



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

SIMSBURY BOARD OF SELECTMEN

Simsbury Farms Ice Rink, 100 Old Farms Road, Simsbury, CT 06092

Special Meeting – April 24, 2021 – Immediately Following Special Town Meeting

SELECTMEN ACTION

- a) Set Automatic Referendum Date for Meadowood and Approve Referendum Question for Meadowood
- b) Proposed Meadowood Explanatory Text

ADJOURN

Note: This meeting will not be broadcast live. An audio recording of the meeting will be available the week of April 26th.



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Set Automatic Referendum Date for Meadowood and Approve Referendum Question for Meadowood
2. **Date of Board Meeting:** April 24, 2021
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Melissa A.J. Appleby, Deputy Town Manager
maria E Capriola

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

The presented referendum question for Meadowood, having been subject to special Town Meeting held earlier today and adjourned by Charter Section 406 to a vote by referendum, is as follows:

"Shall the Town of Simsbury appropriate \$2,515,860 for the purchase and improvement of Meadowood (approximately 288 acres of undeveloped land located off Hoskins Road, County Road and Firetown Road); and authorize bonds and notes in the same amount to finance said appropriation?"

The reading into the minutes of the full text of the resolution is waived, and will be recorded in the record immediately preceding the minutes.

The Board of Selectmen needs to set the automatic referendum date for the acquisition and funding of the purchase of Meadowood. The following motion is in order:

Move to set the date of Tuesday, May 4, 2021 for automatic referendum for Meadowood, pursuant to Section 406 of the Town Charter, from 6:00 a.m. to 8:00 p.m. at the Simsbury Public Library, 725 Hopmeadow Street.

5. **Summary of Submission:**

The Board of Selectmen held a special meeting on April 14, 2021 to accept the certified petition regarding the purchase of and funding for "Meadowood." As of April 19th 1,584 signatures had been certified. Approximately 953 were needed, or 5% of registered voters in town. At that same meeting, the Board of Selectmen set April 24, 2021 as the date of the Special Town Meeting as described in the Town Charter Section 409. The Special Town Meeting was held at 11am today. The Moderator adjourned the Special Town Meeting to automatic referendum pursuant to Section 406 of the Charter.

On April 7, 2021 the Board of Selectmen set the annual budget referendum date for May 4th, 2021. It is recommended that the Board of Selectmen set the date for the Meadowood referendum as the same date as the annual budget referendum in order to maximize efficiencies and for public convenience. If this occurs, the Meadowood question will appear on the same ballot as the questions related to the budget

referendum. Due to COVID, **this year's budget referendum will be held at the Simsbury Public Library, 725 Hopmeadow Street.**

Bond counsel assisted in preparation of the attached resolution and referendum question, and the Town Attorney also assisted with the latter.

The legal notice for the Meadowood referendum is scheduled to run in the Courant; it will be a separate legal notice from the annual budget referendum legal notice.

6. Financial Impact:

Staff time and time of the Registrars (paid elected officials) will be required to plan for and staff the referendum and to issue absentee ballots; pairing the Meadowood referendum with the annual budget referendum will save the Town money.

If approved at referendum the Town will appropriate and authorize bond funding in the amount of \$2,515,860 for the purchase and improvement of Meadowood.

7. Description of Documents Included with Submission:

- a) Full Text of Meadowood Resolution
- b) Legal Notice for Meadowood Referendum

RESOLUTION APPROPRIATING \$2,515,860 FOR THE PURCHASE AND IMPROVEMENT OF MEADOWOOD (APPROXIMATELY 288 ACRES OF UNDEVELOPED LAND LOCATED OFF HOSKINS ROAD, COUNTY ROAD AND FIRETOWN ROAD); AND AUTHORIZING BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

