

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 – September 12, 2022 – 6:00 p.m.

PLEDGE OF ALLEGIANCE

PUBLIC AUDIENCE

PRESENTATIONS

- a) Granby-Simsbury Chamber of Commerce Update
- b) Proclamation for Suicide Awareness Month
- c) Simsbury Volunteer Ambulance Association Update on Second Response Unit

FIRST SELECTMAN'S REPORT

TOWN MANAGER'S REPORT

SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS

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

SELECTMEN ACTION

- a) Tax Refund Requests
- b) Recovery Friendly Community Initiative
- c) Donation from Elinor and Wayne Hoffman
- d) Grant from Secretary of the State for Absentee Ballot Preparation for November 8, 2022 Election
- e) Social Media Account Request from Open Space Committee
- f) Proposed Settlement Agreement – Pending Tax Appeal for DWW SOLAR II, LLC

APPOINTMENTS AND RESIGNATIONS

- a) Resignations of Cheryl A. Cook and Tom Steen from Community for Care
- b) Resignation of Robert Mule from the Board of Ethics

REVIEW OF MINUTES

- a) Regular Meeting of August 8, 2022
- b) Special Meeting of August 25, 2022

COMMUNICATIONS

- a) Memo from G. McGregor, re: Cannabis Establishments/Zoning Commission Update (*accompanied by legal opinion from Town Attorney DeCrescenzo*), dated September 6, 2022

- b) Memo from M. Capriola, re: Water Conservation and Drought Conditions, dated September 6, 2022
- c) Memo from M. Capriola re: Public Gathering Permits, dated August 10, 2022
- d) Memo from M. Capriola re: Public Gathering Permits, dated September 2, 2022

EXECUTIVE SESSION

- a) Pursuant to CGS §1-200(6)(A), Review of Staff Performance

ADJOURN



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Granby-Simsbury Chamber of Commerce Update
2. **Date of Board Meeting:** September 12, 2022
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Morgan Hilyard, Executive Director of the Granby-Simsbury Chamber of Commerce *Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**
This presentation is informational.
5. **Summary of Submission:**
Morgan Hilyard, Executive Director of the Granby-Simsbury Chamber of Commerce, will review the mission and current activities of the newly merged Granby-Simsbury Chamber of Commerce, including member services, events, community engagement, and the recent merger with Granby.
6. **Financial Impact:**
None. The FY 22/23 budget includes \$7,500 in the BOS-Community Services budget as an outside agency grant to the Chamber of Commerce.
7. **Description of Documents Included with Submission:**
 - a) Presentation Slides



GRANBY-SIMSBURY *Chamber of Commerce*

BUILD YOUR BUSINESS THROUGH COMMUNITY

ABOUT THE CHAMBER

MISSION

Create opportunities for our members to succeed by supporting local business, providing resources and cultivating relationships.

VISION

Serve as a leader in the community by providing a platform for our members to connect, grow and thrive

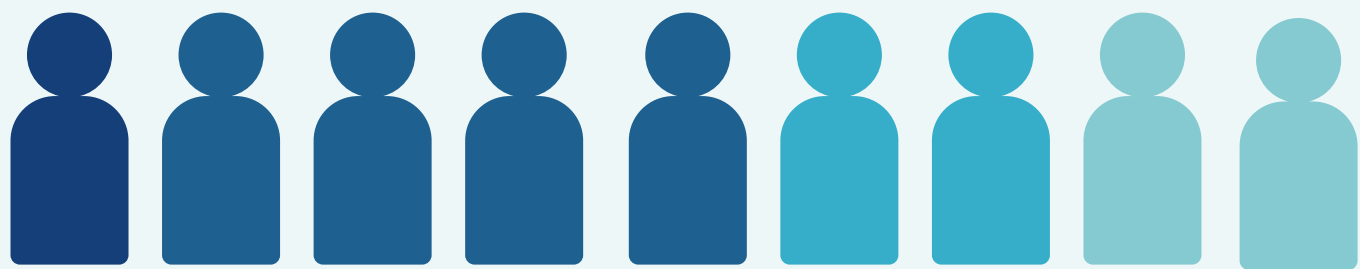
VALUES

Inclusiveness,
Collaboration,
Enthusiasm, Innovation,
Engagement,
Adaptability,
Camaraderie, Integrity,
Advocacy

WE'RE A NONPROFIT
501(C)(6)
ORGANIZATION

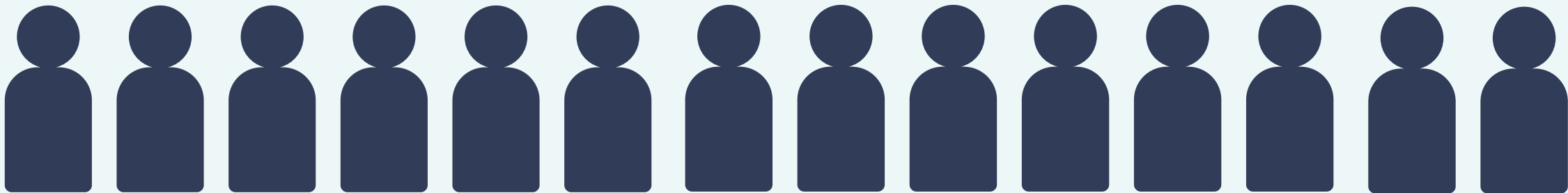
MERGED
JUNE 1, 2022
BY MEMBER
VOTE

BOARD OF DIRECTORS



PRESIDENT VICE PRESIDENT VICE PRESIDENT VICE PRESIDENT VICE PRESIDENT SECRETARY TREASURER IMMEDIATE PAST PRESIDENT IMMEDIATE PAST PRESIDENT

The Granby-Simsbury Chamber of Commerce's Board of Directors is the principal governing body of the organization. The Board determines the Chamber's general policies, controlling its work and to do all things within the scope of the organization's purposes to serve the members.



Serving
452
Members

Member Benefits

NETWORKING OPPORTUNITIES

- In-person morning
- After Hours events
- Ribbon Cuttings
- Signature Events

MARKETING YOUR BUSINESS

- Chamber website calendar
- Chamber e-newsletter
- Customizable e-blast
- Community Guide
- Social media visibility

JOIN A COMMITTEE

- Website listing
- Business referral relationships
- Community engagement

MEMBER HEALTH BENEFITS

- Customizable health plan options
- Dental plans
- Free pharmacy program

SPONSORSHIP

- Signature events
- Logo visibility
- Global sponsorship package

ADVOCACY

- Business endorsement and referral source
- Supports interests of the business community
- Provides resources

Events

Signature Events

- Business Leaders Breakfast
- Annual Meeting
- Scholarship Awards
- Golf Tournament

Community Events

- Celebrate the Valley
- Support Local Raffle
- Spooktacular Celebration

Networking

- Over 1200 attendees for events this year
- Over 200 young professionals connected to Farmington Valley YP group
- 7 committees for more opportunities

Ribbon Cuttings

- Metric Financial
- Moss Life
- Tractor Supply
- Falcetti School of Music
- Body in Motion
- Mitchell VW
- A Spoonful of Britain
- Adapt & Learn
- Joe Beale Farmers Agency
- Le Banh Patisserie



Tourism

Visitor Center

- Almost 500 visitors a year
- Distribute hundreds of Community Guides and member promotional material
- Refer visitors to local businesses

Visibility

- 24,575 Facebook page reach
- 2,237 Instagram reach
- 3,892 website users since August 2022
- 12% Simsbury businesses are members. national average is 8%





The Future of the Chamber

The Chamber of Commerce remains dedicated to continued development of the strong partnership that we have with the Town of Simsbury. We believe that our recent expansion has allowed us to create opportunities that draw on the strengths of two organizations, while generating new and improved programs for the benefit of all that live, work and visit here.

We are pleased to be partners with the Town of Simsbury and we will always be open to new and exciting initiatives that can align with our mission and that of the Town.

Granby-Simsbury Chamber of Commerce
720 Hopmeadow St. Simsbury, CT 06070
2 Park Place Granby, CT 06035
(860) 651-7307
info@simsburycoc.org
www.simsburycoc.org



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proclamation for Suicide Prevention Month
2. **Date of Board Meeting:** September 12, 2022
3. **Individual or Entity Making the Submission:**
Maria E. Capiola, Town Manager *Maria E. Capiola*
4. **Action Requested of the Board of Selectmen:**
The following suggested motions are in order:

Move, effective September 12, 2022, to endorse a Proclamation for Suicide Prevention Month. Further move, to authorize Eno Memorial Hall to be lit up in purple for the rest of the month of September in support of Suicide Prevention Awareness.

5. **Summary of Submission:**

The local non-profit organization Honor Connor/Hold Onto Hope has reached out regarding Suicide Prevention Month (SPM). Suicide Prevention Month aims to reduce the stigma surrounding suicide, encourage communication on mental health, spread hope, educate and inform the general public about suicide prevention and the warning signs of suicide and share vital information/resources to people affected by suicide. National Suicide Prevention Week is September 4-10. World Suicide Prevention day is September 10th. SPM is often recognized by the colors purple, teal or orange.

Since 1958, when the first suicide prevention center in the U.S. was opened and 1970, when the first suicide prevention task force was created, to 1996 when Congress passed two resolutions-recognizing suicide as a national problem and suicide prevention as a national priority¹, and now 2022, with the COVID-19 pandemic which has increased calls to suicides, the conversation regarding suicide prevention is now more important than ever.

The Town Manager's Office, in partnership with Social Services and the Farmington Valley Health District is sponsoring staff training in September – QPR: Question, Persuade, Refer - which teaches simple steps we can use if we experience someone who may be facing thoughts and feelings of suicide. We are also offering training on Mental Health First Aid for staff in September and October. This course will help staff to identify, understand, and respond to concerns around mental illness and substance use. On October 10th a QPR training will be offered to the public. Please contact Dana Olson at 860-658-3283 or dolson@simsbury-ct.gov to register.

¹ <https://www.ncbi.nlm.nih.gov/books/NBK109918/>

As of July 16, 2022, **988** is the new three-digit dialing code for the National Suicide Prevention Lifeline (1-800-273-8255), now called the 988 Suicide and Crisis Lifeline. Anyone, anywhere in the U.S. can now call, chat, or text 988 and receive resources and supports during a suicide, mental health, or substance use crisis. Staff will spread awareness regarding the 988 National Suicide Prevention Lifeline through social media.

Along with a proclamation recognizing September as Suicide Prevention Month and announcing the 988 number, the Town can proceed to light up Eno Memorial Hall purple for the remainder of September to signify our commitment in supporting suicide prevention measures and raising awareness on the impact and causes of suicide.

6. Financial Impact:

None

7. Description of Documents Included with Submission:

- a) Proclamation in Honor of Suicide Prevention Month
- b) 988 Infographic/Social Media Flyer

Proclamation Recognizing September as Suicide Prevention Awareness Month

WHEREAS, Suicide Prevention Week (9/4-9/10) and Suicide Prevention Day (9/10) are being recognized through the month of September, where we address the persistent public health issue of suicide, raise awareness on the causes of suicide, offer support and resources to those affected by suicide, encourage communication on mental health and inform/educate the general public on suicide prevention measures;

WHEREAS, the purple and turquoise/teal Suicide Prevention ribbon symbolizes suicide awareness and prevention and serves as a reminder that suicide is an issue we need to talk about;

WHEREAS, the recent transition from the National Suicide Prevention Lifeline's 1-800-273-8255 number to the 3-digit 988 dialing code is not widely known and government outreach is necessary to mass communicate this number to the public;

WHEREAS, from 2020 CDC data, suicide is the 15th leading cause of death in Connecticut, 3rd leading cause of death for ages 10-24, and the 2nd leading cause of death for ages 25-34ⁱ;

WHEREAS, 85.07% of communities did not have enough mental health providers to serve residents in 2021, according to federal guidelines and almost five times as many people died by suicide in 2019 than in alcohol related motor vehicle accidents;

WHEREAS, suicide prevention measures are now more important than ever as the COVID-19 pandemic has disrupted social events/relationships, increased stress levels of all age groups and decreased physical contact;

WHEREAS, suicide prevention measures, education, and research will prevent the untimely deaths of Americans each year;

WHEREAS, suicide is neither a personal failure nor the evidence of mental illness, but rather a common human response to difficult environmental factors and emotional pain. Improving life circumstances, enhancing social connection and reducing emotional pain are effective ways to reduce the frequency and intensity of suicidal thoughts and feelingsⁱⁱ;

WHEREAS, we affirm our commitment to reducing deaths caused by suicide and pledge to do all we can to ensure that mental health resources and support are offered to those that need it;

WHEREAS, establishing September as Suicide Prevention Month promotes awareness, starts a dialogue, destigmatizes mental illness and helps prevent suicide;

THEREFORE, BE IT RESOLVED, that we, Members of the Simsbury Board of Selectmen, hereby proclaim September Suicide Prevention Month in the Town of Simsbury and ask that the Town light up Eno Hall in purple for the remainder of the month.

IN WITNESS THEREOF, we have placed our signatures and the great seal of the Town of Simsbury.

Dated the 12th day of September 2022.



Wendy Mackstutis
First Selectman



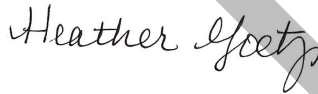
Amber Abbuhl
Deputy First Selectman



Sean Askham
Selectman



Chris Peterson
Selectman



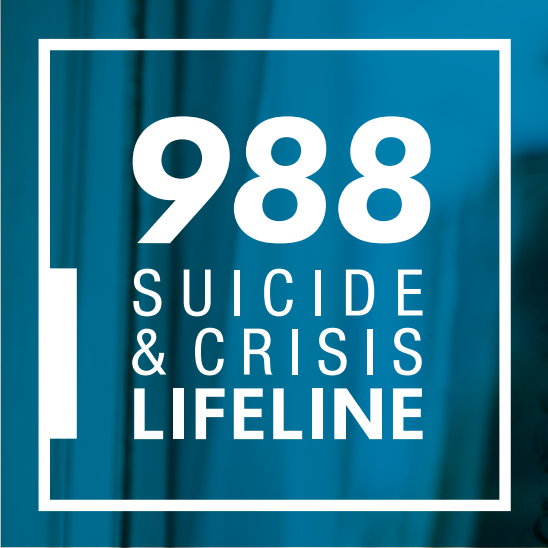

Heather Goetz
Selectman



Eric S. Wellman
Selectman

ⁱ <https://afsp.org/facts/connecticut>

ⁱⁱ <https://www.counseling.org/knowledge-center/mental-health-resources/suicide-prevention-month>



988
SUICIDE
& CRISIS
LIFELINE

In 2020, Congress designated the new 988 dialing code to operate through the existing National Suicide Prevention Lifeline.

The Substance Abuse and Mental Health Services Administration (SAMHSA) is the lead federal agency, in partnership with the Federal Communications Commission and the Department of Veterans Affairs, working to make the promise of 988 a reality for America. Moving to a 3-digit dialing code is a **once-in-a-lifetime opportunity** to strengthen and expand the existing National Suicide Prevention Lifeline (the Lifeline).

Of course, 988 is more than just an easy-to-remember number—it is a direct connection to compassionate, accessible care and support for anyone experiencing mental health related distress – whether that is thoughts of suicide, mental health or substance use crisis, or any other kind of emotional distress. Preparing for full 988 implementation requires a bold vision for **a crisis care system that provides direct, life-saving services to all in need.**

SAMHSA sees 988 as a first step towards a transformed crisis care system in much the same way as emergency medical services have expanded in the US.



In pursuit of this bold yet achievable vision, SAMHSA is first focused on strengthening and expanding the existing Lifeline network, providing life-saving service to all who call, text or chat via 988. Longer term, SAMHSA recognizes that linking those in crisis to community-based providers—who can deliver a full range of crisis care services—is **essential to meeting crisis needs across the nation.**





Frequently Asked Questions

What is the Lifeline and will 988 replace it?

