking locations and associated travel paths in order to demonstrate ADA compliance on sheet LL.1
  - d. Detail for the cable railing for proposed deck to be added to Sheet A-2.1
  - e. Written approval from Town Engineer
  - f. Grading details for proposed feature (fountain/patio) within northern end of lawn to be added to Sheet LG.1
  - g. Provided two complete paper sets of final plans to the Planning Department.
  - h. Mylars of Sheets LL1 and LLG1 to be provided to the Planning Department.
3. A pre-construction meeting is required with Zoning Enforcement Officer and applicable town staff prior to start of site work.
4. Approval is for work within site. Any work within the state right of way requires approval from CTDOT district 4. Said approvals are to be secured before work commences in the right of way.
5. The Zoning Commission authorizes staff on behalf of them to approve minor modifications to the approved plans such as changes to grading and/or landscaping.

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Facsimile (860) 658-3206

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



Said requests for changes are to be made in writing and approved by Planning Department staff prior to implementation in the field.

6. Approval is for the change in use only. Separate approvals are required for signage and liquor licenses.


If you have any questions, you can reach me at 860-658-3252 or [mglidden@simsbury-ct.gov](mailto:mglidden@simsbury-ct.gov).

Very Truly Yours,



Michael Glidden CFM CZEO  
Assistant Town Planner

cc: Jeff Shea, Town Engineer  
Robin Newton CZEO, Code Compliance Officer  
Planning Department File  
Building Department File  
Town Clerk  
Assessor's Office

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"><li>■ Complete items 1, 2, and 3.</li><li>■ Print your name and address on the reverse so that we can return the card to you.</li><li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>	<p>A. Signature <b>X</b> <i>Mh</i> <i>SG</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>
	<p>B. Received by (Printed Name) <b>MARK SCULLY</b></p>
	<p>C. Date of Delivery <b>6/19/18</b></p>
	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to: <b>mark scully</b> <b>29 Notch Rd</b> <b>West Simsbury CT 06092-2710</b></p>	
<p>Barcode:  9590 9402 3654 7335 1740 35</p>	
<p>2. Article Number (Transfer from service label) <b>7018 0040 0001 1445 0773</b></p>	<p>3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery</p>
	<p><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>

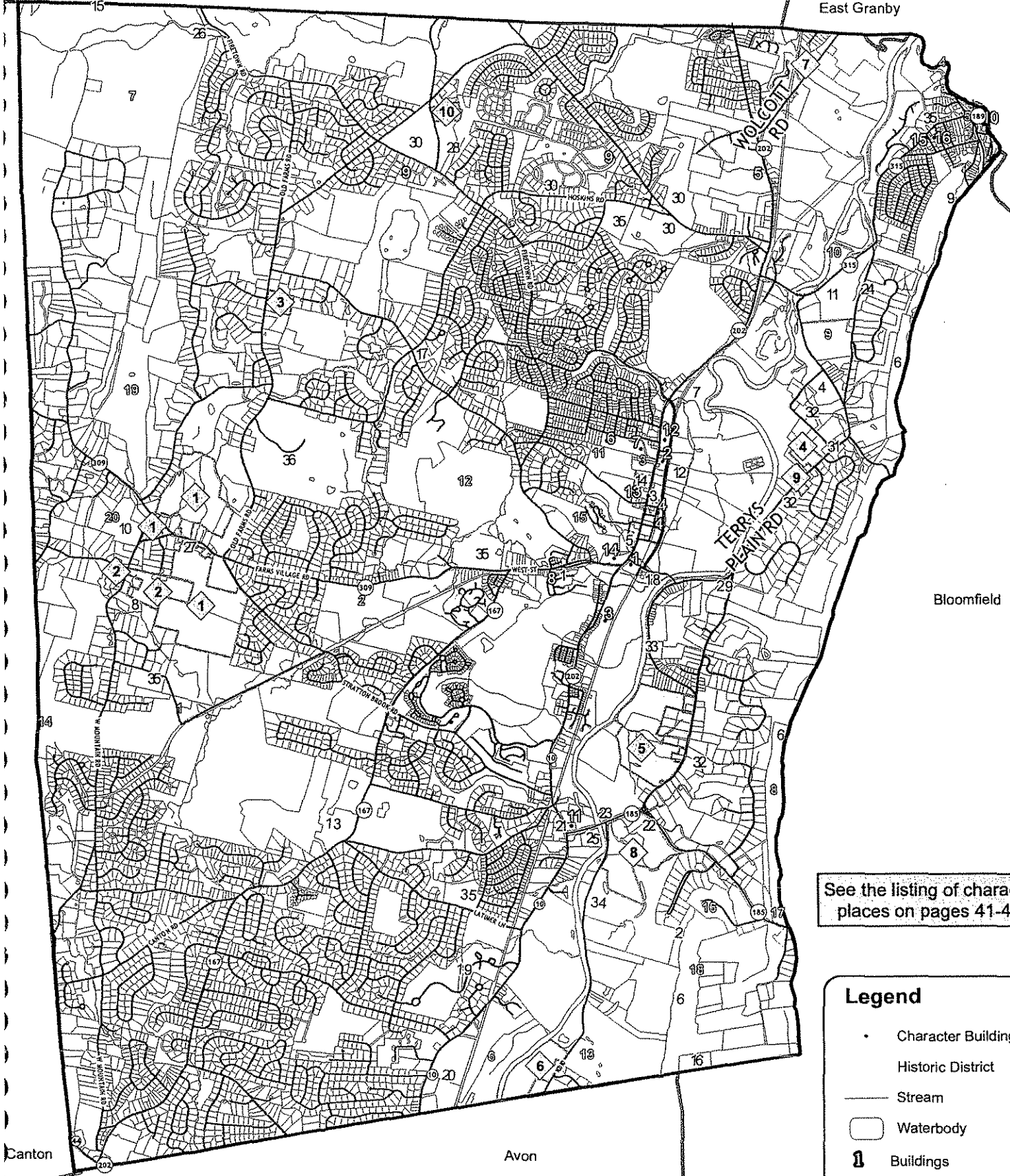
PS Form 3811, July 2015 PSN 7530-02-000-9053 **2018-25** Domestic Return Receipt

Granby

# Character Places

Simsbury, CT

East Granby



Bloomfield

Avon

Canton

See the listing of character places on pages 41-42.

## Legend

- Character Building
- Historic District
- Stream
- Waterbody
- 1 Buildings
- 2 Aesthetic Places
- 3 Farms
- 4 Parks and Recreation

4,250

Feet

## What We Want To Protect – Maintain And Enhance Community Character

### Adaptive Re-Use

Since older buildings may outlive their original purposes, adaptive re-use is a process where older buildings are adapted for new uses while retaining their historic features.

For example:

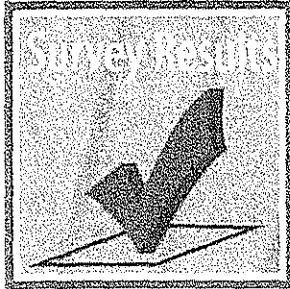
- an old factory may become an apartment building,
- a church may become a restaurant (or a restaurant may become a church),
- an old house may be converted to office use.