RESOLVED,

- (a) That the Town of Simsbury appropriate TWO MILLION FIVE HUNDRED FIFTEEN THOUSAND EIGHT HUNDRED SIXTY DOLLARS (\$2,515,860) for the purchase and improvement of Meadowood (approximately 288 acres of undeveloped land located off Hoskins Road, County Road and Firetown Road). The appropriation may be spent for planning and engineering and other consultants' fees, equipment costs, land acquisition, design and construction costs, site improvements, including, but not limited to, signage, parking improvements and improvements to the barns, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. The Board of Selectmen may determine the particulars, and may reduce or modify the scope of the project, and the entire appropriation may be spent on the reduced or modified project.
- (b) That the Town issue bonds or notes in an amount not to exceed TWO MILLION FIVE HUNDRED FIFTEEN THOUSAND EIGHT HUNDRED SIXTY DOLLARS (\$2,515,860) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The term of the bonds or notes shall not exceed ten years.
- (c) That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed TWO MILLION FIVE HUNDRED FIFTEEN THOUSAND EIGHT HUNDRED SIXTY DOLLARS (\$2,515,860). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.
- (d) That the Town Manager and the Treasurer of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Pullman & Comley, LLC is designated as bond counsel to approve the legality of the bonds or notes. The Town Manager and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.
- (e) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager and the Treasurer are authorized to amend such declaration of official

intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

- (f) That the Town Manager and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.
- (g) That the Board of Selectmen, the Town Manager, the Treasurer and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes or other obligations to finance the aforesaid appropriation.
- (h) That, pursuant to Section 809 of the Town Charter, this Resolution be presented to a referendum vote under the following caption:

Shall the Town of Simsbury appropriate \$2,515,860 for the purchase and improvement of Meadowood (approximately 288 acres of undeveloped land located off Hoskins Road, County Road and Firetown Road); and authorize bonds and notes in the same amount to finance said appropriation?

NOTICE OF REFERENDUM
TOWN OF SIMSBURY
May 4, 2021

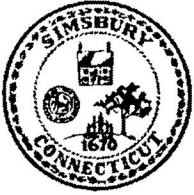
The Electors and eligible voters of the town of Simsbury, Connecticut, are hereby warned of a referendum to be held pursuant to Simsbury Charter Section 406 on Tuesday, May 4, 2021, between the hours of 6:00 a.m. and 8:00 p.m. at the Simsbury Public Library, 725 Hopmeadow Street, Simsbury, Connecticut, for the following purpose:

To vote on the following question for approval or disapproval of the resolution approved pursuant to Simsbury Charter Section 409, which question will be placed on the ballots under the following heading:

“Shall the Town of Simsbury appropriate \$2,515,860 for the purchase and improvement of Meadowood (approximately 288 acres of undeveloped land located off Hoskins Road, County Road and Firetown Road); and authorize bonds and notes in the same amount to finance said appropriation?”

The vote on the above questions will be taken under the authority of Section 406 of the Town Charter and Section 9-369a of the Connecticut General Statutes. A "YES" vote is a vote to approve an appropriation. A "NO" vote is a vote to reject an appropriation. During regular business hours, the full text of each resolution is available for public inspection in the Town Clerk's Office, 933 Hopmeadow Street, Simsbury, Connecticut, and online at simsbury-ct.gov. The location of the polling place for the Referendum will be as follows: Simsbury Public Library, first floor main program room, 725 Hopmeadow Street, Simsbury, Connecticut. Electronic tabulators will be used. The polling place will be open between the hours of 6:00 a.m. and 8:00 p.m. Absentee ballots will be available in person at the Town Clerk's Office during regular business hours through May 3, 2021. Any person who is an Elector of the Town of Simsbury or any citizen of the United States of America of the age of eighteen years or more who, jointly or severally, is liable to the Town for taxes assessed against him or her on an assessment of not less than \$1,000 on the Simsbury Grand List dated October 1, 2020, is eligible to vote (CGS Section 7-6).