The Lifeline is a national network of over 200 local, independent, and state-funded crisis centers equipped to help people in emotional distress or experiencing a suicidal crisis. **Moving to 988 will not replace the Lifeline**, rather it will be an easier way to access a strengthened and expanded network of crisis call centers. Beginning July 16, 2022, people can access the Lifeline via 988 or by the 10-digit number (which will not go away).

When will 988 go live nationally?

The 988 dialing code will be available nationwide for call (multiple languages), text or chat (English only) on July 16, 2022. Until then, those experiencing a mental health or suicide-related crisis, or those helping a loved one through crisis, should continue to reach the Lifeline at its current number, **1-800-273-8255**.

How is 988 different from 911?

988 was established to improve access to crisis services in a way that meets our country's growing suicide and mental health related crisis care needs. 988 will provide easier access to the Lifeline network and related crisis resources, which are distinct from 911 (where the focus is on dispatching Emergency Medical Services, fire and police as needed).

How is 988 being funded?

Congress has provided the Department of Health and Human Services workforce funding through the American Rescue Plan, some of which will support the 988 workforce. At the state level, in addition to existing public/private sector funding streams, the National Suicide Hotline Designation Act of 2020 allows states to enact new state telecommunication fees to help support 988 operations.

Is 988 available for substance use crisis?

The Lifeline accepts calls from anyone who needs support for a suicidal, mental health and/or substance use crisis.

Urgent realities.



Too many Americans are experiencing suicide and mental health crises without the support and care they need. In 2020 alone, the US had one death by suicide about every 11 minutes — and for people aged 10-34 years, suicide is a leading cause of death.

Easier access.



Moving to an easy-to-remember, 3-digit dialing code will provide greater access to life-saving services.

There is hope.



Providing 24/7, free and confidential support to people in suicidal crisis or emotional distress works! The Lifeline helps thousands of people overcome crisis situations every day.

Email 988 questions to:

**988Team@
samhsa.hhs.gov**



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BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Simsbury Volunteer Ambulance Association Update on Second Response Unit
2. **Date of Board Meeting:** September 12, 2022
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager *Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**
This presentation is informational.
5. **Summary of Submission:**
In follow-up to its February 14, 2022 presentation, the Simsbury Volunteer Ambulance Association (SVAA) is presenting to the Board of Selectmen regarding service delivery. Presenting for Simsbury Volunteer Ambulance Association this evening is SVAA Board Member Peter Tedone.

Earlier in the evening, members of the Board of Selectmen were provided an opportunity to tour the SVAA facility.
6. **Financial Impact:**
None
7. **Description of Documents Included with Submission:**
a) Presentation Slides - *forthcoming*



Town of Simsbury

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BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Tax Refund Requests
2. **Date of Board Meeting:** September 12, 2022
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Colleen O'Connor, Tax Collector
Maria E. Capriola
4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports approving the tax refunds as presented, the following motion is in order:

Move, effective September 12, 2022 to approve the presented tax refunds in the amount of \$31,751.91, 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 \$31,751.91. The attachment dated September 12, 2022 has a detailed listing of all requested tax refunds.
7. **Description of Documents Included with Submission:**
 - a) Requested Tax Refunds, dated September 12, 2022

REQUESTED TAX REFUNDS
SEPTEMBER 12, 2022

	BILL NUMBER	TAX	INTEREST	TOTAL
Miller John K	19-01-05457	\$8.53		\$8.53
Toyota Lease Trust	19-03-68885	\$1,118.97		\$1,118.97
Total 2020		\$1,127.50	\$0.00	\$1,127.50
List 2020				
CCAP Auto Lease Ltd	20-03-52900	\$203.32		\$203.32
JP Morgan Chase Bank NA	20-03-59146	\$417.95		\$417.95
VW Credit Leasing Ltd	20-03-69424	\$141.41		\$141.41
Miller John K	20-01-05454	\$8.61		\$8.61
Toyota Lease Trust	20-03-68464	\$1,101.35		\$1,101.35
ACAR Leasing Ltd	20-04-80029	\$671.85		\$671.85
Total 2020		\$2,544.49	\$0.00	\$2,544.49
List 2021				
McCaffrey Law (47 Long View)	21-01-00734	\$4,691.95		\$4,691.95
Sachem Capital Corp	21-01-07020	\$2,034.15		\$2,034.15
Yatskovskiy, Vladimir	21-01-08807	\$107.44		\$107.44
Heritage Glen Condo Assoc.	21-02-40421	\$64.11		\$64.11
ACAR Leasing Ltd	21-03-50060	\$165.14		\$165.14
ACAR Leasing Ltd	21-03-50065	\$525.54		\$525.54
ACAR Leasing Ltd	21-03-50073	\$836.25		\$836.25
ACAR Leasing Ltd	21-03-50078	\$380.27		\$380.27
Alleva Carl J	21-03-50286	\$15.24		\$15.24
All Weather Home Imp	21-03-50349	\$68.31		\$68.31
Amarell, Martin F	21-03-50426	\$93.78		\$93.78
Amarell, Martin F	21-03-50427	\$22.26		\$22.26
Amarell, Martin F	21-03-50428	\$126.46		\$126.46
Anderson Carol S	21-03-50464	\$30.32		\$30.32
Anderson Darren B	21-03-50469	\$29.33		\$29.33
Baek, Julianne V	21-03-50826	\$679.55		\$679.55
Benjamin Daniel	21-03-51357	\$25.34		\$25.34
Blutt Jay B	21-03-51658	\$18.61		\$18.61
Bouquillon Edward F	21-03-51852	\$18.67		\$18.67
Cagganello Albert R	21-03-52466	\$11.15		\$11.15
CCAP Auto Lease Ltd	21-03-52895	\$769.93		\$769.93
CCAP Auto Lease Ltd	21-03-52899	\$769.93		\$769.93
CCAP Auto Lease Ltd	21-03-52901	\$1,007.99		\$1,007.99
CCAP Auto Lease Ltd	21-03-52904	\$567.39		\$567.39
CCAP Auto Lease Ltd	21-03-52907	\$722.66		\$722.66
Clancy Brian A	21-03-53296	\$49.79		\$49.79
Cody Dennis M	21-03-53416	\$42.07		\$42.07
Cowling Jeffrey E	21-03-53853	\$30.61		\$30.61
Daly Michael J	21-03-54242	\$54.07		\$54.07
Darche, Mary C	21-03-54284	\$11.98		\$11.98
Denote, Jonathan F	21-03-54589	\$60.30		\$60.30
Denslow, Mark / Deleo, Laura	21-03-54590	\$409.37		\$409.37
Denslow, Mark / Deleo, Laura	21-03-54591	\$438.66		\$438.66

REQUESTED TAX REFUNDS
SEPTEMBER 12, 2022

Denton Johnnie M	21-03-54593	\$59.64		\$59.64
Fazzone, Abby	21-03-55689	\$439.12		\$439.12
Fillmore, Kevin	21-03-55846	\$20.47		\$20.47
Financial Ser Veh Trut	21-03-55890	\$433.08		\$433.08
Ganych, Marc	21-03-56493	\$6.67		\$6.67
Carbone, Salvatore	21-03-56623	\$62.16		\$62.16
Haidara, Mohamed	21-03-57353	\$6.52		\$6.52
Harrington, Dennis	21-03-57691	\$378.19		\$378.19
Higgins Jill	21-03-58035	\$55.58		\$55.58
Honda Lease Trust	21-03-58375	\$391.58		\$391.58
Honda Lease Trust	21-03-58392	\$99.29		\$99.29
Hyundai Lease Titling Trust	21-03-58754	\$173.76		\$173.76
Hyundai Lease Titling Trust	21-03-58771	\$409.27		\$409.27
Janschewitz Donna E	21-03-59002	\$74.33		\$74.33
JP Morgan Chase Bank NA	21-03-59252	\$458.49		\$458.49
JP Morgan Chase Bank NA	21-03-59266	\$95.20		\$95.20
JP Morgan Chase Bank NA	21-03-59312	\$855.90		\$855.90
VCFS Auto Leasing Co	21-03-59410	\$365.57		\$365.57
Jun Yoonho	21-03-59444	\$92.99		\$92.99
Knowles Drew E	21-03-59996	\$599.57		\$599.57
Kulicki, Leonard E	21-03-60259	\$39.71		\$39.71
Kulicki Leonard E	21-03-60262	\$101.24		\$101.24
Yatskovskiy, Vladimir	21-03-60304	\$16.76		\$16.76
Lambert Thomas L	21-03-60396	\$8.66		\$8.66
Lamphier Edwin P III	21-03-60421	\$26.04		\$26.04
Li, De	21-03-60944	\$35.74		\$35.74
Llanes Lisa	21-03-61106	\$25.00		\$25.00
Mallery Carl F Jr	21-03-61613	\$155.56		\$155.56
Maness, James E	21-03-61652	\$47.23		\$47.23
Martensen Todd D	21-03-61798	\$13.92		\$13.92
McDonald Patricia	21-03-62184	\$27.00		\$27.00
Pepperman Monica L	21-03-62849	\$25.66		\$25.66
Murphy Adam / Fay, Krystal	21-03-63156	\$47.24		\$47.24
Nissan Infiniti LT LLC	21-03-63595	\$165.32		\$165.32
Noble, Jessica C	21-03-63646	\$22.08		\$22.08
Oconnell Walter	21-03-63797	\$313.25		\$313.25
Pepperman Monica L	21-03-64550	\$23.53		\$23.53
Pervere Robert L	21-03-64627	\$54.07		\$54.07
Ross, Lise A	21-03-66027	\$352.13		\$352.13
Schafer Laura A	21-03-66593	\$30.77		\$30.77
Schafer Laura A	21-03-66594	\$39.27		\$39.27
Sharbaugh, Jeffrey E	21-03-67011	\$17.28		\$17.28
Tefft Robert D	21-03-68417	\$14.14		\$14.14
Toyota Lease Trust	21-03-68727	\$149.07		\$149.07
Toyota Lease Trust	21-03-68747	\$365.85		\$365.85
Toyota Lease Trust	21-03-68752	\$1,004.22		\$1,004.22
Toyota Lease Trust	21-03-68883	\$775.37		\$775.37
Vault Trust	21-03-69336	\$588.89		\$588.89
VCFS Auto Leasing Co	21-03-69380	\$313.86		\$313.86
VCFS Auto Leasing Co	21-03-69403	\$506.70		\$506.70
Vdovneko Alexandre A	21-03-69458	\$81.87		\$81.87
Vogel, Kelan	21-03-69583	\$467.15		\$467.15

REQUESTED TAX REFUNDS
SEPTEMBER 12, 2022

VW Credit Leasing Ltd	21-03-69654	\$153.70		\$153.70
VW Credit Leasing Ltd	21-03-69667	\$106.34		\$106.34
VW Credit Leasing Ltd	21-03-69706	\$540.05		\$540.05
VW Credit Leasing Ltd	21-03-69714	\$162.71		\$162.71
Wahlberg, Benjamin	21-03-69775	\$350.48		\$350.48
Wildman, Peter	21-03-70251	\$51.80		\$51.80
Wildman, Peter	21-03-70253	\$48.97		\$48.97
Wildman Peter W	21-03-70254	\$48.81		\$48.81
Williams Trevor	21-03-70313	\$353.03		\$353.03
Yatskovskiy, Vladimir	21-03-70591	\$25.55		\$25.55
Ziko Mary R	21-03-70768	\$6.58		\$6.58
Zoephel, Carl S	21-03-70791	\$79.26		\$79.26
Mallery Carl F Jr	21-03-70915	\$125.02		\$125.02
JP Morgan Chase Bank NA	21-03-70931	\$182.42	\$12.47	\$194.89
Paterson, Brian C	21-04-82932	\$22.15		\$22.15
Total 2021		\$28,067.45	\$12.47	\$28,079.92
TOTAL 2019		\$1,127.50	\$0.00	\$1,127.50
TOTAL 2020		\$2,544.49	\$0.00	\$2,544.49
TOTAL 2021		\$28,067.45	\$12.47	\$28,079.92
TOTAL ALL YEARS		\$31,739.44	\$12.47	\$31,751.91



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Recovery-Friendly Community Initiative

2. **Date of Board Meeting:** September 12, 2022

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

Maria E. Capriola, Town Manager *Maria E. Capriola*

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

The following suggested motion is in order:

Move, effective September 12, 2022, to proclaim the Town of Simsbury as a "Recovery-Friendly Community."

5. **Summary of Submission:**

The nonprofit organization, A Promise to Jordan, brought forward a proposal for the Town of Simsbury to be established as a recovery friendly community (RFC). In early 2020, the Board formally endorsed pursuing the designation, and identified A Promise to Jordan as our Recovery Friendly Champion. Expected benefits of a RFC may be reduced substance use, reduced overdoses, reduced crime, an improved community sense of compassion, humanity and citizenship, and positive statewide visibility. We can support our residents by working to raise awareness of the nature of substance use, promote recovery by reducing stigma/discrimination and build the environmental factors necessary for those that need it².

Simsbury has taken steps toward the RFC designation (see attached checklist), as provided in an update to the Board on August 8, 2022.

Attached are toolkits for businesses interested in being Recovery Friendly.

6. **Financial Impact:**

None

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

- a) Recovery-Friendly Community Checklist
- b) Toolkit for Being a Recovery Friendly Business – Source: Peer Recovery Center for Excellence
- c) Toolkit for Being a Recovery Friendly Business – Source: State of Connecticut

² <https://www.wctcoalition.org/recoveryfriendlycommunity>

Establishing a Recovery Friendly Community (rev.10/19/18)

This document is intended to provide guidance to municipalities that are interested in supporting those residents who are in recovery from a substance use condition by 1) raising awareness of the nature of such conditions, 2) promoting health and recovery by reducing stigma and discrimination and 3) building or improving the environmental factors necessary for "recoverees" to flourish. Expected benefits of a Recovery Friendly community may be reduced substance use, reduced overdoses, reduced crime, an improved community sense of compassion, humanity and citizenship, and positive statewide visibility.

1. Municipal Leadership		Yes	Not yet	Next Steps
a.	The mayor, Town Council and/or Board of Directors is in agreement with developing a recovery friendly community.	x		
b.	The mayor, Town Council and/or Board of Directors has appointed a recovery "champion". The champion is a person who is committed to supporting recovery from substance use conditions and who is willing and empowered to lead the town/city-wide efforts necessary for becoming "Recovery Friendly" by convening Department heads, other leaders including faith leaders, youth and persons in recovery on a monthly basis to develop and monitor the community enhancements outlined in this document. <i>(The "RFC Planning Group")</i>	x		
c.	The city/town has a "Local Prevention Council" and if so, this Council is integral to the mission of the Recovery Champion.	x		APFJ - hoping to achieve recognition
d.	The town website reflects that it is a "Recovery Friendly Community".	x		Complete all other steps first so as to promote them on Town website.
2. Municipal Department "Buy-In"		Yes	Not yet	Next Steps
a.	The Parks and Recreation Department hosts recovery-friendly activities and events.	x		Note "Recovery-Friendly" on P & R website programs
b.	The Schools offer: substance use and problem gambling education; alternative peer groups; family support for identified substance use problems; student recovery groups; recovery promotion and anti-stigma activities; etc.		x	APTJ working on getting events into HS this year
c.	Police and Fire Department personnel encourage treatment and other recovery approaches and are knowledgeable about local resources.	x		
d.	The Social Services and Health departments are well versed in treatment and recovery options that reflect multiple pathways of recovery.	x		Place resources for help on SS website
e.	The Human Resources department includes addiction and recovery awareness training as part of their new staff orientation and offers EAP services.	x		ask eric to confirm this
f.	The city/town welcomes safe and stable recovery housing .		x	Lisa will provide w recovery housing options
g.	There are community centers for youth and adults.	x		Simsbury Farms?