C. PROTECTION / REGULATION –Simsbury will:		Leader	Partners
1.	Support efforts to protect historic sites and areas.	Town	HDC SHS
2.	Consider historic and archeologic resources as part of land use applications.	Town	ZC PC
<input type="checkbox"/>	a. Amend the Subdivision Regulations to require consideration of historic and archeologic resources.	PC	
<input type="checkbox"/>	b. Amend the Zoning Regulations to require consideration of historic and archeologic resources and preservation of such resources, where possible.	ZC	
<input type="checkbox"/>	c. Adopt regulations to protect archeological resources.	Town	
3.	Support the establishment of local historic districts (a regulatory approach) where supported by affected owners.	Town	
4.	Retain the Town's Delay of Demolition Ordinance.	BOS	
		Code legend is on inside back cover	

D. ADAPTATION / RE-USE –Simsbury will:		Leader	Partners
1.	Consider allowing adaptive reuse of historic buildings (residential, commercial, governmental and industrial) if that will be instrumental in preserving them.	ZC	
2.	Maintain the architectural integrity of historic structures and sites when adapted for re-use for commercial, industrial or residential purposes.	DRB	ZC HDC SHS
3.	Encourage preservation of the historic character of structures and sites and the restoration / maintenance of such buildings in an appropriate way.	Town	HDC SHS
		Code legend is on inside back cover	

E. PROGRAMS –Simsbury will:		Leader	Partners
1.	Pursue and promote financial incentives for preservation (grants, tax incentives, loans, easements, assessment deferrals, etc.)	Town	
2.	Use techniques such as open space cluster zoning to preserve historic buildings and sites.	Town	ZC PC
3.	Maintain Simsbury's designation as a Certified Local Government in the National Historic Preservation Program in order to be eligible for grants and other assistance.	Town	HDC
		Code legend is on inside back cover	





In the telephone survey, participants were asked whether they agreed or disagreed with the following statements:

***Simsbury should look at how to provide for more housing in Simsbury Center.***

Strongly agree	7%
Agree	29%
Not sure	9%
Disagree	49%
Strongly disagree	6%

***The design of buildings is an important consideration in any new development in Simsbury Center.***

Strongly agree	36%
Agree	55%
Not sure	3%
Disagree	6%
Strongly disagree	1%

### 8.3 Strengthen and enhance Simsbury Center as the primary focal point in the community.

A. OVERALL INTENSITY / ACTIVITY –Simsbury will:		Leader	Partners
1.	Encourage greater density and intensity in Simsbury Center to help create a larger “critical mass” and a greater sense of activity provided it enhances the character of the Center.	Town	ZC
2.	Work cooperatively with the Simsbury Main Street Partnership to increase the economic success of Simsbury Center.	Town	EDC MSP
3.	Encourage infill development between Hopmeadow Street and Iron Horse Boulevard.	Town	EDC MSP
<input type="checkbox"/>	a. Seek to make state-owned land in Simsbury Center available for local development purposes.	Town	EDC
Code legend is on inside back cover			

B. BUILT FORM –Simsbury will:		Leader	Partners
1.	Strengthen the “pedestrian-friendly environment” in Simsbury Center.	Town	DRB ZC
2.	Maintain a “form-based” approach to development in Simsbury Center.	ZC	
<input type="checkbox"/>	a. Enhance the “form-based code” for Simsbury Center to add architectural and landscape guidelines.	ZC	
3.	Preserve historic buildings in Simsbury Center and guide the design of new buildings to fit into the fabric of the area.	ZC	DRB
<input type="checkbox"/>	a. Establish a “village district” (in accordance with CGS 8-2j), if needed, to help ensure development is consistent with the character of the Center.	ZC	
Code legend is on inside back cover			

C. EXTENT –Simsbury will:		Leader	Partners
1.	Consider extending the Simsbury Center zone to include the Ensign-Bickford complex in the future, if appropriate.	ZC	
<input type="checkbox"/>	a. Develop a preliminary adaptive re-use plan to prepare for the possibility that the former Ensign-Bickford complex might become a multi-user facility someday.	Town	
Code legend is on inside back cover			

## How We Want To Grow – Promote Places With A Sense of Place

D. MIXED USES –Simsbury will:	Leader	Partners
1. Encourage or require multi-story buildings in Simsbury Center, preferably mixed-use <u>buildings</u> .	ZC	
2. Maintain regulations that permit residential use, including a mixed-use <u>development</u> within the Simsbury Center area.	ZC	
Code legend is on inside back cover		

E. PEDESTRIAN-ORIENTED IMPROVEMENTS –Simsbury will:	Leader	Partners
1. Provide for a system of sidewalk, crosswalk, and streetscape improvements throughout Simsbury Center to establish a safe and welcoming pedestrian environment.	Town	
<input type="checkbox"/> a. Improve wayfinding for pedestrians and vehicles.	Town	MSP
<input type="checkbox"/> b. Complete landscaping, lighting, signage, and gateway improvements recommended in the Simsbury Center Streetscape Study.	Town	
2. Encourage or require new developments to provide pedestrian improvements and amenities.	ZC	
Code legend is on inside back cover		

F. OTHER IMPROVEMENTS –Simsbury will:	Leader	Partners
1. Promote the safe and convenient movement of traffic into and through the Town Center.	Town	DOT
2. Address infrastructure improvements (if any) needed to support the desired development program in the Center.	Town	
3. Continue to support other improvements in and near Simsbury Center (such as at the Performing Arts Center) that will help create a vibrant and interesting area.	Town	
Code legend is on inside back cover		

G. MANAGEMENT –Simsbury will:	Leader	Partners
1. Explore creation of a Special Services District in order to coordinate marketing, streetscape improvement, and other programs to benefit the Town Center.	Town	
2. Encourage improvement of “under-performing” business properties in Simsbury Center.	Town	EDC MSP
3. Reduce or minimize the impact of less attractive features (such as loading areas, mechanical equipment, etc.).	ZC	
4. Encourage the “undergrounding” of overhead utility wires as opportunities arise.	Town	
Code legend is on inside back cover		

## Mixed Use

The term “mixed use” is used to refer to a situation where residential and business uses exist on the same site. For many years, zoning in suburban communities was focused on the separation of uses. In recent years, there has been interest in encouraging or requiring mixed uses as part of creating vibrant and pedestrian friendly environments in town centers and other areas.

There are two separate mixed use concepts expressed in the POCD:

- Mixed use buildings are where the two uses are in the same structure, typically with business uses at street level and residential uses above.
- Mixed use development is when the two uses are on the same site or in the same development but not in the same structure.

## How We Want To Grow – Guide Residential Development

B. LIMITED MEANS –Simsbury will:		Leader	Partners
1.	Seek to promote housing choices for persons of limited economic means.	Town	SHA
2.	Encourage new residential development to include units for lower-income families.	ZC	
3.	Seek to obtain grants and loans in order to help persons and families of limited means provide for: <ul style="list-style-type: none"> <li>rehabilitation of existing housing units; or</li> <li>construction of new units.</li> </ul>	Town	SSS SHA
		Code legend is on inside back cover	

### **10.3 Relate residential zoning to the desired overall structure of the community.**

A. RESIDENTIAL DENSITY –Simsbury will:		Leader	Partners
1.	Consider whether undeveloped residential areas <u>outside the sewer service area</u> should be rezoned to R-80 in order to assure adequate water supply and sewage disposal.	ZC	
		Code legend is on inside back cover	

B. OPEN SPACE PATTERNS–Simsbury will:		Leader	Partners
1.	Evaluate all proposed residential developments for their feasibility as open space cluster development in order to recommend the more appropriate development pattern.	PC	
2.	Support open space cluster development where such development will help preserve important resources.	PC	
		Code legend is on inside back cover	

C. CONCURRENCY–Simsbury will:		Leader	Partners
1.	Require concurrency as part of any mixed-use <u>development</u> so business development occurs on a pro rata basis with any residential units.	ZC	
<input type="checkbox"/>	a. Amend the Zoning Regulations to require concurrency of as part of a mixed use development.	ZC	
		Code legend is on inside back cover	



# Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

**To:** Maria Capriola, Town Manager  
**From:** Amy Meriwether, Finance Director/Treasurer  
**CC:** Michael Glidden, Planning Director  
David Gardner, Assessor  
**Date:** November 8, 2018  
**Re:** Business Development Assistance Application – 690 Hopmeadow Street

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An application for business development assistance was received by the Town of Simsbury on September 24, 2018 by Solectran LLC in reference to the property located at 690 Hopmeadow Street. The applicant is requesting tax abatements and fee waivers totaling \$633,754. Below is a breakdown of the requested abatements and waivers:

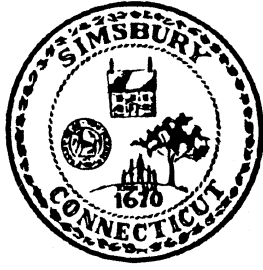
- Ten year tax abatement, starting FY2019/20 – FY2028/29 - \$571,690
- Sewer hookup charge - \$28,126
- Construction permit - \$18,848
- HVAC equipment permit - \$8,556
- Plumbing permit - \$3,250
- Electrical permit - \$2,170
- Fire sprinkler permit - \$800
- Demolition permit - \$314

After a detailed review of the application, the following comments are being submitted for further consideration in the full/partial granting of the request for assistance:

- The taxes associated with this property for FY19 and FY20 are \$28,171 and \$28,734, respectively. Under the proposed abatement request, it will take seven (7) years to attain the same value of tax revenue the town is currently receiving.
- The current town policy only allows for a seven (7) year abatement. This was consistent with State statute at the time of the policy. David Gardner, Assessor, reviewed the most recent State statute noting it was increased to ten (10) years.