Ericka Butler, Town Clerk, Town of Simsbury



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Meadowood Explanatory Text
2. **Date of Board Meeting:** April 24, 2021
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Melissa A.J. Appleby, Deputy Town Manager; Ericka L. Butler, Town Clerk *Maria E. Capriola*

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

If the Board of Selectmen supports approving the explanatory text for the Meadowood question as presented, the following motion is in order:

Move, effective April 24, 2021, to approve and authorize issuance of the explanatory text as presented. Staff is authorized to make changes as recommended by the Town Attorney, Bond Counsel and SEEC.

5. **Summary of Submission:**

Because it relates to a referendum item, it has been recommended by the Town Attorney and Bond Counsel for the Town to err on the side of caution and not have staff formally distribute information flyers and other materials regarding Meadowood through the mail, town website, and on social media unless approved by the Board of Selectmen as an explanatory text. However, outside organizations and citizens acting as individuals have the right to disseminate such information as they see fit at their own expense.

Explanatory text must be factual and can't serve as an advocacy piece for the potential acquisition. The explanatory text presented today is a draft and still has to be reviewed by the SEEC; if the SEEC and/or Town Attorney and/or Bond Counsel recommend changes we will work to incorporate those prior to sending out to the community.

It is required for explanatory text to be issued with absentee ballots. Copies of the explanatory text will be made available at the referendum location, Simsbury Public Library, 725 Hopmeadow Street.

6. **Financial Impact:**
Minimal printing costs.
7. **Description of Documents Included with Submission:**
a) Proposed Meadowood Explanatory Text

REFERENDUM QUESTION NUMBER 6
MAY 4, 2021
PROPOSED PURCHASE OF THE MEADOWOOD PROPERTY
EXPLANATORY TEXT

PROPERTY INFORMATION:

Located on the north side of Simsbury, the 288-acre Meadowood property was once a tobacco farm where Martin Luther King, Jr. worked for two summers in the 1940s. The land sits between the Great Pond section of Massacoe State Forest and the 4,400-acre McLean Game Refuge.

INTENDED USE OF THE LAND:

The Town of Simsbury may use the land in the future for trails and access points for hiking and exploration for neighbors and visitors, conservation of wildlife habitat, agricultural soils and working farmland, and preservation of the cultural heritage of the area with a portion of the site memorializing Martin Luther King Jr.'s time in Connecticut and on this farm.

BACKGROUND INFORMATION:

The Board of Selectmen identified the purchase of Meadowood as a priority in their adopted capital plan. At the April 6, 2021 budget meeting, the Board of Finance did not include the purchase and acquisition of Meadowood within the FY 21/22 budget submitted to the Town's annual budget referendum, scheduled for May 4th. Pursuant to Charter Section 409, Electors submitted a certified petition to the Board of Selectmen to require the call of a special town meeting and automatic referendum on the purchase and funding of Meadowood. The Special Town Meeting was held April 24, 2021 and adjourned to vote by referendum as required by Charter Section 406.

COST OF THE LAND ACQUISITION:

The Town's contribution towards the acquisition, site improvements, and bonding costs is \$2,515,860, or approximately \$8,700 per acre. The total cost of the Meadowood property is over \$6 million. Grants and private donations to be obtained by the Trust for Public Land will fund the balance of the purchase price.

The median valued single-family homeowner would pay approximately \$25 a year for ten years.

As proposed, the Town plans to fund its \$2,515,860 through borrowing (bonds). The bond would be for 10 years.



The Trust for Public Land holds an option to purchase the property until July of 2021, for subsequent conveyance to the Town.

THE BARNs ON FIRETOWN ROAD:

MAP OF THE MEADOWOOD PROPERTY:



https://www.simsbury-ct.gov/sites/g/files/vyhlf1216/f/agendas/4-6-20_0.pdf

https://www.simsbury-ct.gov/sites/g/files/vyhlif1216/f/agendas/bof_packet_9-15-20.pdf

Approved by the Simsbury Board of Selectmen on April 24, 2021