Establishing a Recovery Friendly Community (rev.10/19/18)

3. Community Attitudes		Yes	Not yet	Next Steps
a.	Businesses are open to hiring people in recovery and advertise same.	x		Involve SCOC and MSP - intention to give site to
b.	Community organizations are open to providing volunteer opportunities to people in recovery.	x		
c.	The Community supports formerly incarcerated individuals.	x		
4. Community Resources		Yes	Not yet	Next Steps
a.	Residents know how and where to obtain Narcan.	x		Put on Town website
b.	Hospital emergency departments have recovery coaches available.		x	Hartford & St. Francis, not Dempsey
c.	Faith-based resources are recovery-informed and easily accessible.		x	Lisa met w clergy
d.	Residents know how to access peer support and mutual aid groups and are aware of other pathways of recovery.	x		AA and/or NA meetings - link to meetings page
e.	Local transportation is available to individuals seeking treatment or a support group.		x	Put Access Line-800-563-4086- on Town website -- State of CT Access Line
f.	Residents know how and where to access treatment and other recovery resources, including recovery coaches, in the community.		x	Put Access Line-800-563-4086- on Town website
g.	Residents know how to access "Telephone Recovery Support".		x	Put Access Line-800-563-4086- on Town website
h.	Physicians that prescribe medication for substance use disorders are easily identified and available.		x	https://www.sanmsa.gov/medication-assisted-treatment/practitioner-
i.	Family education and support groups are available.	x		Put APTJ Support Groups page on Town website - link to that page
j.	Food, clothing and other basic supports are readily available.	x		Social Services



Recovery Friendly Workplace

TOOLKIT



WELCOME

Thank you for taking this step in learning more about Recovery Friendly Workplaces. We believe that employers play a critical role in fighting the disease of addiction, and we want to make it easier for you to better understand how to create and maintain recovery friendly practices in your company.

Recovery is good for business! Employers are becoming more proactive in recognizing the economic and cultural benefits of being better informed about substance use and ways to support talent who are seeking help or in recovery. Savings for employers include:

- Employees who get effective substance use treatment and recovery support can, on average, **avoid \$8,817 in annual costs**.
- Employees in recovery take less unscheduled leave than their colleagues. On average, they **miss 13.7 fewer work days** than employees with an active substance use disorder and 3.6 fewer work days than an average employee.
- Employees in recovery stay with their employers at almost identical rates as their co-workers. And, compared to those with active addictions, employees in recovery can **save their organization up to \$4,000** in turnover and replacement costs.
- Employees in recovery **save an average of \$536 per year** in healthcare utilization costs compared to those with an untreated substance use disorder.

Employers have felt the impact of substance misuse for decades through absenteeism, loss of productivity, safety issues and poor job performance. Through Recovery Friendly Workplaces, we can accomplish a number of things. We can fight the stigma associated with the disease of addiction and encourage employees to get help sooner by providing resources that meet people where they're at and support their own, unique recovery pathway. There are many ways to recover from addiction, and it is important that we encourage employees to find what works best for them.

In this toolkit, we introduce what substance use disorder is, its impact in the workplace, and how to create and support a Recovery Friendly Workplace. The goal of this toolkit is to provide you with practical tools and information. Too often, we ignore problems and do not provide resources to help people take action. This is just a small sample of what you can do for your employees.

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Introduction to Substance use Disorder

Defining Substance use Disorder

The [Substance Abuse and Mental Health Services Administration](#) (SAMHSA) defines substance use disorder by stating:

Substance use disorders occur when the recurrent use of alcohol and/or drugs causes clinically significant impairment, including health problems, disability and failure to meet major responsibilities at work, school or home.

Substance use disorder (SUD) is a chronic disease that does not discriminate based on socioeconomic status, gender, age or race. And, it's more common than you may think. According to the [National Survey on Drug Use & Health](#), there are more than 20 million people in the United States who are affected by substance use disorder. This means that 1 in 3 households are directly impacted by this disease.

The Science of Addiction

Contrary to what some may think, addiction is not a moral failing or lack of willpower. It is, however, a chronic and complex disease that affects the brain's reward system. The [National Institute on Drug Abuse](#) (NIDA) states:

Addiction is a chronic disease characterized by drug seeking and use that is compulsive, or difficult to control, despite harmful consequences.

While the initial decision to use a drug is usually voluntary, the brain is altered over time, and the decision to use no longer becomes a choice.

There are three main risk factors that influence the likelihood of addiction:

- Genetics — The [NIDA states](#) that genetics account for between 40 and 60 percent of a person's risk of addiction
- Environmental — Family, school, home life, peer pressure and early exposure to substances can all influence the risk of addiction
- Developmental — [Studies show](#) that the earlier in life drug use begins, the more likely it will progress to addiction

Recovery Is Possible

The good news is that substance use disorder is a treatable and manageable disease. As with other chronic diseases such as diabetes, asthma and heart disease, SUD treatment should be ongoing and frequently assessed.

It's important to note that there are multiple pathways to recovery. Every individual is unique, and there is no "one size fits all" recovery program that will work for everyone. While only [10% of people with substance use disorders](#) receive traditional treatment services, there is an expanding network of [recovery support services](#) to address a person's needs throughout their lifetime, where they live, work and play.

People do not need to "hit rock bottom" before they receive help. Peer recovery coaching brings services upstream and helps people who are still employed, live at home with their families and have supportive relationships. Coaching services can also be used before, during, after or in lieu of treatment.

[SAMHSA defines recovery](#) as a process of change through which people improve their health and wellness, live self-directed lives, and strive to reach their full potential. There are an estimated **23 million Americans** in recovery who are creating healthy lifestyles, relationships and communities.

Impact of Substance use Disorder in the Workplace

Substance use Disorder Cost to Employers

Substance use disorders will cost our healthcare system and economy more than \$400 billion this year. Despite this large price tag, many employers don't know how SUD is affecting their bottom line.

Workplaces bear a large portion of the national cost, mostly in hidden fees associated with turnover, absenteeism, loss of productivity and healthcare expenditures. But exactly how much is your business being affected?

The [National Safety Council](#), [Shatterproof](#) and [NORC at the University of Chicago](#) teamed up to create "[The Real Cost of Substance Use to Employers Tool](#)."



Substance Use Employer Calculator

The calculator is an authoritative, easy-to-use tool providing business leaders with specific information about the cost of substance use (including prescription drug misuse, alcohol misuse, opioid addiction and heroin addiction, as well as misuse of other illicit drugs and marijuana) in their workplace based on the size of the employee base, industry and state.

[Calculate Your Costs](#)

General SUD Employer Statistics

75%

of adults with untreated substance use disorder are in the workforce
[Link](#)



in workplace productivity is lost annually due to heavy drinking

[Link](#)



Employees with untreated substance use disorder miss nearly **50% more days** than their peers [Link](#)



Employees who misuse alcohol are **270% more likely** to have a workplace accident [Link](#)

7 out of 10 employers have felt the effects of opioid drug misuse



[Link](#)

The annual cost of a single employee with an untreated SUD ranges from \$2,600 in agriculture to more than \$13,000 in the information and communications sectors. [Link](#)

Employers can save an average of \$8,500 for supporting each employee in recovery from substance use disorder. [Link](#)

The rate of occurrence and cost varies by industry with construction, entertainment, recreation and food service [having twice the national average](#) of employees with SUD. You can see how your industry is affected [here](#).

Recognizing Troubling Behaviors

Workplaces are a critical point of contact for employees struggling with or recovering from a substance use disorder. Ideally, workplaces will provide individual, family and community support, and improve the well-being of workers. Workplaces should create work environments that proactively prevent substance misuse, reduce stigma, and encourage treatment and sustained recovery. What should you do if you suspect substance misuse in your workplace?

While the signs aren't always easy to detect, here are some troubling behaviors that may (but not always) indicate substance misuse:

- Increased absenteeism, both unexpected leave and excessive use of vacation/sick days
- Frequent and unexplained disappearance from office or worksite
- Poor and/or inconsistent job performance

- Increased accidents, both on the job and at home
- Difficulty or lack of concentration
- Increased errors, and poor judgment or decision-making
- A decline in physical appearance and hygiene

Addressing SUD Related Issues

Notification Policy

It is important for employees to know what actions to take if they suspect or observe substance use in the workplace. Employees should notify their supervisor or HR representative if they notice a co-worker exhibiting troubling behaviors. A swift response increases the chances of the situation being properly addressed.

Addressing Issues with Employee

Employers should approach conversations about substance use disorder with caution and care. There should be legitimate, reasonable and documented observations that initiate the conversation.

Outside of drug testing, regularly occurring performance reviews are a good way to open the door to a more candid discussion about substance use. Consider asking questions such as, “I’ve noticed that you have missed quite a few deadlines in the past month. Your performance has declined, and it appears that you are having trouble concentrating. Is everything OK? Is there anything I can help with?”

Some employees may take the opportunity to open up and share information about their substance use. In this case, the employer can begin discussing next steps and options (see *below*).

Denial of the issue can also occur. In this case, employers should move forward with standard procedures to address performance-related issues or inappropriate behavior. Clear expectations and consequences should be set. Continued performance discussions and any related issues should be addressed according to company disciplinary policies.*

Any and all disciplinary actions need to be based on performance, conduct and adherence to workplace policies. They cannot be based on suspicion of addiction or substance use disorder.



The Society of Human Resource Management offers [a comprehensive](#) article on employing and managing those with substance use disorder.

**These are suggested practices. Employees, managers, supervisors and HR professionals should refer to their internal policies and procedures. Some employers and industries may have a [legal obligation](#) to address substance use disorder in the workplace.*

Providing Options

Once an employee has opened up and confirmed substance misuse or substance use disorder, there are a variety of options that an employer can provide.

- **Recovery Coaching Services** — Peer recovery coaching allows employees to remain employed throughout the coaching process. Services are done by phone, easy to access, and traditionally come at no cost to the employee.
- **Employee Assistance Programs (EAP)** — Some employers may offer Employee Assistance Programs, which can provide resources for those seeking help related to substance use disorder.

- **Treatment** — There are employees who may benefit from inpatient or outpatient treatment. In this case, employers can help by providing treatment options with a resource such as the Addiction Treatment Locator, Assessment, and Standards Platform or FindTreatment.gov. Collaborating on a “Return-to-Work Plan” after treatment will help the employee feel confident for their return and eliminate concerns over losing their position.

Legal

There are two sets of federal laws that *may* pertain to someone with substance use disorder in the workplace.

Americans with Disabilities Act (ADA)

The Americans with Disabilities Act prevents an employer from discriminating against an employee simply for having a disability, disease or medical condition, such as substance use disorder.

Current alcohol or illegal drug use is not protected, but those in recovery or treatment are covered by the ADA.

Learn More

Family Medical Leave Act (FMLA)

The Family Medical Leave Act legally ensures that employees are able to take unpaid leave for serious medical conditions, including treatment for substance use disorder. Covered employees can take job-protected leave for a total of 12 workweeks in any 12-month time period for treatment that is administered by a healthcare provider or as a referral from a healthcare provider. However, not all companies or employees are eligible for FMLA.

Learn More

Benefits of Recovery

While the cost of untreated substance use disorder can be high, recovery is good for business! Employees in recovery improve productivity, decrease healthcare costs and reduce workplace injuries.

Investing in helping workers get effective substance use treatment can, on average, avoid \$3,200 in costs annually for each employee who recovers. ([link](#))

Absenteeism

Employees in recovery take less unscheduled leave than their colleagues. On average, they miss 13.7 fewer days than employees with an active substance use disorder and 3.6 fewer days than an average employee.

Turnover Rates

Employees in recovery stay with their employers at almost identical rates as their co-workers. And, compared to those with SUD, employees in recovery can save their organization up to \$4,000 in turnover and replacement savings.

Healthcare Costs

Employees in recovery save an average of \$536 a year in healthcare utilization costs compared to those with untreated substance use disorder.

People in recovery often have a high degree of self-awareness, resilience, compassion, dedication and understanding. These skills and behaviors are often highly sought after by employers due to the positive impacts the employee can have on a team, company and culture.

Creating a Recovery Friendly Workplace

Companywide Statement

Becoming a Recovery Friendly Workplace promotes the physical health and mental wellness of your employees. Now that you've made the commitment to becoming a Recovery Friendly Workplace, ensure that your employees know!

Making a companywide declaration will increase awareness of your commitment to the Recovery Friendly Workplaces initiative. Here is an example statement:

"COMPANY has made a commitment to become a Recovery Friendly Workplace. We value the health and safety of all our employees and are dedicated to helping those with substance use disorder. We are also committed to fighting the stigma associated with addiction and mental health. We intend to promote positive changes within our workplace and the community."

Once your declaration is completed, you can share the good news through companywide emails, newsletters, social media postings, and at companywide meetings and events. Don't shy away from sharing this information on a regular basis until it becomes part of your workplace culture.

Assessing Current Health and Safety Practices

As you start to create a Recovery Friendly Workplace, it is important to assess your current health and safety practices. Reflecting on the following questions will provide you with an understanding of the gaps that may exist within your organization.

- Does your organization have a [high rate of substance use disorder](#)?
- What resources do you currently offer for employees seeking help related to SUD and mental health? Do all employees know of current offerings?
- Does your organization employ individuals in the [safety- and security-sensitive industries](#)?
- Has your organization been impacted by substance use or misuse in the past? How was the situation handled, and what could be improved?
- Are employees educated on substance misuse and what to do if they observe troubling behavior?
- What ideas do your employees have for supporting recovery in the workplace? Create an anonymous survey to better understand their needs and ideas.
- ***What are the gaps in our policies and procedures that would prevent an employee from accessing the help they need?***

Suggested Recovery Friendly Workplace Practices

Here are some suggested practices to promote recovery, reduce barriers and encourage overall healthier employees.

Suggested Recovery Friendly Workplaces Practices

- Share the Recovery Friendly Workplace Initiative with new employees.
- Ensure that current employees are aware of all available health and wellness programs.
- Be proactive in addressing substance use disorder related issues.
- Provide employees with resources (*see below*) to support recovery for themselves and their families.
- Work with a local Recovery Community Organization to offer on-demand Recovery Coaching Services.
- Ensure that supervisors and employees receive yearly training and education on substance misuse and substance use disorders.
- Support employees who seek treatment, hospitalization or temporary leave.
- Develop a Return-to-Work Plan for those returning from treatment to alleviate stress and set expectations. Recovery coaching can provide and support an aftercare plan to help sustain the positive outcomes following treatment.
- Promote a message of hope in recovery.
- Design safeguards to protect the confidentiality of employee health information.

Employee Education

Prescription Medication

The coverage of prescription medication continues to be an essential part of employer health-care plans. However, with the [surge in opioid addiction and overdose](#), it's important to educate employees on the proper disposal of unused opioids. [Research shows](#) that up to 40% of people who misuse prescription medicine obtained the opioids from a friend or relative.

Share this [Safe At-Home Medication Disposal](#) with your employees.

Overdose Prevention Trainings

On average, [136 Americans die every day](#) from opioid overdoses. And, a [recent report](#) showed that Americans are more likely to die of an opioid overdose than from a car accident. Education is key to overdose prevention, and there are free naloxone trainings that provide employees with the tools needed to save a life. [Naloxone](#) is a medicine that rapidly reverses the effects of an opioid overdose.



[GetNaloxoneNow](#)

Get Naloxone Now is an online resource for training people to respond effectively to an opioid overdose emergency. Employers can consider having naloxone at their worksites and offer training to employees on how to save a life.