- Sewer Hookup Fee (\$28,126) –The Water Pollution Control Authority (WPCA) charges all citizens and businesses for sewer hookup regardless of circumstances. Per discussion with Tony Piazza, WPCA Superintendent, if the applicant would like to pursue a sewer hookup waiver this has to be applied for via the WPCA. Based on prior practice of the WPCA, the Superintendent felt it would be highly unlikely this request would be approved.



# Assessor Town of Simsbury

933 HOPMEADOW STREET  
SIMSBURY, CONNECTICUT 06070

November 8, 2018

To: Maria Capriola, MPA, Town Manager  
From: David Gardner, Assessor  
Re: Ensign House Business Development Assistance Application

The year reference on the tax projection table is the grand list year, so the fiscal year ending will be, for 10/1/2020, FYE 6/30/2022, and so forth.

I expect the first year tax to be about \$53,000 rounded to the nearer \$1,000, compared with the estimate in the application of  $\pm$  \$68,000 or about 78% as much. Reducing the 10 year abatement totals proportionately would make the estimated total tax about \$645,000, the abatement about \$446,000 and the net tax about \$199,000. I would consider this to a conservative estimate of the tax, so it may be higher.

Since the requested abatement is a per cent of the amount of tax otherwise due, an overestimation affects chiefly the amount of the abatement rather than the amount of tax the town would receive, especially in the earlier years of the proposed 10-year abatement.

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# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## Statement of Purpose for the Simsbury Business Incentive Program

In an ongoing effort to attract, retain and expand local businesses, the Town of Simsbury has adopted an incentive and abatement program. Created in accordance with Connecticut General Statutes 12-65b and 12-65h, the program allows the Town to enter into written agreements with owners and/or lessees of certain real property where targeted businesses are located or could be properly located in accordance with adopted plans in certain locations in Simsbury.

The decision to approve a request for tax abatement or any benefit described in this Policy is within the sole and exclusive discretion of the Simsbury Board of Selectmen. The filing of an application under this Policy or any recommendation of the Business development Committee or any other Town Agency is not binding on the Board of Selectmen and creates no rights for the applicant or any obligation for the Town.

*This Business Incentive Program is completely separate from the statutorily required local land use approval process.*



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

**TOWN OF SIMSBURY**  
**BUSINESS DEVELOPMENT INCENTIVE POLICY**  
*Adopted by the Simsbury Board of Selectmen on February 11, 2002*  
*Revised Date: June 22, 2015*  
*Revised Date: August 13, 2018*  
*Revised Date: November 26, 2018*

## **Effective Date**

This policy shall remain in effect until revised or rescinded and replaces the revised policy effective June 22, 2015. The Town reserves the right to amend this policy as necessary.

**WHEREAS**, The Board of Selectmen of the Town of Simsbury seeks to encourage the growth and expansion of resident businesses as well as the initial location of specific types of businesses within the Town of Simsbury; and

**WHEREAS**, to help accomplish this goal the Town of Simsbury, acting through its Board of Selectmen, hereby establishes a process to take advantage of available economic development incentives as found permissible by the Connecticut General Statutes, and

**WHEREAS**, the Town may offer qualified applicants temporary tax abatement pursuant to CGS § 12-65b. and § 12-65h., and

**WHEREAS**, the Town may also offer applicants other incentives as included herein if the proposed new development or expanded existing development are deemed to be in the best interests of the Town as described in this Policy, and

**WHEREAS**, the Town acting through the Business Development Committee (BDC) will review specific business development incentives on a case-by-case basis and will base the decision to grant any incentives to any specific project applicant on the requirements of this adopted policy and the overall best interests of the Town based on the required application materials, and

**WHEREAS**, in the event of unusual or extraordinary circumstances presented in writing by the applicant, the Business Development Committee may recommend to the Board of





# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

Selectmen approval of the waiver, if requested in writing by the applicant, of any requirement contained in the Policy so long as the development is found to be consistent with the stated goals and objectives of Simsbury's adopted economic development plans.

**NOW THEREFORE BE IT RESOLVED**, that the following program of incentives is hereby adopted and shall be implemented as indicated hereafter:



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## **THE TYPES OF BUSINESSES or INDUSTRIES TARGETED BY THIS POLICY:**

The Business Development Incentive Policy Program will be used to target the following types of high quality businesses that generate substantial tax revenue to the Town of Simsbury:

1. Corporate headquarters and satellite offices
2. Retail uses
3. Campus-style office development
4. Research and development and high technology and information technology facilities, especially those which are environmentally sustainable.
5. Manufacturing facilities as defined in Chapter 588 of CGS. (CGS 12-81, Subdivision 72 defines mfg. facilities.)
6. Existing Simsbury business expansion as defined in §12-65b(b). including office use, retail use, permanent residential use, transient residential use, manufacturing use, warehouse, storage or distribution use, structured multilevel parking use necessary possibly in connection with a mass transit system, information technology, recreation facilities, transportation facilities, or mixed- use development as defined in Section 8-13m. In order to be eligible the business use must be consistent with the list of types of businesses or industries targeted by this Policy (on Page 3).
7. Mixed Use Development which contains at least 25% of its floor area designated for commercial use if combined with a specific plan for the timely, acceptable, sequential development of the entire site and located in the Simsbury Town Center Code area, and existing area zoned for business use, an approved Planned Area Development (PAD) Zone or in an established Village District.
8. New or existing recreational or entertainment businesses which are in keeping with an adopted goal or plan.

## **The Town is interested in attracting sustainable businesses which will:**

1. Generate additional tax revenue through real estate and/or personal property taxes
2. Provide lasting employment opportunities.
3. Provide high quality goods and services
4. Improve the aesthetics of the community or a particular area of the community so designated for such development.
5. Occupy, use and/or preserve a historic site.
6. Provide desirable recreational and entertainment opportunities.

## **The following types of enterprises shall receive priority in consideration for recommendation for abatement or incentives as outlined in this policy:**

1. Those within targeted locations as identified in this Policy, the current Comprehensive Plan or adopted Economic Development Plan.



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

2. Those proposing a project that forwards a stated goal or objective which will bring about a substantial, positive impact on the Grand List.
  - a. For new businesses a substantial impact will be defined as contributing at least an additional one and one-half (1.5) million dollars in real estate value to the grand list.
  - b. For those businesses that are expanding and meet the above criteria as defined and contributing a minimum *increase* of one (1) million dollars in real estate value to the grand list or an *increase* of 50% of the current real estate value, whichever is greater.

## TAX ABATEMENT SCHEDULE\*

Minimum Investment	Period of Abatement Not More than
(1) Not less than \$3 Million	<del>7</del> 10 years
(2) \$500,000 - \$2,999,999	2 years
(3) Equal to 50% of the increase in the assessment	3 years
(4) For retail businesses: To be set by Ordinance	To be set by Ordinance

\* Maximum abatement possible, may not be granted for all applications. Percentage abatement applies to the increase in assessment. (example: 50%/40%/30%)

\* Varies based on specifics of application and determination of positive contribution to town.