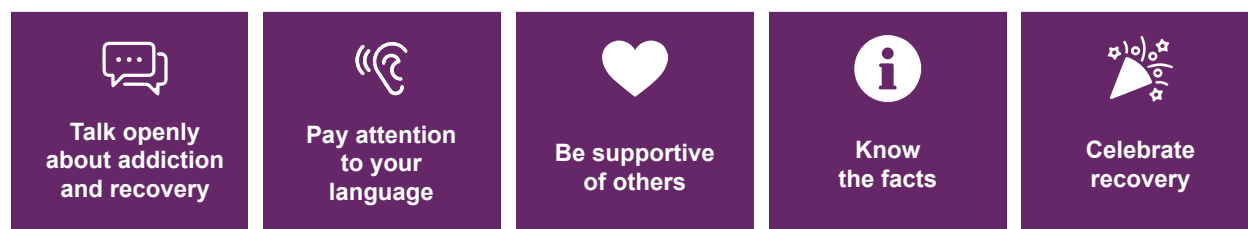
Creating an Ongoing Recovery Friendly Culture

Fight the Stigma

Unfortunately, stigma still exists around substance use disorder and mental illness. “The biggest killer out there is stigma. Stigma keeps people in the shadows. Stigma keeps people from coming forward and asking for help. Stigma keeps families from admitting that there is a problem.”
— Jerome Adams, U.S. Surgeon General

As [Hazelden Betty Ford Foundation](#) states, “Today, the stigma of addiction is seen as a primary barrier to effective addiction prevention, treatment and recovery efforts at the individual, family, community and societal levels.”

In addition to your organization becoming a Recovery Friendly Workplace, there are other ways you can fight the stigma and create an ongoing recovery friendly culture:



Change the Narrative

We all play a part in eliminating the stigma. We can start by:

#1 Shattering the Myths: Recognize that substance use disorder is a chronic disease, not a moral failing

#2 Changing the Language: The way we talk about substance use disorder matters.

Suggested language guide:

✖ Instead of Saying:	✔ Say:
“Addict,” “Junkie” or “Druggie”	“A person with substance use disorder”
“Abuse”	“Misuse”
“Dirty”	Actively Using
“Clean”	“In Recovery” or “Substance Free”

Ongoing Recovery Friendly Workplace Culture Practices and Activities

Here are some additional ideas to establish an ongoing Recovery Friendly Workplace culture:

- Participate in at least one prevention and/or recovery focused community event each year
- Provide stress-management, wellness and self-care education
- Establish a relationship with a [local recovery community organization](#) (RCO) as a resource for employees
- Provide a variety of non-alcoholic options at companywide events (everyone will enjoy tasty non-alcoholic options)
- Encourage healthy after hour activities in addition to or in lieu of happy hour
- Send anonymous employee surveys to ask for feedback and suggestions surrounding the Recovery Friendly Workplace Initiative

Examples of Companies Creating a Recovery Friendly Workplace Culture

Delta Airlines

The company has long supported the mental health of its employees. Delta was recognized by the Washington Business Group on Health (2000) as an example of a large employer who had generous or near-parity levels of mental health and substance use disorder benefits through their employer-sponsored plan, long before the Mental Health Parity and Addiction Equity Act of 2008. Whether there is a medical condition, disability or short-term challenge facing an employee, Delta's support focuses on the person and finding ways for the employee to stay engaged in work.

Overview of Delta Airlines Workplace Initiatives [here](#)

Salesforce

Marin Nelson is a Regional Vice President at Salesforce as well as co-founder of a new infinity group for Salesforce employees — SOBERforce. A community for any employee who is sober, for whatever reason (e.g., addiction, health, religious) and allies. Hear Marin discuss her Soberforce initiative [here](#).

Resources and Continuing Education

State Resources

Crisis Response Phone Numbers

In a crisis or emergency situation, utilize this list of emergency response numbers. [VIEW >](#)

FindTreatment.gov

[FindTreatment.gov](#) is a searchable directory and healthcare connection resource. It connects individuals to mental health and substance use disorder providers, physicians and care coordinators.

Recovery Community Organizations

[Recovery community organizations](#) (RCOs) are independent, non-profit organizations led by local representatives in recovery. Follow the link to find an RCO in your area [VIEW>](#)

Recovery Housing

Recovery housing can be a stepping stone back into everyday life for those leaving treatment. Visit the [National Association of Recovery Residences](#) to connect with your state affiliate on recovery residences.

National Resources

Substance Abuse and Mental Health Services Administration

SAMHSA is the agency within the U.S. Department of Health and Human Services that leads public health efforts to advance the behavioral health of the nation. SAMHSA's mission is to reduce the impact of substance abuse and mental illness on America's communities.

- [National Helpline](#)
- [National Behavioral Health Treatment Locator](#)

Faces & Voices of Recovery

Faces & Voices of Recovery is dedicated to organizing and mobilizing the 23 million Americans in recovery. They promote the rights of people in recovery and resources for recovery through advocacy, education and demonstrating the power and proof of long-term recovery. [VIEW >](#)

Recovery Friendly Workplace Checklist

Thank you for your interest in becoming a Recovery Friendly! Use the checklist below as a getting started guide for creating a healthy, safe and stigma-free work environment.

- ☐ Download the Recovery Friendly Workplace Toolkit (add link)
- ☐ Learn the basics of substance use disorder by reading pages 8 to 12 of the toolkit
- ☐ Calculate how much substance use disorder is costing your organization [here](#)
- ☐ Share the good news! Release a companywide statement about your commitment to becoming a Recovery Friendly Workplace
- ☐ Reflect on the discussion questions in “Assessing Current Health & Safety Practices,” page 13
- ☐ Determine which recovery friendly practices your organization is going to implement (see pages 14 to 15 for examples)
- ☐ Host an educational meeting to discuss the Recovery Friendly Workplaces Initiative with employees
- ☐ Pick two ongoing Recovery Friendly Workplace practices to add to your internal event calendar. See page 17 for examples
- ☐ Add the state and national resources listed in the toolkit to your employee handbook or internal resource guide

Thanks again for your commitment to the mental and physical health of your employees!

Recovery Friendly Workplace Badge to display throughout the organization



About the Peer Recovery Center of Excellence

The **Peer Recovery Center of Excellence (CoE)** is housed at the University of Missouri-Kansas City (UMKC). Partners include the National Council for Mental Wellbeing, University of Texas-Austin, and University of Wisconsin-Madison, and our appointed peer led Steering Committee. Peer voice is at the core of our work and guides our mission to enhance the field of substance use peer support services.

The Peer Recovery CoE has four focus areas: Integration of Peers into Non-Traditional Settings, Recovery Community Organization Capacity Building, Peer Workforce Development, and Evidence-Based Practice & Practice-Based Evidence Dissemination. In addition to training and publications, the Peer Recovery CoE accepts technical assistance requests from any individual, organization, community, state or region in need of training relating to substance use disorder peer support services.

Partnership with the University of Wisconsin-Madison

The Peer Recovery CoE partnered with the University of Wisconsin-Madison (UW) to produce this toolkit. UW leads efforts within the Peer Recovery CoE related to Recovery Community Organization Capacity Building.

The Authors: Anne Westman, Luke Kjolsing, Melissa Kjolsing

The Recovery Friendly Workplace Toolkit was created to help teams implement the initial tools to recognize and support employees who are navigating substance misuse and substance use disorders. Workplaces and employees are symbiotic relationships — both depending on the other. With employment and purpose playing significant roles in the overall well-being of a person, it's critical that employers understand the powerful actions they can take in supporting a person's recovery journey. We appreciate and celebrate your efforts in taking the first steps in creating a recovery friendly workplace.

Acknowledgment should also be provided to Kris Kelly and Nell Hurley for reviewing and revising the toolkit.

Kris Kelly is a woman in long-term recovery. Kelly is the Recovery Community Organizational Capacity Building manager for the Peer Recovery CoE as well as the Senior Administrative Program Specialist for Minnesota in SAMHSA Region 5, for the Prevention, Addiction and Mental Health Technology Transfer Centers. Utilizing her unique combination of work in the recovery field, local communities and national projects, Kelly contributes significantly to the field to accelerate the adoption and implementation of evidence-based and promising, recovery-oriented practices.

Nell Hurley is a woman in long-term recovery, currently serving as a Steering Committee member for the Peer Recovery CoE. Hurley is a passionate recovery advocate with direct experience providing and overseeing peer recovery support services as well as directing Recovery Community Organizations. She has served in a variety of roles within the addiction and recovery space. Demonstrating her commitment to the recovery community, Hurley has also served on national organizational boards and committees.

Acknowledgments for Contribution to the Document



Thank you to those who assisted with content expertise, review, design, and editing:

University of Missouri-Kansas City (UMKC) team members contributing to this toolkit included: Callan Howton Montgomery, Director and Principal Investigator, and Shannon Roberts, Program Manager for the Peer Recovery Center of Excellence.

Stephanie Sheldon, Create Kind Marketing, design and branding

Frank Kresen, Artisan Graphic Design/**proof positive**, editing

Disclaimer Statement

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RECOVERY
WORKS

3.0 CREATING A RECOVERY FRIENDLY WORKPLACE

THE RECOVERY FRIENDLY WORKPLACE TOOLKIT

CT Department of Labor

CT Department of Public Health

Department of Mental Health and Addiction Services



3.1



ASSESSMENT OF CURRENT PRACTICES

Before launching an Recovery Friendly Workplace (RFW) initiative, it is important to assess your current health and safety practices regarding substance use disorder (SUD) to know where you stand and what you may need to honor based on past practices.

Here's a list of questions to help guide your initial assessment.

- **What is your organization's history with SUD?** Is there a high incidence of substance use disorder?

What practices and protocols have been used to handle it? What are the gaps in your policies that would prevent an employee from accessing help?
- **What resources are in place now for employees seeking help related to SUD and mental illness?** Have these resources been used – and are they effective?
- **What is the internal awareness level of what you do for employees with SUD?** Do all employees know of current offerings?
- **What is the level of sophistication among employees regarding substance use?** Do people know what it is and what to do if they see behavior they think is related to SUD?

- **Does your company hire people in safety-and security-sensitive industries?** These industries may require specific actions on your part regarding an employee with SUD.
- **What ideas do your employees have to support recovery in the workplace?** Front-line employees often have good ideas for how to deal with front line problems.



3.2



CONNECTICUT'S 5 PRINCIPLES



The Department of Health has identified 5 Key Principles to guide the development of a new approach to dealing with substance use disorder (SUD) in the workplace. Here's a summary of the 5 Key Principles and what they mean.

1. EARLY IDENTIFICATION

What it means:

- SUD in general does not go away without treatment, so it's essential to be alert to the issues, identify employees who may be struggling with SUD, and intervene early so that the problem can be addressed and contained.
- Employees who appear to be impaired in the workplace should be assessed according to employer policies and made to feel that they are receiving compassionate attention that's intended to help.

2. INSTANT SUPPORT

What it means:

- Employers who are willing to take fast action on this issue are more likely to retain their employees, increase productivity, and be recognized for having a positive company culture.
- The key is to establish your Recovery Friendly Workplace first so there's a framework for helping the employees who need it.

3. EMPLOYER FLEXIBILITY

What it means:

- Some employees with SUD may need to take a leave of absence for treatment. It's critical to see the advantages of keeping an employee who can be a long-term contributor to the company.
- Other employees in recovery may benefit from the structure and order of their jobs. They also may get a sense of purpose and identity, stability, and social support. So it's important to be flexible in your thinking about SUD in the workplace. For some employees, their job is an important part of recovery.
- The employer's flexibility may even be the catalyst for the employee to get help in the first place. So be prepared to be open-minded in your approach to implementing an RFW.

4. REGULAR REVIEW

What it means:

- SUD is a disability that requires simple, but consistent communications.

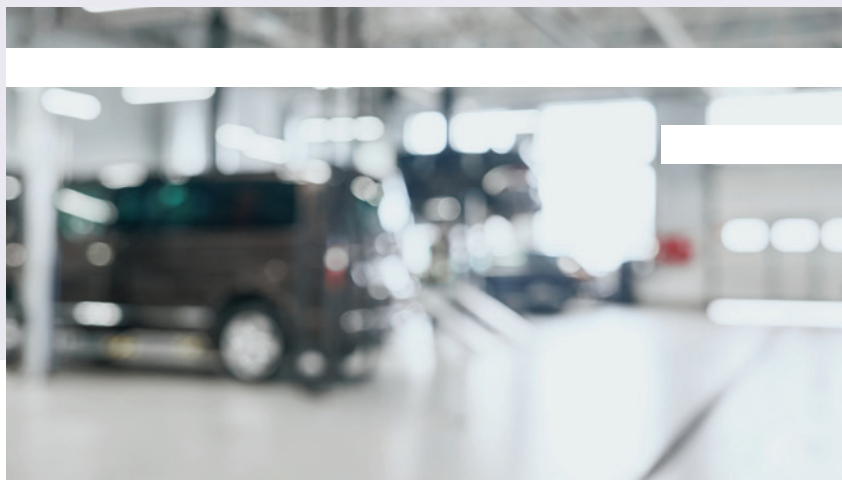
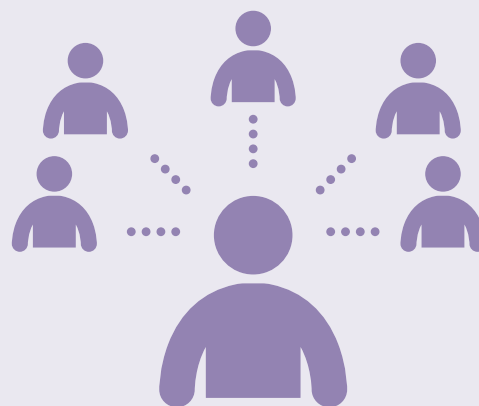


- Due to the chronic nature of addiction, and the necessity of external motivation during the early stages of recovery, regular review of an employee's job performance by his or her supervisor(s) should be conducted in an atmosphere of positive reinforcement.

5. ENLISTING SUCCESS

What it means:

- Large issues that impact the workplace (like SUD) can be solved more effectively when organizations mobilize together.
- For example, look at workplace safety. It takes employers, employees, union officials, contractors, suppliers, distributors, and others in the supply chain to collectively make safety a priority. When this is achieved, safety improves and accidents are reduced.
- Addressing substance use as a workplace issue is no different. It's up to the companies that are advanced enough to create a Recovery Friendly Workplace to involve others in the effort.



3.3



PUTTING THE 5 PRINCIPLES INTO PRACTICE

1. EARLY IDENTIFICATION

Putting it into practice

- Some industries require drug screening. A partial list includes: Transportation, construction, manufacturing, defense, law enforcement, and others related to public safety. If these measures are already company policy, they can be used for SUD identification.
- In workplaces where drug screening and testing are not in place, managers often need to rely on what they see. If there's visual evidence of what may be SUD-related behavior, the event should be documented. Before addressing the issue with the employee, see Section 2.0/How to talk to an employee about SUD.

2. INSTANT SUPPORT

Putting it into practice

- **Training supervisors and managers to spot the first signs of drug misuse** and scheduling routine check-ins with employees will help enhance rapport and staff engagement.
- **Enacting strong company drug policies** through an RFW initiative may also help increase the likelihood that employees will feel supported and that they will not be discriminated against for their problem.

- **Managers, supervisors, and human resources personnel** can be responsive and helpful by consistently putting information from this toolkit front and center before their employees.
- **Encouraging employees with SUD to engage other resources** sends the message that support is available. Community hotlines, Alcoholics Anonymous, Narcotics Anonymous, Al-Anon, community mental health centers, private therapists or counselors, and treatment centers can be helpful.
- **Specifically, Peer Recovery Support programs have experienced significant success** in helping people with SUD. Peer Recovery Support providers offer valuable guidance by sharing their own experiences recovering from SUD, helping to build skills, and assisting with specific needs that someone with SUD is facing.

3. EMPLOYER FLEXIBILITY

Putting it into practice

- **There may be a temporary need to move an employee to light duty, non-hazardous work, or another job modification** while he or she engages in a recovery program.
- **Many employers cannot allow an employee to take paid or unpaid time off from work**, but it's important to



remember that terminating an employee with SUD is a permanent loss, while allowing modified duty is a temporary measure that can serve the interests of both employer and employee.

- **You can address employee needs related to SUD** just as you would with employees who have other health-related conditions. This also means working in accordance with personnel policies and collective bargaining agreements, if applicable.
- **The Job Accommodation Network (JAN)** is a service provided by the U.S. Department of Labor's Office of Disability Employment Policy. It provides free, expert, confidential guidance to employers regarding workplace accommodations and disability employment issues, including SUD.
- **Depending on the employee's needs and the employer's policies**, possible solutions may include the use of paid or unpaid leave, counseling and attendance at support meetings, a modified daily schedule, temporary reassignment to a less stressful job, flexible use of leave time, or the ability to work from home.

4. REGULAR REVIEW

Putting it into practice

- **Create a Recovery Accommodation Plan (RAP).** This is initiated when an employee enters treatment or shows an interest in recovery support services. RAPs generally

include these steps:

- Education of those involved with information regarding substance misuse and the recovery process. This includes management and co-workers.
- Establishing the plan. This involves meeting with the employee to agree upon what's involved – before the employee returns to work. This meeting takes into consideration clinical recommendations for recovery. The RAP should then be documented.
- The employee reviews and signs the RAP agreement, making it clear that the employee is expected to follow what has been agreed upon.
- The RAP team meets at regular intervals, which at first are daily, then weekly, and eventually monthly. The plan can be reviewed and adjusted as necessary.
- Adherence to the RAP protocol will enable all involved parties to measure the effectiveness of the plan.
- **Drug screening can be a deterrent to relapse.** An option is to include screening upon request as a provision of the RAP.
- **As part of the RAP process**, remember to provide the employee with a list of peer and community supports and encourage him or her to participate in related support groups such as Alcoholics Anonymous (AA), Narcotics Anonymous



(NA), and similar resources.

- **As the timeframe for the RAP reaches its end point,** consider allowing the employee time for an extension. Also for consideration: Encourage or require that your employee continue with a peer-based support plan alongside or after the RAP.

5. ENLISTING SUCCESS

Putting it into practice

- **Consider partnering with organizations that are affiliated with yours:** suppliers/vendors, contractors, clients, and other organizations in the same business sector should be aware of your initiative and why it constitutes good business practice.
- **Working through your Chamber of Commerce** is a good place to start.

Explore partnerships with other companies to share best practices related to facing SUD in the workplace.

- **Some organizations commit to creating a resource center for SUD.** The CT International Union of Operating Engineers (IOUE) Local 478 created a Members Assistance Program (MAP), which has become an innovative tool in facing the opioid crisis.



3.4



BEST GUIDELINES

THE 10 BEST GUIDELINES FOR YOUR RECOVERY FRIENDLY WORKPLACE INITIATIVE



There are only a handful of Recovery Friendly Workplace programs in the U.S. Conclusive data regarding performance metrics and practices are still being collected. But here are the most essential guidelines to include in your planning and actions.

1. Get buy-in from leadership and employees alike.

Share a topline description of the RFW program – and be clear about what’s in it for everyone involved: Better productivity, better safety, happier employees, greater loyalty and engagement – and creating a healthier work environment.

2. Talk about it openly.

For too long, “addiction” has been covered up by silence and shame. It’s time to change the way we talk about it. Make the narrative about recovery, hope, and forward movement.

3. Reduce gossip and protect personal dignity.

When an employee is suffering from SUD, colleagues tend to talk about it. But you can reset the tone by asking everyone to respect privacy, embrace recovery, and pull together.

4. Pay attention to your language.

Use constructive language that emphasizes the person, not the disease or disorder. Examples: Replace “Addict,” or “druggie” with “person with a substance use disorder” or “person in recovery.” Replace: “Drug abuse” with “drug use” or “substance misuse.” Replace: “Clean” with “in recovery” or “substance-free.”

5. Treat SUD like what it is – a health condition.

SUD is a health issue and it can be treated effectively. An employee with diabetes is essentially no different than one with SUD. And an employee recovering from a disabling accident should be treated no differently than one recovering from SUD.

6. When you’re hiring, keep an open mind.

If the prospective employee reveals a history of SUD or that they are in recovery, remember that he or she has a medical condition that doesn’t necessarily disqualify



them from being a good employee. Reconsider possible candidates who have a “criminal background” that is only related to their SUD.

7. Create wellness programs.

Work/life balance and wellbeing can be incorporated into the workplace. From flex time to healthy eating options, wellness program send the message that work and personal health should be joined.

8. Be alcohol-conscious.

Serving alcohol at work events can be a trigger for someone with SUD. Consider a variety of non-alcoholic options.

9. Participate in recovery-focused community events.

Making your position known publicly tells everyone that being a Recovery Friendly Workplace is a point of pride.

10. Build a working relationship with recovery organizations.

Make sure area recovery groups are positioned as a resource for employees.



3.5



STATE AND REGIONAL RESOURCES

Below is a description of state and local resources that are recommended to help you establish and operate your Recovery Friendly Workplace. For contact information, see the Resources section of this toolkit.

STATE RESOURCES

drugfreect.org

Drugfreect.org is a starting point for any organization seeking to become a Recovery Friendly Workplace. It is a central resource for medication safety, prevention and intervention, and treatment and recovery resources.

The Department of Mental Health and Addiction Services (DMHAS)

DMHAS is a health care agency whose mission is to promote the overall health and wellness of persons with behavioral health needs through an integrated network of holistic, comprehensive, effective, and efficient services and supports that foster dignity, respect, and self-sufficiency. While DMHAS serves all Connecticut citizens, its mandate is to serve adults (over 18 years of age) with psychiatric or substance use disorders, or both, who lack the financial means to obtain such services on their own.

Connecticut Community for Addiction Recovery (CCAR)

CCAR is a partner organization to the RFW initiative and **provides training for participating employers.** Key points to know regarding CCAR:

- CCAR organizes recovery communities in the state.
- They can help you navigate the process of implementing recovery-focused training for your organization and its people.
- **One of CCAR's main areas of expertise is training.** They have online and in-person training sessions, many offered with CEUs. Some examples:
 - Recovery Coaching Basics
 - Recovery Coaching and Professionals
 - Webinar Training Series for Recovery Coaches
 - Ethical Considerations for Recovery Coaches
- **CCAR can connect your organization to local Recovery Community Centers (RCCs)** that will connect anyone with SUD to the help they need.

REGIONAL RESOURCES

Regional Behavioral Health Action Organizations (RBHAOs)



The RBHAOs are funded by DMHAS. They serve as a strategic community partner and resource, supporting and coordinating initiatives related to mental health, suicide, substance misuse, and problem gambling. The RBHAOs work across the behavioral healthcare continuum acting as a liaison between region and state. There are 5 regional RBHAOs, which can be accessed in the Resources section of this toolkit.

American Job Centers (AJCs)

AJCs, located throughout CT, are partnerships of organizations working to provide workforce assistance to job seekers and businesses.

Services range from employment workshops and résumé assistance for job seekers to recruitment services and tax credit programs for employers. AJCs can also provide support for the Recovery Friendly Workplace initiative.

Regional American Job Center Peer Navigators

Peer navigators in each of the state's American Job Centers hubs are trained to help individuals affected by the opioid crisis as they prepare for new careers and help them obtain employment that is particularly suited to their recovery efforts. See the Resources section of this toolkit for a listing of regional offices.



3.6



SAMPLE INTERNAL COMMUNICATIONS

THIS DECLARATION CAN BE POSTED, SHARED VIA EMAIL, INSERTED INTO PAYCHECK ENVELOPES, READ ALOUD AT EVENTS, AND COMMUNICATED IN OTHER WAYS TO “PUT THE WRITING ON THE WALL.”

Sample statement:



“Our company has made a commitment to become a Recovery Friendly Workplace.

This means we value the health and safety of all employees who are willing to accept workplace-based help and support for substance use disorder.

It also means we are committed to fighting the stigma associated with addiction and mental illness.

As we become a Recovery Friendly Workplace, please know that we will be promoting policies and practices intended to bring about positive changes within our workplace and the community. If you have any questions about this new effort, contact.

[Name of contact.]”

Company Name:

Address:

Date:

It is the workplace policy of _____ that as of _____ we have made a commitment to our employees that together, we have the right to work in an environment free from substance misuse. Furthermore at _____ we recognize that it is in our interest to provide a work environment where employees are able to perform their duties safely and efficiently free from individuals under the influence of drugs and or alcohol.

It is the policy of _____ that employees shall not unlawfully manufacture, distribute, dispense, possess, use or be under the influence of a controlled substance not prescribed for him/her by a physician, while on the job or in the workplace.

Controlled substances are classified into Five (5) Schedules under federal law according to their degree of risk, abuse or harm. While the federal government classifies medical marijuana as a Controlled Substance I Drug (no current acceptable medical use), the State of Connecticut classifies it as a Controlled Substance II Drug (high potential for abuse).

In accordance with Conn. Gen. Stat. § 31-51t et seq., no employer may require an employee to submit to a urinalysis drug test unless the employer has a legal basis to mandate such a request. An employer has the legal basis to: (1) to conduct a pre-employment test of a prospective employee pursuant to Conn. Gen. Stat. § 31-51v, random testing pursuant to Conn. Gen. Stat. § 31-51x (b) and reasonable suspicion testing pursuant to Conn. Gen. Stat. § 31-51x(a).

Certain employees may be eligible for a leave of absence under the Family and Medical Leave Act or eligible for up to 40 hours of leave under the Paid Sick Leave law. Please contact human resources or the Connecticut Department of Labor for questions related to specific eligibility.



Our commitment to this Recovery Friendly Employer Policy recognizes that in addition to providing a substance free work environment, we must also provide a stigma free recovery friendly environment which encourages the following:

1. We recognize that drug and alcohol addiction is a disease to be treated the same as any other medical condition an employee may suffer from.
2. We encourage employees who are struggling to maintain sobriety while at work to reach out to fellow employees, supervisors and managers for assistance, and to voluntarily participate in the employer's Employee Assistance Policy ("EAP") if available.
3. We recognize that employees are most productive, effective and efficient when they work in an environment which is supportive of individuals and families who are affected by substance abuse. We will provide all accommodations allowed under state and federal law for individuals and families affected by substance abuse.
3. We are committed to providing our employees with the tools necessary to achieve recovery and will provide our employees with connections to services directly or indirectly which will help them to achieve and or maintain their sobriety and promote abstinence from substance misuse.
4. We are committed to providing our employees initial and on-going education and training information on the cause and effect of substance use disorders.
5. We are committed to hiring and maintaining employment opportunities for individuals who are or have been affected by substance abuse, seek treatment and maintain a history of recovery and sobriety.



New message



To

Subject News: We are becoming a Recovery Friendly Workplace

[Name of organization] is becoming a Recovery Friendly Workplace

In conjunction with the CT state Departments of Labor and Public Health, the decision has been made for this organization to become a Recovery Friendly Workplace (RFW).

Why? Two reasons.

One, because employees like you are our strongest assets. Two, because substance use problems in any form impact all of us - emotionally, physically, psychologically, socially, and economically.

Here's what being a Recovery Friendly Workplace means to all of us:

- **Anyone with a substance use disorder (SUD) should feel free to come forward in confidence** to his or her manager or supervisor and acknowledge that a problem exists.
- **An employee who agrees that his or her on-the-job performance is being affected by an SUD is entitled to help,** and managers and supervisors will be able to connect the person with resources for treatment and recovery.
- **When substance use impacts our organization it will be treated with fairness and respect for the individual's privacy.**

The goal is to help any employee at any level who has a substance use problem to recover their health and keep their job. We believe it's the right thing to do for everyone involved.

If you have questions, please direct them in confidence to [Name of contact] by email.

Thanks for your time and attention.

Send



IF YOU HAVE A SUBSTANCE USE PROBLEM, DON'T KEEP IT A SECRET



WE ARE A RECOVERY FRIENDLY WORKPLACE

- Employees are the most valuable asset this organization has. Without you, our work cannot continue.
- That's why any employee who has a substance use issue is encouraged to come forward in complete privacy to his or her manager or supervisor.
- We as an organization will help anyone with a substance use problem to access the right resources to get help – and keep their job.

**IF YOU HAVE QUESTIONS, PLEASE DIRECT THEM IN CONFIDENCE TO
[NAME OF CONTACT] BY EMAIL.**

Building an RFW can be made easier if you understand how people think and feel about substance use that affects the workplace. A short, online confidential survey (done through Survey Monkey or another online tool), distributed by email, can give leaders and managers insight about their current culture. Here are recommended questions.

Introduction:**[Name of organization] is becoming a Recovery Friendly place.**

This means we will work develop practices and policies that help employees with a substance use disorder (SUD) to get treatment so they can recover – and keep their job.

Part of the effort is understanding how employees like you perceive substance use issues. Taking this completely confidential survey will help. It should only require a few minutes of your time – thanks for your help.

Survey questions:**1. Rate how strongly you agree/disagree with this statement:**

Substance use – whether it's alcohol, prescription drugs, or any other substance – is definitely a problem at our company.

- ☐ Strongly agree
- ☐ Somewhat agree
- ☐ Somewhat disagree
- ☐ Strongly disagree

2. Rate how strongly you agree/disagree with this statement:

Substance use – whether it's alcohol, prescription drugs, or any other substance – should be dealt with compassionately.

- ☐ Strongly agree
- ☐ Somewhat agree
- ☐ Somewhat disagree
- ☐ Strongly disagree

3. Rate how strongly you agree/disagree with this statement:

Substance use – whether it's alcohol, prescription drugs, or any other substance – should be dealt with by punishing the employee.

- ☐ Strongly agree
- ☐ Somewhat agree
- ☐ Somewhat disagree
- ☐ Strongly disagree

4. Rate how strongly you agree/disagree with this statement:

Substance use – whether it's alcohol, prescription drugs, or any other substance – is a private health problem.

- ☐ Strongly agree
- ☐ Somewhat agree
- ☐ Somewhat disagree
- ☐ Strongly disagree

5. Rate how strongly you agree/disagree with this statement:

It's possible for someone at our company to face a substance use issue – whether it's alcohol, prescription drugs, or any other substance – and still keep their job.

- ☐ Strongly agree
- ☐ Somewhat agree
- ☐ Somewhat disagree
- ☐ Strongly disagree

6. If you had a substance use problem, what would be your main concerns if you admitted it to your manager or supervisor (Feel free to check more than one)

- ☐ I'd lose my privacy
- ☐ I might lose my job
- ☐ My co-workers would find out
- ☐ I'd have to get help
- ☐ I'd be demoted
- ☐ I'd have to file an insurance claim

7. Rate how strongly you agree/disagree with this statement:

There are people at work who have a substance use issue but it doesn't affect me.

- ☐ Strongly agree
- ☐ Somewhat agree
- ☐ Somewhat disagree
- ☐ Strongly disagree

8. If I wanted to learn more about my company's policies as a Recovery Friendly Workplace, the ways I'd like to learn about them are (feel free to check more than one):

- ☐ Confidential email exchange with my manager/supervisor
- ☐ Confidential one-on-one meeting
- ☐ Company-wide presentation
- ☐ Meeting of my department only
- ☐ Website
- ☐ Video

3.7



TRAINING FOR MANAGERS AND SUPERVISORS.

Connecticut Community for Addiction Recovery (CCAR)

As mentioned earlier, CCAR is a Hartford-headquartered partner organization to the RFW initiative and **provides training for participating employers.**

Key points to know regarding CCAR:

- CCAR organizes recovery communities in the state.
- They can help you navigate the process of implementing recovery-focused training for your organization and its people.
- **One of CCAR's main areas of expertise is training.** They have online and in-person training sessions, many offered with CEUs.

Some examples:

- Recovery Coaching Basics
 - Recovery Coaching and Professionals
 - Webinar Training Series for Recovery Coaches
 - Ethical Considerations for Recovery Coaches
- **CCAR can connect your organization to local Recovery Community Centers (RCCs)** that will connect anyone with SUD to the help they need.

Regional Behavioral Health Action Organizations (RBHAOs)

There are five RBHAOs in the state. They were formed by the Department of Mental Health and Addiction Services (DMHAS) to maximize resources and improve integration related to mental health and substance use program planning, training, advocacy and resource development. See RBHAO in the Resources section of this toolkit.