## BUSINESS DEVELOPMENT INCENTIVE GUIDELINES:

### Overview and Background:

- A. The objective of offering a tax abatement or business development incentive as stated in the Purpose above is to encourage the attraction or expansion of specific types of businesses through the establishment of a public/private partnership, which results in growth expansion consistent with the Town of Simsbury's adopted plans, codes or regulations.
- B. Any proposed abatements or incentives are subject to final approval by the Board of Selectmen after referral to the BOS by the Business Development Committee.



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

- C. The Board of Selectmen, in adopting these incentive guidelines hereby establishes the following objectives consistent with adopted plans and sound economic growth.

The project must:

1. Provide a clear benefit to the Town as determined by:
  - a. Staff review of application facts and completeness, based on program policy, objectives and guidelines, and
  - b. Recommendation of the Business Development Committee, and
  - c. Approval of the Board of Selectmen.
2. Create substantial, long term tax base growth.
3. Provide stimulation of the local economic conditions for existing businesses, and the development of future related or unrelated industry groups.
4. Accomplish community goals as stated in the current Comprehensive Plan, Plan of Conservation and Development or adopted economic development plan.
5. Must have a solid financial base and growth potential as determined by the Director of Finance.
6. Have parent or subsidiaries of businesses which are the subject of or connected to such applications which must have a satisfactory record of environmental compliance as may be documented, or not, by Connecticut Department of Energy and Environmental Protection (DEEP).

## **BUSINESS DEVELOPMENT INCENTIVE MINIMUM REQUIREMENTS:**

1. The proposed project is a permitted use, or may be permitted by the Zoning Commission through a process established in the Simsbury Zoning Regulations. If rezoning is required, the abatement/incentive may be conditional.
2. Delinquency in any fees or taxes that have not been waived and that are otherwise due to the Town of Simsbury from the applicant or any related entity shall render the applicant and application ineligible.
3. If the end user of the proposed facility is a lessee, tax benefits must be clearly reflected in the lease as accruing to the Applicant entity for at least the term of the abatement period.
4. Applicant must not be in violation of any law, regulation or agreement with town, state or federal government, notwithstanding any tax lien with governmental forbearance.
5. Applicants must be committed to make a significant investment in new or renovated real property in Simsbury.
6. Applicant's project must provide new employment opportunities or enhancement to the tax base or encourage technological innovation and/or investment and address a goal(s) or objective identified in the Town's adopted plans.





# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

7. A statement is to be provided by the applicant as to the ownership structure of the real property, personal property and operating company including information as to the ownership of any applicable subsidiary companies.
8. There is a firm commitment to remain in the Town beyond the length of the abatement or other incentive period, if applicable.
9. All tax obligations to the Town by the applicant must be current except in the case when the applicant is seeking approval to purchase existing tax liens.
10. The project should meet goals and objectives identified in the adopted Plan of Conservation and Development and the adopted 1995 Economic Development Strategic Plan as it may be amended.
11. An agreement entered into pursuant to this Policy shall not be subject to assignment, transfer, or sale without the written consent of the Simsbury Board of Selectmen.
12. After approval of an application by the Board of Selectmen and approval of a final site plan by the Simsbury Zoning Commission, construction shall commence within twelve (12) months and shall be completed within twenty-four (24) months unless otherwise extended by the Board of Selectmen in its sole discretion.
13. In the event that the applicant, during the period of its participation in this program:
  - a. relocates its business from Simsbury,
  - b. becomes delinquent in taxes or fees,
  - c. closes its operation, or
  - d. declares bankruptcy,then any tax abatement or incentive benefit enjoyed by the applicant under this program shall be forfeited and the applicant shall be required to pay back all taxes that would have been assessed had the applicant not participated in the program.
14. If benefits were obtained fraudulently, the town may pursue any recourse allowed by law including prosecution and obtaining penalty fees.

## **TYPES OF ASSISTANCE AVAILABLE:**

### **Tax Abatement:**

The assessment of the real property and all improvements to be constructed thereon may be reduced for a period of time and under the conditions set forth in the above information chart.

The period of reduced assessment shall commence with the Grand List immediately following the issuance of a final certificate of occupancy for the new or expanded construction and upon the execution of an agreement satisfactory to the Town Attorney that will set the terms and conditions of the abatement/incentive based on the established parameters.

### **Waiving or Reduction of Any Town Permit Fees for targeted businesses and industries:**



# Town of Simsbury

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The BDC Committee may recommend to the Board of Selectmen waiver of up to 50% of any Town permit fees or a smaller portion of such fee upon request and determination that such a fee waiver would encourage the development or expansion of quality businesses especially those of the targeted industries. The Board of Selectmen may upon recommendation of the BDC agree to waive a portion up to 50% of the entire fee as it may determine necessary to encourage the desirable development. The development must have been determined to meet the applicable desirable criteria as outlined herein. The Town and the applicant shall enter into an agreement which will set forth the terms and conditions based upon the established guidelines. The agreement shall be approved by the Town Attorney. [Waiver of sewer fees should be directed towards the Water Pollution Control Authority.](#)

## **Infrastructure Rebate Program:**

An applicant who is applying for a complying new or expanded existing business development that meets the criteria herein may also apply for a partial rebate for infrastructure which is located in the public right of way and approved by the appropriate Town Departments, Town Engineer, and the Board of Selectmen for the construction of infrastructure which the Town Engineer determines will serve a valid public purpose, be in the best long term interest of the Town and may also, in certain developments, clearly contribute to the creation of a more walkable, sustainable community. Note that only improvements that are public and are constructed in the public right of way are eligible for any potential rebate. Parking facilities, for example, which are available to the public may be determined to be eligible for this program.

The percentage rebate which may be applied to any given development under this infrastructure rebate program is to be determined and recommended by the Town Engineer. The maximum percentage of rebate is to be 50% of the cost as determined acceptable by the Town Engineer. Certification of actual cost shall be made to the satisfaction of the Town Engineer. The actual approval of the infrastructure rebate including percentage shall be determined by the Board of Selectmen and also be based on available funding.

## **Application Requirements and Procedures:**

1. Applications shall be made to the Director of Planning and Community Development.
2. Applications shall be reviewed by the Town Manager.
3. Applications shall be referred to the Director of Finance [and Town Assessor.](#)
4. Applications shall contain at least the information specified herein as required by this policy.
5. For purposes of reviewing these Applications, there is established a **Business Development Committee (BDC)**. The Committee shall consist of five (5) members and one (1) alternate member appointed by the Board of Selectmen to two year terms.



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The Town Manager will serve as an ex-officio non-voting member of the Committee with full participation rights. The Town Manager will serve as the administrative chair and will make recommendations for Committee appointments to the Board of Selectmen. The five (5) members and one (1) alternate member of the Committee shall be as follows:

- 1 member of the Board of Selectmen and 1 alternate member of the Board of Selectmen
- 1 member of the Board of Finance
- 1 member of the Zoning Commission
- 1 member of the Economic Development Commission (EDC)
- 1 member at large, who is an elector of the community with expertise related to economic and business development

Should a BDC member who is an elected official or EDC member resign from their post, not be re-elected, or be re-appointed prior to the BDC term expiring, they would not be able to continue to serve because they are in a BDC slot reserved for a designated board or commission.

6. The Town Manager shall refer applications that meet the minimum requirements as set forth in this document to the BDC for consideration and recommendation to the Board of Selectmen.
7. Upon receipt of a complete application the BDC shall report the findings and recommendations of the Committee to the Board of Selectmen for action.

## **APPLICATION PROCEDURE:**

### **STEP 1:**

Applicant submits a written report, application and Economic Development Impact Statement to the Director of Planning, who will then suggest to the BDC, a Business Development Incentive, based on the report, the development's direct and indirect economic and fiscal impacts and compliance with the overall Business Development Policy.