RBHAOs can provide education and training for your company in the following areas: mental health, opioid education, suicide prevention, Narcan administration training, and more. Each RBHAO is different, so contact the one closest to your company to determine the full scope of its capabilities.

For contact information, see the Resources section of this toolkit.



3.8



LEGAL CONSIDERATIONS

KEY POINTS TO REMEMBER

It's important to know that Recovery Friendly Workplace programs are relatively new, and their legal ramifications are still taking shape. Employers should contact their firm's attorney or initiate a conversation with a firm that is experienced in employment law.

They can help you navigate the legal issues successfully, including:

- Employee privacy and confidentiality
- Compliance with federal, state and local regulations
- Potential conflicts between state laws vs federal laws
- CT law 21a-408 and medical marijuana usage
- Employer rights vs Employee rights
- Union relationships
- Industry regulations and standards
- Reasonable Suspicion and drug testing policies
- Termination policies
- Family Medical Leave Act (FMLA) provisions
- Occupational Safety and Health Administration (OSHA)
- Mental Health Parity Act
- Americans with Disabilities Act (ADA) provisions.

- Health Insurance Portability and Accountability Act HIPAA privacy provisions
- Workers Compensation

Specific legal considerations

There are federal laws, statutes, and provisions that may pertain to someone with substance use disorder in the workplace. Please note that laws and requirements can vary by state and business type.

Americans with Disabilities Act (ADA)

The American with Disabilities Act prevents an employer from discriminating against an employee simply for having a disability, disease, or medical condition, such as substance use disorder. Current alcohol or illegal drug use is not protected, but those in recovery or treatment are covered by the ADA.

CT Fair Employment Practices Act (CFEPA)

This Act (CFEPA) protects employees from discrimination on the basis of a mental disability as defined by the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders.

The DSM-5 is the latest edition of the Manual and it includes addiction to illegal opiate drugs as an Opioid Use Disorder. And so, under CT state law, drug addiction



would be a mental disability entitled to protection against discrimination.

Family Medical Leave Act (FMLA)

The Family Medical Leave Act legally ensures that employees are able to take unpaid leave for serious medical conditions, including treatment for substance use disorder.

Covered employees can take job-protected leave for a total of 12 workweeks in any 12-month time period (federal FMLA) and/or 16 workweeks in any 24 month time period (CT FMLA) for treatment that is administered by a health care provider.

However, not all companies or employees are eligible for FMLA.

Occupational Safety and Health Administration (OSHA)

OSHA is concerned with on-the-job safety and health. Its policies extend into a few key areas that overlap with a Recovery Friendly Workplace programs.

The Alliance Program

OSHA is becoming involved with Recovery Friendly Workplace programs through its Alliance Program, which enables the agency to develop voluntary, collaborative working relationships with organizations that are committed to workplace safety and health.

Through the Alliance Program (which has been adopted by New Hampshire's RFW program) OSHA works with organizations to provide information, guidance and access to

training resources to help protect workers, particularly by raising awareness of physical well-being and empowering workplaces to provide support for people recovering from substance use disorders.

Mental Health Parity Act

The Mental Health Parity and Addiction Equity Act of 2008 requires insurance groups offering coverage for mental health or substance use disorders to make these benefits comparable to general medical coverage.

Deductibles, copays, out-of-pocket maximums, treatment limitations, etc., for mental health or substance use disorders must be no more restrictive than the same requirements or benefits offered for other medical care. (SAMHSA)

Workers Compensation

Workers' compensation benefits may be denied if the employee suffered injuries on the job while intoxicated or under the influence of illegal substances.



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Donation from Elinor and Wayne Hoffman
2. **Date of Board Meeting:** September 12, 2022
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Kristen Formanek, Director of Community & Social Services *Maria E. Capriola*

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

Move, effective September 12, 2022, to accept a donation from Elinor and Wayne Hoffman in the amount of \$3,000 for the purpose of aiding residents in need.

5. **Summary of Submission:**
Elinor and Wayne Hoffman of Tariffville would like to donate \$3,000 to the Community and Social Services Department. The donation will be used to provide emergency assistance (i.e. heat, food, shelter) to Simsbury residents.

Chapter 100 of our Code of Ordinances, "Gift Policy," Section 100-2 "Monetary Donations" states that no donation of more than \$1,500 may be accepted without Board of Selectmen approval. If the donation is accepted I will direct staff to send a thank you letter to Elinor and Wayne Hoffman.

6. **Financial Impact:**
The donation in the amount of \$3,000 will assist residents with heat, food, shelter, and other essentials. The funds will be deposited into a Social Services special revenue fund used for this purpose.

7. **Description of Documents Included with Submission:**
a) None



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Grant from Secretary of the State for Absentee Ballot Preparation for November 8, 2022 Election
2. **Date of Board Meeting:** September 12, 2022
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Trish Munroe, Town Clerk
Maria E. Capriola
4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports accepting the Secretary of the State's grant, the following motion is in order:

Move, effective September 12, 2022, to accept a grant from the Secretary of the State in the amount of \$10,709.83 for the purpose of assisting the Town Clerk's Office with the processing of absentee ballots for the upcoming election, and to authorize Town Manager, Maria E. Capriola, to execute all documents related to the grant award.
5. **Summary of Submission:**
On August 16, 2022, Secretary of the State Mark Kohler announced that more than \$1 million would be sent directly to Connecticut's 169 towns to assist with absentee ballots in the 2022 general election in November. The federally funded Absentee Ballot Support Grant was given to towns so that town clerks could have resources needed to process, mail and count what is expected to be a high number of absentee ballots returned in 2022. The amount of aid the towns received is proportional to an average of the number of absentee ballots received in 2018 and 2020. Simsbury has received \$10,709.83. The press release by the Secretary of State's Office is available at this link:
<https://portal.ct.gov/SOTS/Press-Releases/2022-Press-Releases/Secretary-of-the-State-Mark-Kohler-Announces-1-Million-in-Grants>
6. **Financial Impact:**
The funds in the amount of \$10,709.83 were received by the town by electronic deposit on August 23, 2022. The funds are earmarked for the Town Clerk's Office use toward any expenditures that go along with providing absentee ballots or related election costs.
7. **Description of Documents Included with Submission:**
None



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Social Media Account Request from Open Space Committee
2. **Date of Board Meeting:** September 12, 2022
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 Open Space Committee establishing Facebook, Twitter, and Instagram accounts, of which Town staff liaison Tom Tyburski will have oversight, the following motion is in order:

Move effective September 12, 2022, to approve the creation of Simsbury Open Space Committee Facebook, Twitter, and Instagram accounts to be used by the Committee to publicize their efforts, of which Town staff will have oversight.
5. **Summary of Submission:**
The Open Space Committee, via its Work Group, is requesting the creation of social media accounts on various platforms (Facebook, Twitter, Instagram) to disseminate information on topics such as the management of invasive species, and to promote relevant educational opportunities.

Pursuant to Section V(B) of the Social Media and Website Use Policy, social media accounts and websites established by elected and appointed bodies are subject to approval by the Board of Selectmen. Department directors are responsible for managing the content and upkeep of the appointed body's social media accounts and websites they are assigned to by the Town Manager or his/her designee. In this case, Tom Tyburski will be responsible for overseeing the content shared on the social media accounts.
6. **Financial Impact:**
None
7. **Description of Documents Included with Submission:**
 - a) Social Media and Website Use Policy, Adopted March 11, 2019



Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

TOWN OF SIMSBURY SOCIAL MEDIA AND WEBSITE USE POLICY *Adopted by the Simsbury Board of Selectmen on March 11, 2019*

I. Purpose

The purpose of this policy is to provide standards and procedures for the establishment and appropriate use of Town of Simsbury social media and website accounts.

Social media and website accounts may serve as a mechanism for authorized Town employees and officials to disseminate information and communicate with members of the public regarding official town business and public service announcements. The Town recognizes that social media is an evolving communications tool with new resources constantly emerging and becoming available.

II. Applicability

This policy applies to all Town employees, elected officials, and appointed officials, whether paid or unpaid, and covers the use of all Town information technology resources and online platforms.

III. Effective Date

This policy shall remain in effect until revised or rescinded. The Town reserves the right to amend this policy as necessary.

IV. Policy

The Town of Simsbury's social media outlets and websites shall serve primarily to disseminate information from the Town and communicate with members of the public regarding official Town business. Examples include but are not limited to: Town meetings, public hearings, and information sessions; activities, events or programs sponsored or co-sponsored by the Town; Town programs, services, and projects; forms; fees; policies; and topical or seasonal Town issues. The Town's social media accounts are not intended to serve as public fora. The Town's official website (www.simsbury-ct.gov), and any other domains owned by the Town, will remain the Town's primary method of internet communication.

V. Account Management

A. Town Departments. Social media accounts and websites established by Town departments are subject to approval by the Town Manager or his/her designee. Department directors will be responsible for managing the content and upkeep of any social media accounts and websites they create. The Town Manager or his/her designee

has the discretion and authority to edit, eliminate, disable, or suspend the use of social media accounts and websites by Town departments.

- B. Elected and Appointed Bodies.** Social media accounts and websites established by elected and appointed bodies are subject to approval by the Board of Selectmen. Department directors will be responsible for managing the content and upkeep of any elected and appointed bodies' social media accounts and websites they are assigned to by the Town Manager or his/her designee. The Board of Selectmen may eliminate, disable, or suspend the use of social media accounts and websites by elected and appointed bodies. In the event of an emergency or exigent circumstances, the Town Manager or his/her designee may eliminate, disable, or suspend the use of social media accounts and websites by elected and appointed bodies.
- C. Contact Information.** All of the Town's social media sites shall use the Town's authorized contact information for account setup, monitoring, and access. The Town's social media accounts do not belong to a specific person and access will be transferred by the Town to staff members responsible for managing content as appropriate.

VI. Content Management

- A. Communicating an Official Town Position on Social Media.** Employees and advisory bodies are not authorized to take a policy position and speak on behalf of the Town through social media unless authorized by the Board of Selectmen; this is not intended to prohibit or restrict an appointed official from speaking on behalf of oneself on a personal social media account or website regarding a matter of Town business so long as it is disclosed that the individual is not speaking on behalf of the advisory body or Town.

Any social media account or website bearing the name of the Town of Simsbury, but that is not an official account or website of the Town, shall display a disclaimer indicating that it is not an official account or website of the Town.

- B. Conduct on Social Media.** All authorized persons managing content for the Town's social media sites shall conduct themselves at all times as professional representatives of the Town and in a manner consistent with the Town's policies.
- C. Content.** Social media content should include information from the Town regarding official Town business. Examples include, but are not limited to: Town meetings, public hearings, and information sessions; activities, events or programs sponsored or co-sponsored by the Town; Town programs, services, and projects; forms; fees; policies; and topical or seasonal Town issues.
 - i. Social media content should complement and be consistent with other established Town communication tools.
 - ii. Content should never include profane, foul, obscene, or other inappropriate language, photos, videos, or graphics.
 - iii. Content for an official Town social media account or website should be nonpartisan in nature, and users should not "share" any content that is partisan in nature. The Town's social media accounts should not "follow" any political entity, local business, or other special interest groups. This does not include not-

for-profit organizations, civic groups, or governmental agencies that serve Simsbury residents.

- D. Responses from the Town.** All authorized persons managing content should be aware that content posted by the public to social media sites may require a response from the Town. Users shall not provide lengthy responses or engage in debate through the social media forum. If comments provided by the public require a comprehensive response, those responses should be provided via private message, email, mail, or telephone.
- E. Public Records.** Content posted through the Town's social media accounts are subject to public records and record retention laws, rules, regulations and policies. Postings must not disclose information that may be confidential or exempt from disclosure under the Freedom of Information Act (FOIA). All content maintained in a social media format, including a list of subscribers and posted communication, may be a public record subject to public disclosure. Records should be retained in accordance with the relevant record retention laws.

VII. Violations of Policy

Violations of this policy may be subject to discipline up to and including termination without lower levels of discipline having been issued depending on the nature and severity of the offense or offenses. Any discipline issued shall be in accordance with procedures outlined in the employees' relevant collective bargaining agreements or the Town Personnel Rules as applicable.

When it is determined that content has been posted that is not consistent with this policy, the Town Manager or his/her designee may authorize its immediate removal.



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Settlement Agreement – Pending Tax Appeal for DWW SOLAR II, LLC
2. **Date of Board Meeting:** September 12, 2022
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Francine Beland, Assessor; Robert M DeCrescenzo, Esq., Town Attorney *Maria E. Capriola*

4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports approving the stipulation for judgment to settle the DWW SOLAR II, LLC real estate tax appeal, the following motion is in order:

Move, effective September 12, 2022, to approve the Joint Stipulation for Judgment for Docket No. HHB-CV-21-6070863-S, DWW SOLAR II, LLC vs. Town of Simsbury for the tax appeal on the taxable personal property located at 55-60 Hoskins Road as presented, and authorize Town Attorney Robert Decrescenzo to execute the agreement.

5. **Summary of Submission:**
The subject property, located at 60 Hopkins Road, is the personal property associated with the Tobacco Valley Solar Project, owned by DWW Solar II, LLC (Unique ID: 2019087). The tax year in question is as of October 1, 2020 (FY21-22). The facility is a 26.4 MW solar photovoltaic array that was erected in 2019 on approximately 235 acres. To put this into perspective, a 26.4 MW solar project can produce about 45 million kilowatt hours per year, enough electricity to power about 4,300 typical homes.

The owner of the property filed an appeal of the 2020 assessment to be valued at \$22,974,940 with a 70% assessed value of \$16,082,460. The property was valued at \$34,683,430 assessed at \$ 24,278,400 (70%) effective as of October 1, 2020.

Our appraiser found the fair market value, as of October 1, 2020 to be \$36,120,000. It was our appraiser's opinion that if the Project was sold on October 1, 2020, the buyer would likely have relied on the Power Purchase Agreements (PPA) contracted prices that would have factored into the buying decision. If the Court were to decide that the PPA contracts are intangible assets as opposed to simply providing the revenues attributable to the tangible personal property assets, the valuation of the Project's Personal Property would be the value by the cost approach, which as of October 1, 2020 is estimated at \$27,500,00.

At the Court pretrial, after listening to the arguments of both parties, the judge recommended a \$26,000,000 value. The parties agreed upon market value for settlement purposes of \$26,250,000, subject to approval by the Board of Selectmen. The proposed settlement applies the Town's October 1, 2020 assessment year, and results in an assessment of \$18,375,000.

6. Financial Impact:

The proposed assessment change would reduce the estimated market value from \$34,683,430 to \$26,250,000 and the corresponding assessment from \$24,278,400 to \$18,375,000 for 2020 assessment year. The reduced assessment would result in an overpayment of \$220,850 in taxes for the FYI 21-22. Overpayment would be applied to the next fiscal year, in lieu of a refund.

7. Description of Documents Included with Submission:

a) Joint Stipulation for Judgment – *DWW SOLAR II, LLC vs. Town of Simsbury*

DOCKET NO. HHB-CV-21-6070863-S : SUPERIOR COURT
DWW SOLAR II, LLC : JUDICIAL DISTRICT
 : OF NEW BRITAIN
VS. : AT NEW BRITAIN
TOWN OF SIMSBURY : AUGUST ____, 2022

MOTION FOR JUDGMENT

The Plaintiff and the Defendant hereby move that the Court render judgment in the above-captioned matter in accordance with the parties' Stipulation for Judgment attached hereto.

PLAINTIFF

DEFENDANT

BY: _____

Elliott B. Pollack
Pullman & Comley, LLC
90 State House Square
Hartford, CT 06103-3702
Tel. (860) 424-4340
ebpollack@pullcom.com
Its Attorneys
Juris No. 409177

BY: _____

Robert M. DeCrescenzo
Updike Kelly & Spellacy, P.C.
Goodwin Square
225 Asylum Street, 20th Floor
Hartford, CT 06103
Tel. (860) 548-2600
bdecrescenzo@uks.com
Its Attorneys
Juris No. 065040

DOCKET NO. HHB-CV-21-6070863-S : SUPERIOR COURT
DWW SOLAR II, LLC : JUDICIAL DISTRICT
 : OF NEW BRITAIN
VS. : AT NEW BRITAIN
TOWN OF SIMSBURY : AUGUST ____, 2022

STIPULATION FOR JUDGMENT

1. The parties hereto stipulate and agree that the assessed and fair market values of the plaintiff's personal property located at 55-60 Hoskins Road (Unique ID: 2019087) in the Town of Simsbury (the "Personal Property") shall be reduced on the October 1, 2020 grand list as follows:

ORIGINAL

<u>Assessed</u> <u>(70%) Value</u>	<u>Fair Market</u> <u>(100%) Value</u>
\$24,278,410	\$34,683,443

REDUCED

<u>Assessed</u> <u>(70%) Value</u>	<u>Fair Market</u> <u>(100%) Value</u>
\$18,375,000	\$26,250,000

2. The parties further stipulate and agree that the tax overpayments resulting from the assessment reduction set forth above shall be credited by the Defendant in full against the January 2023 tax installment for the Personal Property.

3. The parties further stipulate and agree that no costs or interest are awarded to either party.

PLAINTIFF

BY: _____

Elliott B. Pollack
Pullman & Comley, LLC
90 State House Square
Hartford, CT 06103-3702
Tel. (860) 424-4340
ebpollack@pullcom.com
Its Attorneys
Juris No. 409177

DEFENDANT

BY: _____

Robert M. DeCrescenzo
Updike Kelly & Spellacy, P.C.
Goodwin Square
225 Asylum Street, 20th Floor
Hartford, CT 06103
Tel. (860) 548-2600
bdecrescenzo@uks.com
Its Attorneys
Juris No. 065040



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Resignations of Cheryl A. Cook and Tom Steen from the Community for Care Committee
2. **Date of Board Meeting:** September 12, 2022
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Trish Munroe, Town Clerk
Maria E. Capriola
4. **Action Requested of the Board of Selectmen:**

The following motions are in order:

Move, retroactive to August 1, 2022, to accept the resignation of Cheryl A. Cook as a Regular Member of the Community for Care Committee.

Move, retroactive to September 1, 2022, to accept the resignation of Tom Steen as a Regular Member of the Community for Care Committee.

5. **Summary of Submission:**

The Town Clerk has received the resignation of Cheryl A. Cook (R) as a Regular Member of the Community for Care Committee. Ms. Cook's term was to expire December 6, 2023.

Pursuant to our Charter, since Ms. Cook is a Republican, her replacement must be from the same political party.

The Town Clerk has received the resignation of Thomas Steen (U) as a Regular Member of the Community for Care Committee. Mr. Steen's term was to expire December 6, 2023.

Pursuant to our Charter, since Mr. Steen is unaffiliated, the remainder of his vacated position may be filled by a D, R or U and maintain minority representation.

There are now three vacancies³ for this Committee. Staff prepared and circulated a public announcement seeking volunteers for this Committee in August.

6. **Financial Impact:**

None

³ The Committee currently consists of seven membership slots.

7. Description of Documents Included with Submission:

- a) Cheryl A. Cook's Resignation Letter, dated August 30, 2022
- b) Thomas Steen's Resignation Letter, dated August 30, 2022

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Submission #48

[View](#)[Edit](#)[Delete](#)[Previous submission](#)[Next submission](#)[Print](#) [Resend e-mails](#)

Submission information

Form: [Resignation Submission Form](#)

Submitted by Anonymous (not verified)

August 30, 2022 - 1:49pm

73.253.137.113

Member's Name

Cheryl Cook

Address**Phone #****Email****Type of Member**

Regular

Name of Board/Commission

Community for Care

Effective Date of Resignation

08/01/2022

Reason for Resignation

No longer able to serve

Any Additional Comments

I have been honored to serve on the Community for Care since 2013. I will miss the dedicated members of the committee who continue to provide information and resources to the people of Simsbury.

[Previous submission](#)[Next submission](#)

AUG 30 2022 PM3:55
TRISH MUNROE, TOWN CLK

Tuesday, August 30, 2022

Trish Munroe
Town Clerk, Town of Simsbury
933 Hopmeadow Street
Simsbury, Connecticut 06070

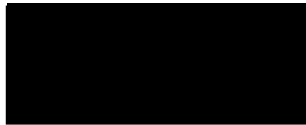
RE: Resigning from the Simsbury Community for Care Committee

Herewith is my letter of resignation from the Simsbury Community for Care Committee effective September 1st, 2022.

My wife and I are moving to Greenville South Carolina.

It's been a pleasure serving on this committee and wish its continued success.

Sincerely,





Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Resignation of Robert Mule from Board of Ethics
2. **Date of Board Meeting:** September 12, 2022

3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Trish Munroe, Town Clerk
Maria E. Capriola

4. **Action Requested of the Board of Selectmen:**
The following motion is in order:

Move, retroactive to September 7, 2022, to accept the resignation of Robert Mule as a Regular Member of the Board of Ethics.

5. **Summary of Submission:**
The Town Clerk has received the resignation of Robert M. Mule (R) as a Regular Member of the Board of Ethics. Mr. Mule's term was to expire January 1, 2023.

Pursuant to our Charter, since Mr. Mule is a Republican, his replacement must be from the same political party.

7. **Financial Impact:**
None

7. **Description of Documents Included with Submission:**
a) Robert Mule's Resignation Letter, dated September 7, 2022

Fitzgerald Tom

From: Bob Mulé [REDACTED]
Sent: Wednesday, September 7, 2022 9:48 PM
To: Charles Houlihan
Cc: [REDACTED]; Fenn Colleen; Espinal Jen; Munroe Trish; [REDACTED]
Fitzgerald Tom; [REDACTED]
Subject: Board of Ethics - Resignation
Categories: Current BOS Packet

To the Simsbury Board of Ethics:

Regretfully, I am writing to tender my resignation from the Board of Ethics effective immediately. I have enjoyed getting to work with you all during my brief tenure.

Earlier this year, my wife and I purchased a home in Florida. While we continue to own our home in Simsbury, we are taking steps to establish Florida as our primary residence. To that end, today I registered to vote here in Florida. As I was drafting a letter to the Simsbury Registrar to remove me from the town voting roles, I realized it would likely not be appropriate for me to continue to serve on a town board if I was not a registered voter in town.

I wish you all good fortune and good health going forward. Again, thanks to all for the opportunity to serve the town and work with you all.

Best,
Bob

Bob Mulé
[REDACTED]

**TOWN OF SIMSBURY – BOARD OF SELECTMEN
REGULAR MEETING MINUTES – AUGUST 8, 2022
“ D r a f t ”**

Page | 1

CALL TO ORDER

The Regular Meeting of the Board of Selectmen was called to order at 6:01 p.m. in the Main Meeting Room of Town Hall and on Zoom. Present were: First Selectman Wendy Mackstutis; Deputy First Selectman Amber Abbuhl; Board members Heather Goetz, Sean Askham (by Zoom), Eric Wellman and Chris Peterson. Others in attendance included: Town Manager Maria E. Capriola; Deputy Town Manager Melissa Appleby; Director of Public Works/Town Engineer Tom Roy; Director of Culture, Parks and Recreation Tom Tyburski (by Zoom); Assessor Francine Beland (by Zoom); and other interested parties.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

PUBLIC AUDIENCE

Joan Coe, 26 Whitcomb Drive, spoke about Roberts Rules of Order and everyone's first amendment rights; the Primary elections, the Police Department grievances; and other issues.

Mr. Wellman read a statement about unprecedented allegations about the pollinator pathway. They are a non-profit organization and the Town does not give them any money. Ms. Grandin does not get any compensation for her volunteer work on his campaign either. He knows he is fair game for criticism, but on a factual basis. However, no volunteer should be bullied or harassed.

Jane McAlpine, VP of Pollinator Pathway, said they receive Town support for their pollinator friendly spaces in Simsbury, but they do not receive any assistance from the Town. They are a non-profit group dedicated to increasing community awareness of the importance of pollinator friendly spaces. Support is welcome from everyone.

Ms. McAlpine also spoke as a private citizen saying she recognizes the contributions of the Town to open space. She said the State goal by 2023 is to preserve 21% of State land for open space. She thanked the Board and citizens for their support.

PRESENTATIONS

a) Recovery Friendly Initiatives Update

Lisa Gray, Founder and Executive Director of A Promise to Jordan said she was last at a Board meeting in March of 2022 to discuss the initiative and design for Simsbury to become a recovery friendly community. The Board appointed A Promise to Jordan to lead in the efforts to have the Town become a Recovery Friendly Community.

She went through her presentation noting that September is National Recovery Month.

After some discussion, the Board said there will be a Proclamation next month on the Recovery Friendly Community.

b) ClearGov Software Update

Ms. Mackstutis said this is a digital program for budget processing.

Robert Battaglia went through his presentation – It’s Time to Budget Better. He said this new software would complement the Town’s financial system. He said this uses GFOA Awarded criteria. He showed the Town of Woodbridge’s new version of the budget book. He spoke about the capital budget software and digital software request forms and other features of the software.

FIRST SELECTMAN’S REPORT

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

TOWN MANAGER REPORT

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

SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS

- a) **Personnel** – there was not report at this time.
- b) **Finance** – there was no report at this time.
- c) **Welfare** – there was no report at this time.
- d) **Public Safety** – there was no report at this time.
- e) **Board of Education** – there was no report at this time.

Ms. Goetz reminded everyone that the Simsbury Public Library is collecting books thru mid-September for their book sale.

Ms. Abbuhl reminded everyone that the Aging Well in Simsbury Survey is still available. They would really like to hear from people 50 and over about their concerns and input on aging in Simsbury as we are continuing to pursue our age friendly designation through AARP.

SELECTMEN ACTION

a) Proposed Naming Rights Criteria for Simsbury Meadows Performing Arts Center

Ms. Capriola said the Board reconstituted the Naming Rights Committee to work with the Simsbury Meadows Performing Arts Center Board of Directors for a potential policy that could be endorsed by the Board of Selectmen in terms of naming rights to the facility.

Mr. Wellman said this would just provide some guidance and clarification for fund raising donors for this particular fundraising program. This is a revenue stream for fund raising programs.

Mr. Wellman made a motion, effective August 8, 2022, to approve the proposed Naming Rights Criteria for the Simsbury Meadows Performing Arts Center as presented. Mr. Askham seconded the motion. All were in favor and the motion passed.

b) Referral to the Planning Commission Pursuant to CGS 8-24 for Improvements to the Performing Arts Center

Ms. Capriola said the bandshell expansion project now needs to be referred to the Planning Commission under CT State Statutes, so they can determine if the project is consistent with the plan, conservation and development of Simsbury.

Mr. Wellman made a motion, effective August 8, 2022, to refer the Performing Arts Center planned improvements to the Planning Commission to review and report under Section 8-24 of the Connecticut General Statutes. Mr. Peterson seconded the motion. All were in favor and the motion passed.

c) Referral to the Planning Commission Pursuant to CGS 8-24 for the Acquisition of 56 Wolcott Road

Ms. Capriola said she consulted with Attorney DeCrescenzo and he recommended to make a motion to refer this item to the Planning Commission.

Mr. Goetz made a motion, effective August 8, 2022, to refer the acquisition of 56 Wolcott Road to the Planning Commission for review and report under Section 8-24 of the Connecticut General Statutes. Mr. Wellman seconded the motion. All were in favor and the motion passed.

d) Tax Refund Requests

Ms. Capriola said received notice that an elderly woman had made an overpayment of her taxes. She would like to add \$1,497.67 to the tax refunds for this issue. The total of tax refunds will now be \$107,054.21.

Mr. Wellman made a motion, effective August 8, 2022, to approve the presented tax refunds, in the amount of \$107,054.21 and to authorize Town Manager, Maria E. Capriola, to execute the tax refunds. Mr. Askham seconded the motion. All were in favor and the motion passed.

e) Proposed 2022 Simsbury Farms Ice Rink and Paddle Tennis Fee Schedule

Mr. Tyburski said he and the Parks and Recreation Commission discussed the fees. There needs to be an increase in fees at the ice rink due to the increase in propane, minimum wages, maintenance contracts, etc., even though they had their highest revenue season last year. There are also proposed slight increases in paddle tennis court fees.

Mr. Peterson made a motion, effective August 8, 2022, to approve the Culture, Parks and Recreation Department's 2022-2023 fee schedule for Simsbury Farms Ice Rink and Paddle Tennis programs as presented. Mr. Askham seconded the motion. All were in favor and the motion passed.

f) Proposed Public Gathering Permit – Simsbury Performing Arts Center – Private Wedding

Ms. Capriola said this is not the first wedding at the Performing Arts Center, however it is a little different this time as there are asking for fireworks as well. Public Safety did sign off on this. There is a contract with the clients that includes payment for any damages incurred.

Mr. Askham made a motion, effective August 8, 2022, to approve the Public Gathering Permit application for a private wedding being held at the Simsbury Meadows Performing Arts Center and to authorize the issuance of

the public gathering permit for the event. Mr. Peterson seconded the motion. All were in favor and the motion passed.

g) STEAP Grant Application - Station Street – One Way to Two Way Conversion

Ms. Capriola said the Town received notice that the STEAP grant program was going to be accepting applications. This project would be about converting Station Street back from a one-way street to a two-way. The approximate cost would be \$160,000. If the Board supports the grant application a form will also need to be filled out. They are going to try to add some parking spaces and lights as well.

Mr. Wellman made a motion, effective August 8, 2022, to authorize Maria E. Capriola, Town Manager, to submit a 2022 Small Town Assistance (STEAP) grant application for the Station Street One-Way to Two-Way conversion.

RESOLVED, that the Town Manager, Maria E. Capriola, be, and hereby is, authorized to accept on behalf of the Town of Simsbury a 2022 Connecticut STEAP Grant in the estimated amount of \$160,000 for Station Street One-Way to Two-Way Conversion; and

FURTHER RESOLVED, that the Town Manager, Maria E. Capriola, is hereby authorized to enter into and execute any and all agreements, contracts, and documents necessary to obtain said 2022 STEAP Grant with the State of Connecticut.

Mr. Peterson seconded the motion. All were in favor and the motion passed.

h) Supplemental Appropriation – Local Transportation Capital Improvement Grant (LOTICIP) and Community Connectivity Grant (CCCGP) Firetown Road Sidewalk Gap Closure – Referral to Planning Commission Pursuant to CGS 8-24

Mr. Roy said the Town received the LOTICIP grant and the CT Connectivity Grant from the DOT. He has broken the project up so they can feel confident that they are getting a good value for the grant. If this is approved he will send out for survey and then do an in-house design. Hopefully construction will start next summer. They will start to notify abutters before the survey. He had a correction on the LOTICIP grant amount.

After some discussion, Mr. Peterson made a motion, effective August 8, 2022, to authorize a supplemental appropriation of the Firetown Road Sidewalk LOTICIP grant in the amount of \$1,200,000 and of the CCCGP grant in the amount of \$594,000 and to transfer the Town contribution in the amount of \$35,000 from the sidewalk reconstruction capital project, for a total appropriation of \$1,829,000 and to refer this appropriation to the Board of Finance for approval.

Further move, to create a capital project to compete this work.

Further move, to refer the Firetown Road Sidewalk Gap Closure project to the Planning Commission for review and report under Section 8-24 of the Connecticut General Statutes

Mr. Wellman seconded the motion. All were in favor and the motion passed.

i) Supplemental Appropriation – Local Transportation Capital Improvement Grant (LOTICIP) Hopmeadow Street Connectivity Project No. L1280002

Ms. Capriola said this grant was awarded to support a new sidewalk from Hopmeadow/Hoskins up to the DOT Garage/Commuter lot. The State has also asked us to make some improvements while we are doing our project, which they will pay for. There is a about a 17% increase in the cost from when the grant was awarded and therefore there was a change in the amount to do this project.