The applicant's request should include at least the following types of information:

1. Specific Assistance Requested and rationale for the request.
  - a. Tax assessment reduction specifics on a year to year basis, estimated as closely as possible.
  - b. Waiving or reduction of any Town permit fee, specifying the amount of requested waiver



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- c. Any infrastructure rebate request specifically the amount of request with all construction details.
2. Description of the project including an estimate of the number of jobs to be created and their wages.
3. Description of the applicant's business including a listing of its officers.
4. Description of the application and its products or services.
5. An estimate of the value of the proposed improvements.
6. An estimate of employment provided, full-time and part-time.
7. An anticipated project construction schedule.
8. Identification of any other public incentives, financial or otherwise, which have been requested and are included in the project financing.
9. A statement of the benefits to the Town for granting an incentive including an estimate of local taxes to be paid on a year to year basis for as long as the requested incentive lasts.
10. All other information requested by the BDC and /or per the Minimum Criteria/Information of this policy.

## STEP 2:

1. The ~~Planning-Director~~ Town Manager shall refer the application to the Business Development Committee (BDC) for review and recommendation to the Board of Selectmen.
2. The BDC shall review and discuss the application. Questions of fact shall be answered by the applicant or the ~~Director of Planning~~ appropriate town staff.

## STEP 3:

The BDC shall make a recommendation to the BOS on the application.

## STEP 4:

Upon preliminary approval by the Board of Selectmen and at the direction of the First Selectman, the ~~Planning-Director~~ Town Manager ~~and if applicable, the Town Engineer~~, will work with the applicant, and the Town Attorney to draft a legal contract that assures that all provisions of the Business Development Incentive program as preliminarily approved by the BOS will be met. Contract details will be on a case by case basis depending on the project specifics.

## STEP 5:

In order for the incentives to become official, the Board of Selectmen must approve the final Business Development Incentive(s) in contract form by majority vote.





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## STEP 6:

The BOS shall also authorize the ~~First-Selectman~~ Town Manager to sign the proposed contract once approved as to form by the Town Attorney.



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## Appendix A:

### **Town of Simsbury Business Development Assistance Application**

Application should be completed in full, including original signatures, before submitting to the Director of Planning & Community Development at the Simsbury Town Offices, Planning Department, 933 Hopmeadow Street, Simsbury, Connecticut 06070.

Applicant Name: \_\_\_\_\_

Name of Authorized Agent: \_\_\_\_\_

Business's Officers: \_\_\_\_\_

\_\_\_\_\_

Name of Business: \_\_\_\_\_

\_\_\_\_\_

Property Address: \_\_\_\_\_

Property is Located within Simsbury Center Zone: ☐ Yes ☐ No

Assistance Requested:

☐ Tax Abatement ☐ Reduction of Fees ☐ Infrastructure Rebate

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

Number of years: \_\_\_\_

Number of years: \_\_\_\_

Number of years: \_\_\_\_

Other Requested Public Incentives (state, federal, other municipal): \_\_\_\_\_

\_\_\_\_\_

Description of Business, Including Products & Services: \_\_\_\_\_

\_\_\_\_\_

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Agent: \_\_\_\_\_ Date: \_\_\_\_\_

**Project Details:**

Acquisition	\$ _____	_____ acres	_____ sq ft existing buildings
New Construction	\$ _____		_____ sq ft of proposed building
Rehabilitation	\$ _____		_____ sq ft of existing building
Equipment	\$ _____		
Personal Property	\$ _____		
Total Value	\$ _____		

Estimate of Duration of Construction Activities: \_\_\_\_\_

\_\_\_\_\_

Has the project received approval from the Zoning Commission: ☐ Yes ☐ No

If so, date of approval: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Employment Details:	Present #	Future #	Temp. Construction Jobs #
---------------------	-----------	----------	---------------------------

Full Time Employees	_____	_____	_____
---------------------	-------	-------	-------

Part Time Employees	_____	_____	_____
---------------------	-------	-------	-------

Proposed Project Type (Select all that apply):

- |  |   |
|--|---|
| <input type="checkbox"/> Manufacturing             | <input type="checkbox"/> Professional Office                    |
| <input type="checkbox"/> High Technology           | <input type="checkbox"/> Wholesale/Warehouse                    |
| <input type="checkbox"/> New Retail in Center Zone | <input type="checkbox"/> Residential Development in Center Zone |
| <input type="checkbox"/> Mix Use/ Other:           |   |

Statement of Benefits to Town: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Estimate of Local Taxes to be Paid on Year-to-Year basis for as long as the requested incentive lasts:

\_\_\_\_\_

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*Internal Use Only*

[ ] **Planning Director** \_\_\_\_\_ **Date:** \_\_\_\_\_

[ ] **Finance Director** \_\_\_\_\_ **Date:** \_\_\_\_\_

[ ] **Town Manager** \_\_\_\_\_ **Date:** \_\_\_\_\_

*Please Note: The Town Manager, Business Development Committee and Board of Selectmen reserve the right to request supplemental documentation which supports the request. It is recommended that documents, such as business plan, appraisals, construction proposals, etc., are included with the application in order for the request to be fully reviewed.*





# Town of Simsbury

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## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Discussion of 2018-2019 Board of Selectmen Goals
2. **Date of Board Meeting:** November 26, 2018
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager *Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
Now that goals have been prioritized, I recommend that the Board formally adopt its 2018-2019 goals. If the Board of Selectmen is prepared to adopt your 2018-2019 goals, the following motion is in order:  
  
*Move, effective November 26, 2018, to adopt the 2018-19 Board of Selectmen goals as presented.*
5. **Summary of Submission:**  
At your November 14, 2018 Board of Selectmen meeting the Manager's Office was asked to organize your priorities by long term and short term goals, and to identify goals as strategic or administrative in nature. A sample is attached for your review and discussion.
6. **Financial Impact:**  
None immediately. However, ultimately the agreed upon goals will assist in setting organizational priorities and policy direction, including guidance that will be used during FY 19/20 budget development for establishing resource priorities.
7. **Description of Documents Included with Submission:**  
a) Updated List of Board of Selectmen Goals 2018 – 2019

**2018-2019 BOARD OF SELECTMEN GOALS - DRAFT**

Topic Area	Goals	Prioritization	Short-Term or Long-Term	Strategic or Administrative
Financial Management	● Invest in modern financial management systems to improve processes, accountability, and reporting	High	Short-Term	Administrative
Financial Management	● Improve transparency in financial reporting; implement regular reporting from Director of Finance	Medium	Short-Term	Administrative
Financial Management	● Increase coordination with BOE - explore areas for further collaboration, possible shared services	Medium	Long-Term	Strategic
Infrastructure	● Invest in north end (i.e. Wagner parcel)	Medium	Long-Term	Strategic
Financial Management	● Evaluate tax rate, overall spending	Medium	Short-Term	Strategic
Financial Management	● Capital projects management - improve tracking and monitoring; discuss role of Public Building Committee and Town Manager	Medium	Short-Term	Administrative
Financial Management	● Establish performance measurements, benchmarking metrics to assist with long range planning	Medium	Long-Term	Administrative
Maintaining Quality of Life/Community Character	● Explore opportunities for people on fixed incomes to stay in town; focus on "age friendly" community	Medium	Long-Term	Strategic
Maintaining Quality of Life/Community Character	● Maintain balance between development and rural community character, sense of place	Medium	Long-Term	Strategic
Maintaining Quality of Life/Community Character	● Preservation of open space, development of assets that highlight community character (e.g. tobacco barns, covered bridges, etc.)	Medium	Long-Term	Strategic
Infrastructure	● Identify a solution for the Curtiss Park - Tariffville bike path connector	Medium	Short-Term	Strategic
Infrastructure	● Improve cell service coverage on Route 10; explore potential locations for new towers	Medium	Short-Term	Strategic
Transportation	● Volunteer driver program for seniors, disabled residents	Medium	Long-Term	Administrative
Financial Management	● Communicate Town Manager's role in processes and relationship with boards and commissions	Low	Short-Term	Strategic
Recreation	● Expand aquatics resources - splash pad, fountain, large wading pool, pool access for adults	Low	Long-Term	Administrative
Recreation	● Conduct analysis of special revenue fund	Low	Short-Term	Administrative
Infrastructure	● Explore potential for co-working space, incubator space	Low	Long-Term	Strategic
Infrastructure	● Invest in utilities, underground infrastructure	Low	Long-Term	Strategic
Financial Management	● Increase transparency of anticipated use of grant funding and adequately budget local matches	Low	Short-Term	Administrative
Maintaining Quality of Life/Community Character	● Identify role for fostering culture, supporting cultural events	Low	Long-Term	Strategic
Recreation	● Explore possibility for disc golf course	Low	Long-Term	Administrative
Recreation	● Expand athletics field resources (coordinate with BOE); multi-use fields	Low	Long-Term	Administrative
Infrastructure	● Address traffic flow on Route 10/Weatogue	Low	Long-Term	Administrative
Transportation	● Increased bus service; explore opportunities for fixed route service	Low	Long-Term	Administrative
Maintaining Quality of Life/Community Character	● Facilitate and support work of non-profits and community groups	Not Important	Long-Term	Strategic
Infrastructure	● Pursue streetscape funding for north end	Not Important	Long-Term	Administrative



# Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

## BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Resignation of Peter Tedone from the Police Commission
2. **Date of Board Meeting:** November 26, 2018
3. **Individual or Entity Making the Submission:**  
Maria E. Capriola, Town Manager; Ericka L. Butler, Town Clerk  
*Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**  
The following motion is in order:  
  
*Move to accept the resignation of Peter Tedone (R) as a regular member of the Police Commission retroactive to November 15, 2018.*
5. **Summary of Submission:**  
The Town Clerk has received the resignation of Peter Tedone as a regular member of the Police Commission.
6. **Financial Impact:**  
None
7. **Description of Documents Included with Submission:**
  - a) Copy of Peter Tedone's Resignation Submission Form, dated November 13, 2018

The purpose of this message is to confirm that, effective on November 15, 2018, I will resign my position as a member of the Simsbury Police Commission. This is due to a change of residency. The requisite form has been filed with the Town Clerk.

Being a member of the Police Commission has been a very fulfilling experience and I am proud to have been associated with such a fine law enforcement agency. I wish the Commission, and the Department, all the best.

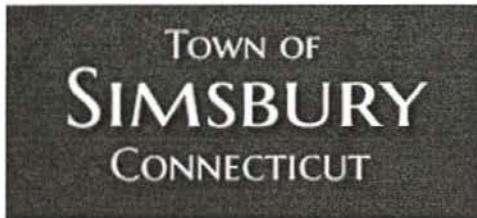
Peter L. Tedone  
32 Lincoln Lane  
Weatogue, CT 06089

---

**Peter L. Tedone**







Published on *Simsbury CT* (<https://www.simsbury-ct.gov>)

[Home](#) > [Government](#) > [Town Clerk](#) > [Resignation Submission Form](#) > [Webform results](#) > Resignation Submission Form

#### Submission information

Form: [Resignation Submission Form](#) <sup>(1)</sup>  
Submitted by Anonymous (not verified)  
November 13, 2018 - 4:00pm  
71.57.162.26

#### Member's Name

Peter L. Tedone

#### Address

32 Lincoln Lane

#### Type of Member

Regular

#### Name of Board/Commission

Police Commission

#### Effective Date of Resignation

11/15/2018

#### Reason for Resignation

Change of Residency

#### Any Additional Comments

Source URL: <https://www.simsbury-ct.gov/node/98363/submission/11473>

#### Links

[1] <https://www.simsbury-ct.gov/town-clerk/webforms/resignation-form>

**TOWN OF SIMSBURY – BOARD OF SELECTMEN  
REGULAR MEETING MINUTES – NOVEMBER 14, 2018  
“Draft”**

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**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 Eric Wellman; Board members Sean Askham, Michael Paine, Cheryl Cook, and Chris Peterson. Absent was Christopher Kelly. Others in attendance included: Town Manager Maria Capriola, Deputy Town Manager Melissa Appleby, Recreation Director Tom Tyburski, Recycling Committee Director Mary Turner, Main Street Partnership Sarah Nielson, and other interested parties.

**PLEDGE OF ALLEGIANCE**

Everyone stood for the Pledge of Allegiance.

**PUBLIC AUDIENCE**

Wooda McNiven, August Drive, spoke about how important SCTV is for the Town. He asked everyone to donate as much as they can to their annual fund-raising campaign as they would miss SCTV if it wasn't here.

Joan Coe, 26 Whitcomb Drive, spoke about Gifts of Love's proposed barn conversion, the Performing Arts Center ticket booth, the War Memorial, pickle ball, and other issues.

Sarah Neilson, Simsbury Main Street Partnership, spoke about Black Friday and Small Business Saturday next weekend and the Passport to Fun. She also showed the Partnership's regular flyer and told everyone how important it is to shop locally.

**PRESENTATION**

**a) Annual Recycling Committee Award**

Mr. Wellman said this is the 21<sup>st</sup> year that the Town Recycling Committee has awarded individuals or companies who support recycling with this award.

Mary Turner, the Recycling Committee Chairperson, presented this years' award to Barbara Freedland, President of the Simsbury Grange for their electronic recycling event. The Grange also holds many other events.

Ms. Freedland thanked the Recycling Committee for this award. She also thanked Boy Scout Troop 76 who have volunteered for every recycling event for the past three years. She said the next event at the Grange will be Bee Keeping 101 on November 19, 2018 at the Library. She said the Grange welcomes new members and volunteers and they meet the 2<sup>nd</sup> Wednesday of each month. There is more information on their website Simsbury Grange.org.

**FIRST SELECTMAN'S REPORT**

First Selectman, Wellman, reviewed his First Selectman's report.

## **TOWN MANAGER’S REPORT**

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

## **SELECTMEN ACTION**

### **a) Tax Refund Requests**

Mr. Askham made a motion, effective November 14, 2018, to approve the presented tax refunds in the amount of \$2,864.53, and to authorize Town Manager, Maria E. Capriola, to execute the tax refunds. Ms. Cook seconded the motion. All were in favor and the motion passed.

### **b) Proposed Ensign Bickford Foundation Donation**

Mr. Wellman said the Ensign Bickford Foundation have donated \$2,500 to support expenses associated with the production of the Annual Try Simsbury Adventure Race.

Mr. Paine made a motion, effective November 14, 2018, to accept a donation from the Ensign Bickford Foundation in the amount of \$2,500 for the purpose of sponsoring the 6th Annual Try Simsbury Adventure Race (Simsbury Try-athlon) with our thanks. Ms. Cook seconded the motion. All were in favor and the motion passed.

### **c) Proposed Simsbury Main Street Partnership Donation**

Simsbury Main Street Partnership Inc. for the purpose of supporting the annual Simsbury Celebrates event with our thanks. Mr. Paine seconded the motion. All were in favor and the motion passed.

### **d) Proposed Keller Williams Realty of Great Hartford Donation**

Mr. Wellman said Keller Williams Realty donated \$2,000 to the Simsbury Celebrates Organizing Committee to support their 2018 event on November 24, 2018.

Ms. Cook made a motion, effective November 14, 2018, to accept a donation in the amount of \$2,000 from Keller Williams Realty of Greater Hartford for the purpose of supporting the annual Simsbury Celebrates event with our thanks. Mr. Askham seconded the motion. All were in favor and the motion passed.

### **e) Amendment to Connecticut Recreation Trails Program Grant – Multi-Use Trail to Curtiss/Pattison Parks**

Mr. Wellman said the Town received a State grant in 2016 to help with design and construction of the multi-use trail.

Ms. Capriola said this item will extend the grant as we are still in the design phase of the project. The State is in agreement with this extension.

Mr. Paine made a motion, effective November 14, 2018, to authorize Town Manager Maria E. Capriola to execute the contract amendment from the State of Connecticut Department of Energy and Environmental Protection (DEEP) to be in effect from January 13, 2017 to January 31, 2021 and, furthermore, to approve the

Environmental Protection on behalf of the Town of Simsbury, and, furthermore, authorize the Town Manager to execute the State of Connecticut Nondiscrimination Certification on behalf of the Town of Simsbury. Ms. Cook seconded the motion. All were in favor and the motion passed.

**f) Proposed Revisions to Purchasing Policy**

Mr. Wellman said the Purchasing Policy was last adopted on March 23, 1992. The proposed revisions were reviewed by the Board of Finance and several recommendations were made. The workgroup reviewed the proposed changes and this is the most recent revision.

Ms. Capriola said the Town Attorney did review this and it will be a policy and not an ordinance.

Ms. Cook made a motion, effective November 14, 2018, to adopt the proposed revisions to the Purchasing Policy as presented. Mr. Askham seconded the motion. All were in favor and the motion passed.

**g) Proposed Change in Work Hours for Public Works Administrative Secretary II**

Mr. Wellman said the next three items came out of recommendations from the Personnel Sub-Committee. Management would like to change the work schedule for the Public Works Administrative Secretary II from 35 hours to 40 hours per week which, would align with other administrative positions.

Mr. Askham made a motion, effective November 14, 2018 to approve the change in work schedule for the Department of Public Works Administrative Secretary II position to 40 hours per week and to authorize Town Manager Marie E. Capriola to execute the attached memorandum of agreement. Mr. Paine seconded the motion. All were in favor and the motion passed.

**h) Proposed Reclassification of Supervisor of Buildings and Grounds Position**

Mr. Wellman said the Town Manager received a request for a reclassification review regarding the Buildings and Grounds Supervisor position. The Personnel Sub-Committee endorsed the proposed changes and the Town Manager did an analysis, which would be cost neutral. Ms. Capriola explained what her analysis consisted of.

Mr. Paine made a motion, effective November 14, 2018 to approve an annual salary range for the Facilities Supervisor position of Grade 6 of the CSEA Administrative and Professional employees pay plan of \$80,047-\$95,666, which may be amended from time to time through action of the Board of Selectmen. Furthermore move to approve that the position be designated as an exempt position. Ms. Cook seconded the motion. All were in favor and the motion passed.

**i) Proposed Revisions to Code Enforcement Officer Job Description & Job Title**

Mr. Wellman said the proposed title change would be from Code Enforcement Officer to Code Compliance Officer, which is a more “customer friendly” title. The other changes were just minor.

Ms. Capriola said they are trying to make the officer’s position a more customer service orientated than “enforcement.”



Mr. Askham made a motion, effective November 14, 2018 to approve the proposed modifications to the job description and to change the job title for the Code Enforcement Officer position to Code Compliance Officer. Mr. Paine seconded the motion. All were in favor and the motion passed.

**j) Implementation of Flexible Spending Account (FSA) Plans**

Mr. Wellman said currently FSA's are offered by the Board of Education, which allow employees to set aside a portion of their salary on a pre-tax basis to pay for qualified uninsured health expenses. The Board of Selectmen are in favor of offering this plan to Town staff.

Ms. Capriola feels this is a win-win situation for employees and the Town. For 2019, employees can set aside up to \$2,700 on a pre-tax basis for uninsured eligible health expenses, including vision and dental.

Ms. Cook made a motion, effective November 14, 2018, to implement Flexible Spending Account (FSA) Plans for health care, limited purpose health care, and dependent care for Town of Simsbury employees and authorize Town Manager, Maria E. Capriola to execute all related plan documents and agreements. Mr. Paine seconded the motion. All were in favor and the motion passed.

**k) Discussion of 2018-2019 Board of Selectmen Goals**

Mr. Wellman said the Board met in October to discuss priorities and then they were ranked.

The Board went through the goals presentation. There was some discussion on the different priorities and the way they are presented. Ms. Capriola was given some direction on some possible changes. Ms. Capriola and Ms. Appleby will go through and prioritize the list more clearly and bring it back to the Board.

No action was taken at this time.

**l) Discussion on Economic Development Commission Work Plan**

Mr. Wellman said the Board had discussions in September regarding a potential work plan for the newly formed Economic Development Commission. From those discussions, five focus areas emerged. Then twenty-two specific action items were identified. Those action items were then ranked as high importance, medium importance, low importance and not important.

After discussion, no action was taken at this time.

**m) Proposed Board of Selectmen Meeting Schedule**

Mr. Askham noted that December 2, 2019 will be added as an organizational meeting. The only possible conflict would be on April 8, 2019 as it is "Spring Break."

No action was taken at this time.

**APPOINTMENTS AND RESIGNATIONS**

**a) Proposed Appointment of Karin Stewart to the Communications Committee of the North Central Emergency Management Services Council**

Mr. Paine made a motion, effective November 14, 2018, to appoint Karin Stewart (U) to the Communications Committee of the North Central Emergency Management Services Council. Mr. Askham seconded the motion. All were in favor and the motion passed.

**b) Resignation of Geoffrey Dale as Trustee from the Belden Combined Trusts**

Ms. Cook made a motion to accept the resignation of Geoffrey Dale as the Town Financial Trustee for the Belden Combined Trusts retroactive to November 13, 2018 with our thanks. Mr. Paine seconded the motion. All were in favor and the motion passed.

**c) Resignation of Paul McAlenney as Trustee from the Belden Combined Trusts**

Mr. Askham made a motion to accept the resignation of Paul McAlenney as the Town Legal Trustee for the Belden Combined Trusts retroactive to November 13, 2018 with our thanks. Mr. Paine seconded the motion. All were in favor and the motion passed.

**d) Proposed Appointment of Christopher Drew as a Trustee to the Belden Combined Trusts**

Ms. Cook made a motion, effective November 14, 2018, to appoint Christopher Drew as a trustee for the Belden Combined Trusts. Mr. Paine seconded the motion. All were in favor and the motion passed.

**e) Proposed Appointment of Stephen Gellman as a Trustee to the Belden Combined Trusts**

Ms. Capriola said Mr. Gellman is an attorney at Shipman & Goodwin, LLP and they have asked the Town to review and execute a conflict of interest waiver before appointing Mr. Gellman as a trustee to the Belden Combined Trusts.

Mr. Askham made a motion, effective November 14, 2018, to authorize Town Manager Maria E. Capriola to execute the conflict of interest waiver as presented. Ms. Cook seconded the motion. All were in favor and the motion passed.

Mrs. Cook made a motion, effective November 14, 2018, to appoint Stephen Gellman as a trustee for the Belden Combined Trusts. Mr. Paine seconded the motion. All were in favor and the motion passed.

**f) Proposed Appointment of Joe Buda to the Central Regional Tourism District Board of Directors**

Mr. Paine made a motion, effective November 14, 2018 to appoint Joe Buda as Simsbury's representative to the Central Regional Tourism District Board of Directors for a two-year term expiring on November 13, 2020. Mr. Askham seconded the motion. All were in favor and the motion passed.

## **REVIEW OF MINUTES**

### **a) Regular Meeting of October 22, 2018**

There were no changes to the Regular Meeting of October 22, 2018, and, therefore, the minutes were adopted.

## **SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS**

- a) Personnel** – no report at this time.
- b) Finance** – no report at this time.
- c) Welfare** – no report at this time.
- d) Public Safety** – no report at this time.
- e) Board of Education** – no report at this time.

Ms. Cook said the Community for Care program on anxiety had a tremendous turn-out. She said their next program is on January 9, 2019, which will be on drugs being used in our schools.

Mr. Askham said Public Safety will be meeting tomorrow morning at 7 a.m. The Traffic Authority will be added.

Mr. Wellman said the Town Council in Avon is meeting tonight to discuss raising the legal drinking age to 21. They are interested in keeping Simsbury informed as they are so close.

## **COMMUNICATIONS**

- a) Memo from M. Glidden re: Update Public Gathering Permit Application and Process, dated November 5, 2018**
- b) Memo from M. Capriola and N. Boulter re: Summary of Bear Data, dated October 26, 2018**

Mr. Wellman said there was a very thorough memo on the bear situation and everyone should read it.

Ms. Cook said the Police Department put out very helpful information on how to prevent bears near your homes that was very helpful.

## **EXECUTIVE SESSION**

- a) Pursuant to CGS §1-200(6)(B) concerning Pending Claims and Litigation – Deepwater Wind**
- b) Pursuant to CGS §1-200(6)(B) concerning Pending Claims and Litigation – Stop & Shop Supermarket Company, LLC v. Town of Simsbury (Assessment Appeal)**

Mr. Askham made a motion to adjourn to executive session at 7:18 p.m. pursuant to CGS §1-200(B) concerning Pending Claims and Litigation – Deepwater Wind and concerning Pending Claims and Litigation – Stop & Shop Supermarket Company, LLC v. Town of Simsbury. The session on Deepwater will include Attorney DeCrescenzo, Maria E. Capriola, and Melissa Appleby and the session on Stop & Shop will also include David Gardner and Amy Meriwether. Mr. Paine seconded the motion. All were in favor and the motion passed.

## **Possible Action on Stop and Shop Assessment Appeal (return to open session)**

Ms. Cook made a motion to adjourn from Executive Session. Mr. Askham seconded the motion and it passed unanimously. Executive Session adjourned at 7:42 pm.

Mr. Askham made a motion, effective November 14, 2018, to approve the Joint Stipulation for Judgment for Docket No. HHB-CV- 18-60644664-S, THE STOP & SHOP SUPERMARKET COMPANY, LLC V. TOWN OF SIMSBURY. Ms. Cook seconded the motion and it passed unanimously.

### **EXECUTIVE SESSION**

#### **a) Pursuant to CGS §1-200(6)(A) – Annual Performance Review of the Town Manager**

Mr. Askham made a motion to adjourn to executive session at 7:46 p.m. pursuant to CGS §1-200(A) concerning the Annual Performance Review of the Town Manager. Mr. Paine seconded the motion. All were in favor and the motion passed.

### **ADJOURN**

Mr. Askham made a motion to adjourn from Executive Session. Mr. Paine seconded the motion and it passed unanimously. Executive Session adjourned at 8:19 pm.

Mr. Askham made a motion to adjourn the meeting. Mr. Paine seconded the motion and it passed unanimously. The meeting adjourned at 8:19 pm.

Respectfully submitted,

Kathi Radocchio  
Clerk





# Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

*Maria E. Capriola - Town Manager*

November 13, 2018

Mrs. Jackie Fenelon, Regent  
Daughters of the American Revolution  
754 Hopmeadow Street  
Simsbury CT 06070

Dear Regent Fenelon:

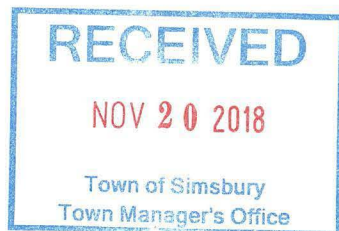
On behalf of the Town of Simsbury, we would like to take this opportunity to thank the ladies of the Abigail Phelps Chapter of the Daughters of the American Revolution for their recent contribution.

In honor of the Simsbury Chapter's 125<sup>th</sup> anniversary you have donated an American Flag to replace the old worn flag used at Eno Memorial Hall. We had not realized how old and worn the flag had become. It is with great pleasure that we accept this noteworthy gift.

Sincerely,

*Maria E. Capriola*

Maria E. Capriola  
Town Manager



749 Hopmeadow Street  
P. O. Box 224  
Simsbury, CT 06070

Phone: (860) 651-7307  
info@simsburycoc.org

Fax: (860) 651-1933  
simsburycoc.org

November 13, 2018

Ms. Maria Capriola  
Town Manager  
Town of Simsbury  
933 Hopmeadow Street  
Simsbury, Connecticut 06070

Dear Maria,

Thank you for getting back to me regarding the Visitors Center/Simsbury Chamber relationship. As you may know, the Simsbury Chamber of Commerce has run the Town Visitors Center since August 2015 with the financial support of the Town in the amount of \$5,000.00 annually. In the 2017/2018 fiscal year budget, due to fiscal constraints, the Town was not able to fund the Visitors Center and the Chamber took on that financial burden. As the Chamber prepares its budget for 2019, we would like to know if the Town plans on continuing to help fund the Visitors Center.

Last year, as the Board of Selectmen was discussing the funding, there were some discussions about improving the location of the Visitors Center, as the present location was not up to their expectations. We understand that thought and the Chamber Board is contemplating a move to a more prominent location. In doing so, we thought it would be beneficial to the Chamber and the Town to discuss the potential of an alliance to find a better location for the Chamber office along with a Town Visitors Center. We would love to continue these discussions if you have interest in doing so. We have attached the data we have regarding the usage of the Visitors Center for your review. One of the greatest synergies we saw this past year was with the Chamber's Public Art Trail. Through the Chamber's efforts, thousands of tourists came to Town to see the sculptures and coordinated efforts through the Chamber office/Visitor Center. We think this example is a great indication of how this relationship can continue to benefit the Town, the business community and the Chamber. Please let me know your thoughts. If you think it would be worthwhile to sit down, we would be more than happy to do so.

Very truly yours,

Louis N. George  
President

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support of our  
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The Visitors Center has been housed in the Simsbury Chamber of Commerce office since August 2015. In that time, we have seen over 250 visitors, mailed over 120 brochures to individuals thinking of moving to Simsbury, planning a visit to Simsbury or holding an event in Simsbury. We have had visitors planning weddings and other events in town stop by to pick up maps and brochures to add to their out-of-town-guest gift bags. Visitors visit from surrounding towns and as far away as Chicago, Cleveland and New Mexico.

Town organizations such as the Simsbury Newcomers, Theater Guild, Simsbury Photography Club, and Simsbury High School, as well as Playhouse on Park in West Hartford, provide fliers and brochures of upcoming events.

**In 2017, the Simsbury Visitors Center had 57 visitors and 5 calls for information.**

Information includes: town maps, bike trail maps and Hopmeadow Walk brochures.

Visitors were from Cleveland, Chicago, MA, NYC, Ohio, Vernon, CT. One couple was in Simsbury doing a genealogy study of her family and was looking for maps of the town and information on restaurants.

One visitor was a former resident and asked about the cell phone tour we used to have.

**So far in 2018, The Simsbury Visitors Center has received 22 calls and over 60 visitors.**

Calls included requests for brochures and maps of Simsbury from potential new Simsbury residents and people planning a visit. Other callers were looking for the Town Hall, information about the Bike Trail, Farmers Market, Burgers on the Bridge, Septemberfest, and the SCOC Public Art Trail.

Visitors include people planning weddings and looking for information to include in guest bags, a couple from MA on a bike ride looking for maps and restaurant information, a couple visiting from New Mexico, touring in their RV looking for campground information. There was a visitor who had a relative who lived in Simsbury in the 1600s. There were also visitors from the Berkshires and other parts of MA and around CT looking for Public Art Trail maps.

**Breakdown of callers and visitors specifically inquiring about the Simsbury Chamber Public Art Trail**

There were seven callers and 26 visitors to the Simsbury Visitor Center specifically inquiring about the Public Art Trail. One visitor had a busload of 25 seniors waiting outside. One caller was bringing her 10-person book club and going for ice cream at Tulmeadow Farm; another caller was bringing a weekend tour of 12-14 people; and another was planning a trip for her local senior center.

We believe these number would increase dramatically if the Visitors Center were in a more prominent location and promoted by the Town.