Ms. Abbuhl made a motion, effective August 8, 2022, to authorize a supplemental appropriation of the LOTCIP Gran for the Hopmeadow Street Sidewalk project in the amount of \$455,447.39 and to transfer the Town contribution in the amount of \$33,524.28 from the sidewalk reconstruction capital project, for a total appropriation of \$1,298,971.67 and refer this appropriation to the Board of Finance for approval. Mr. Askham seconded the motion. All were in favor and the motion passed.

j) Vacation Carryover Requests (IBPO/Police

Ms. Capriola said this is the old method of carryover time and is for the Police Union. Everyone else has switched to the new method. This involves three staff members of the IBPO Union and are small balances that need to be carried over.

Mr. Wellman made a motion, effective August 8, 2022, to approve the vacation carryover requests as presented in the table below and requiring Selectmen action. Further stipulate that the approved excess vacation days must be used on or before December 31, 2021. Any unused approved excess vacation days still on the books as of January 1, 2023 will be forfeited. Should the employee leave service for any reasons, included but not limited to retirement or resignation, they will not be paid out for the approval of unused excess vacation days authorized by the Board of Selectmen. Mr. Peterson seconded the motion. All were in favor and the motion passed.

k) COVID 19 Relief 501(c)(3) Non-profit program

Ms. Mackstutis said this has to do with the ARPA work group which was figuring out how to use funds received from the COVID pandemic. The funding was approved and this is the criteria, which includes a cleaned-up application and letter attached. This is not on a first-come first-serve basis and applications will be received up to September 16, 2022. There is also some West Hartford criteria in there for objectivity.

Ms. Abbuhl made a motion, effective August 8, 2022, to approve the 501(c)(3) Non-profit Grant Program Application and related materials as presented. Ms. Goetz seconded the motion. All were in favor and the motion passed.

l) Board of Selectmen Website Submission

Ms. Mackstutis said the problem has been resolved. Ms. Appleby said they discovered an issue with the “Contact All” function on the Board of Selectmen webpage that occurred during the transition of systems. All of these emails were recovered and the issue has been corrected. The Board apologized for this issue.

After discussion no motion is needed at this time.

m) 2021-2023 Board of Selectmen Goals

Ms. Mackstutis said it was decided the ranking system would be changed back to a high, med, low model. There was a lot of discussion on the goals and how to make the list shorter how to read the goals properly.

Ms. Capriola said the Board should focus on what items are policy oriented and what is community vision in nature. From there, the organizational needs and priorities are identified which informs the Town Manager work plan, which is more organizational and project based.

There was some discussion on having a special meeting to discuss these goals further.

After discussion, no motion was made at this time.

n) Proposed Town Manager Goals, July 1, 2022 – June 30, 2023

Mr. Askham said the Town Manager’s goals are based off of the Board of Selectmen goals so they need to be discussed after the Selectmen goals are completed.

No motion was made at this time.

APPOINTMENTS AND RESIGNATIONS

a) Resignation of Scott A. Wilson from the Historic District Commission

Mr. Wellman made a motion, retroactive to July 18, 2022 to accept the resignation of Scott A. Wilson as a Regular Member of the Historic District Commission with our thanks. Ms. Goetz seconded the motion. All were in favor and the motion passed.

b) Proposed Appointment to Various Boards

Mr. Wellman made a motion, effective August 8, 2022, to appoint William (Bill) Clegg as a Regular Member of the Public Building Committee to fill a vacancy until January 1, 2026; to appoint Michelle Lipar as a Regular Member of the Culture, Parks and Recreation Commission to fill a vacancy for a term ending January 1, 2026; to appoint Alexandra Rice as an Alternate Member of the Building Code Board of Appeals to fill a vacancy for a term ending January 1, 2026; to appoint Jennifer Seiderer as an Alternate Members of the Aging and Disabilities Commission to fill a vacancy for a term ending January 1, 2026; and to appoint Charles Haldeman from an Alternate Member to a Regular Member of the Conservation Commission/Inland Wetlands and Watercourse Agency to fill a vacancy created by the resignation of James Morrison (D) for a term ending January 1, 2026. Ms. Goetz seconded the motion. All were in favor and the motion passed.

c) Appointments to Diversity, Equity, and Inclusion Council

Ms. Goetz made a motion, effective August 8, 2022, to appoint Rohan Rajappan as a student representative/regular member of Simsbury Diversity, Equity, and Inclusion Council, with a term to expire June 19, 2023 upon his graduation; and to appoint Devonna Hall as a Regular Member of the Simsbury Diversity, Equity and Inclusion Council to fill a vacancy until December 4, 2023. Mr. Wellman seconded the motion. All were in favor and the motion passed.

REVIEW OF MINUTES

a) Regular Meeting of July 11, 2022

There were no changes to the Regular Meeting Minutes of July 11, 2022, and, therefore, the minutes were adopted.

COMMUNICATIONS

- a) **Memo from Attorney DeCrescenzo re: Charter Revision Commission, dated August 3, 2022** – there was no discussion at this time.
- b) **Memo from M. Capriola re: Public Gathering Permits, dated July 11, 2022** - there was no discussion at this time.
- c) **Memo from M. Capriola re: Public Gathering Permits, dated July 15, 2022** – there was no discussion at this time.
- d) **Memo from M. Capriola re: Public Gathering Permits, dated August 3, 2022** – there was no discussion at this time.

EXECUTIVE SESSION

- a) **Pursuant to CGS 1-200(6)(B) Strategy and Negotiations Related to Pending Claims and Litigations – 442 Hopmeadow Street**
- b) **Tobacco Valley Solar Tax Appeal**

Mr. Askham made a motion to adjourn to Executive Session at 8:55 p.m. pursuant to CGS 1-200(6)(b) Strategy and Negotiations related to Pending Claims and Litigations – 442 Hopmeadow Street and Tobacco Valley Solar Tax Appeal. Ms. Capriola, Ms. Appleby, and Mr. Decrescenzo will attend a) the Strategy and Negotiations; and Ms. Capriola, Ms. Appleby, Mr. Decrescenzo, and Francine Beland will attend b) Tobacco Valley Solar Tax Appeal. Mr. Wellman seconded the motion. All were in favor and the motion passed.

ADJOURN FROM EXECUTIVE SESSION

Mr. Wellman made a motion to adjourn from Executive Session at 9:45 p.m. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

Mr. Wellman made a motion to add item (o) 442 Hopmeadow Street to the Regular agenda under Selectmen Action. Mr. Peterson seconded the motion. All were in favor and the motion passed.

o) 442 Hopmeadow Street

Mr. Wellman made a motion, effective August 8, 2022, to authorize Town Attorney Bob DeCrescenzo to get an injunction to enter the property at 442 Hopmeadow Street for the purposes of remediating the conditions if all other methods to contact the property owner fail. Mr. Peterson seconded the motion. All were in favor and the motion passed.

ADJOURN

Ms. Mackstutis made a motion to adjourn at 9:45 p.m. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio
Clerk

**TOWN OF SIMSBURY – BOARD OF SELECTMEN
SPECIAL MEETING MINUTES – AUGUST 25, 2022
“ D r a f t ”**

Page | 1

CALL TO ORDER

The Special Meeting of the Board of Selectmen was called to order at 1:01 p.m. in the Main Meeting Room of the Town Offices. Present were: First Selectman Wendy Mackstutis; Deputy First Selectman Amber Abbuhl; Board members: Chris Peterson, Sean Askham, Heather Goetz, and Eric Wellman. Others in attendance included: Town Manager Maria E. Capriola and Deputy Town Manager Melissa Appleby and other interested parties.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

SELECTMEN ACTION

Ms. Mackstutis said there are two items that were put on the agenda due to their timelines.

a) AARP CT Livable Community Grant

Ms. Capriola said this grant application just came to her attention, but does have a deadline, which would be before the next regular Board meeting. She is asking for authorization to submit a grant application to CT AARP to provide funding for essentially individuals experiencing dementia and Alzheimer's and their caregivers.

Ms. Abbuhl made a motion, effective August 25, 2022, to authorize submittal of the AARP CT Livable Community Grant application and to authorize Maria E. Capriola, Town Manager, to execute the grant application. In the event the grant is awarded, to accept the AARP CT Livable Community Grant and to authorize Maria E. Capriola, Town Manager, to execute all document related to the grant award. Mr. Askham seconded the motion. All were in favor and the motion passed.

b) Health Living Grant

Ms. Capriola said the Town previously submitted a grant application for funding for the Senior Center, which was received. There is now another round of funding that has opened up, but applications need to be submitted before the next regular Board meeting. She is asking to submit a Healthy Living Collective Grant application for the Tai Ji Quan program.

Mr. Askham made a motion, effective August 25, 2022, to authorize submittal of the Healthy Living Collective Grant (Tai Ji Quan: Moving for Better Balance ® program and instructor training grant) application and to authorize Maria E. Capriola, Town Manager to execute the grant application. In the event that the grant is awarded, to accept the Healthy Living Collective Grant (Tai Ji Quan: Moving for Better Balance ®program and instructor training grant) and to authorize Town Manager, Maria E. Capriola to execute all documents related to the grant award. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

c) 2021-2023 Board of Selectmen Goals

Ms. Mackstutis said after the August 8, 2022 meeting, she put together a power point that the Board can go through that she thinks shows the Board’s goals. There was discussion on her power point beginning with strong financial management and capital planning goals, with the “primary focus areas” of Culture, Parks and Recreation and Open Space Master Plan and Infrastructure and Facilities Master Plan. Minor edits were made to the language in the stated goals.

There was also discussion on the goals related to the health, safety and well being of our constituents.” Minor edits were made to the language in the stated goals.

There was discussion on goals related to transparency in government; investing in and retaining a high quality workforce and constituent outreach. Ms. Capriola said the Town has made great strides with thorough packet materials, which are available to all committees and the public. We do need to move forward with technological improvements and obtaining more modern software. She also spoke about changing the meeting format, which should be discussed before making next year’s schedule.

Mr. Askham made a motion to table this discussion, which is not debatable, the four initiatives on transparency. Mr. Wellman seconded the motion. All were in favor and the motion passed.

There were no changes in the goals for developing an economic vision for our community.

Ms. Capriola presented the revised list of key goals and initiatives for the Board to approve based on the discussion. Mr. Askham made a motion, effective August 25, 2022, to adopt the 2021-2023 Board of Selectmen goals as amended and presented. Mr. Peterson seconded the motion. All were in favor and the motion passed.

d) Proposed Town Manager Goals July 1, 2022 – June 30, 2023

Ms. Capriola went through her approach of how this is list was formed in accordance with how she performs her duties, including functions such as collective bargaining, implementation of the Board’s two-year goals, implementation of the master plans, adopted budget items, etc.

The Board went through Ms. Capriola’s draft goals to make sure they coincide with the Board of Selectmen goals and made some changes.

After discussion, made a motion, Mr. Askham made a motion, effective August 25, 2022, to adopt the Town Manager goals for July 1, 2022 to June 30, 2023 as discussed and amended in the working session. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

ADJOURN

Mr. Askham made a motion to adjourn at 2:56 p.m. Ms. Abbuhl seconded the motion. All were in favor and the motion passed.

Respectfully submitted,

Kathi Radocchio
Clerk



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

Office of Planning & Community Development

TO: Town of Simsbury Board of Selectmen

THROUGH: Maria Capriola, Town Manager

FROM: George K. McGregor, AICP, Planning Director

DATE: September 12, 2022

SUBJECT: **Cannabis Establishments: Zoning Commission Update**

The Zoning Commission is considering a text amendment to the Zoning regulations which would allow certain Cannabis Establishments in Simsbury (including retail, cultivation, and manufacturing). This review will continue at their next regular meeting on September 19, 2022.

To date, the Commission has discussed a potential text amendment at its June 6 and July 18 meetings. Staff has presented a draft framework for incorporation into the regulations addressing use descriptions, allowable zoning districts, typical application review process, and use-related conditions (attached).

Staff is recommending the Zoning Commission hold a public hearing on October 17, 2022, at 7 p.m. at Town Hall.

The current moratorium, established by the Commission last November, is set to expire on November 8, 2022. Staff will recommend a six-month extension to the moratorium if the Commission takes no action on October 17, in order to provide additional time to complete work.

The Town Attorney has addressed questions posed by the Board of Selectmen, also attached to this memo.

GKM



Town of Simsbury

933 HOPMEADOW STREET

P.O. BOX 495

SIMSBURY, CONNECTICUT 06070

Office of Planning & Community Development

TO: Zoning Commission

FROM: George K. McGregor, AICP, Planning Director *GKM*

DATE: July 18, 2022

SUBJECT: **Cannabis Establishments**

Attached please find:

1. Zoning Amendment Framework-document describes proposed changes to the three Zoning regulations.
2. Strike-through document inserting Cannabis land use regulations.

GKM

Cannabis Establishments
Zoning Amendment Framework
Town of Simsbury, CT
July 18, 2022

I. Simsbury Center Code

- A. Section 4.2. Revise Section 4.2 Allowed Use Table (pg. 4.4)
1. Insert under the Commercial Tab: Cannabis Establishments (as defined in CG...)
 - a. Leave all Zoning category boxes blank -SC1 through OS. Note: the language of the Center Code use charts state that if the box is blank or unchecked, the use is expressly prohibited.
 2. Insert under the Industrial Tab: Cannabis Establishments (as defined in CG...)
 - a. Leave all Zoning category boxes blank -SC1 through OS. Note: the language of the Center Code use charts state that if the box is blank or unchecked, the use is expressly prohibited.

COMMENT: These changes would prohibit all categories of cannabis establishments from Simsbury Center.

II. Hartford-Simsbury Form Based Code

- A. Section 6.0. Revise Section 6.0 Schedule of Uses/Permitted Use Table 6.1 (pg.17)
1. Insert under F-3 Commercial Use new line #15: Cannabis Establishments (as defined in CG...)
 - a. Leave all Use categories blank. Note: the language of the Hartford-Simsbury states that a blank cell means the use is not permitted.
 2. Insert under F-4 Industrial Use new line #12: Cannabis Establishments (as defined in CG...)
 - a. Leave all Use categories blank. Note: the language of the Hartford-Simsbury states that a blank cell means the use is not permitted.

COMMENT: These changes would prohibit all categories of cannabis establishments from the Hartford-Simsbury Code.

III. Town of Simsbury Zoning Regulations

- A. Section 2.6A. Delete Section 2.6A. Temporary and Limited Moratorium on Cannabis Establishments (pg. 7).
- B. Section 2.6B. Move Section 2.6B. Definitions (pg. 8) to Section 17.4 Definitions (pg. 104).
- C. Section 2.6C. Delete Section 2.6C. Applicability (pg. 9).
- D. Section 2.6D. Delete Section 2.6D. Effective Date/Term (pg. 9)

Comment: The revisions remove the Moratorium language and relocate the definitions to the regular definition section of the regulations.

- E. Section 4.5. Amend Section 4.5 Permitted and Special Permit Uses (use matrix pg. 26-28).
 - 1. Delete entire “Licensed medical marijuana dispensary” entry (pg. 27).
 - 2. Replace with:

Business Permitted Uses	B-1	B-2	B-3	P-O
Cannabis Establishments as defined by CGS...limited to Cannabis retailer, hybrid retailer, dispensary facility <ul style="list-style-type: none">A maximum of one (1) establishments are permitted within the town of Simsbury at any time.The establishment must be within 1,500 feet of the intersection of Route 167 (Bushy Hill Rd.) and Route 202/44 (Albany Tpke.)	NO	NO	SE	NO

COMMENT: These changes would allow a maximum of one retail establishment in the general vicinity of the commercial node at the intersection of Bushy Hill Rd. and Route 202 (Albany Turnpike).

- F. Section 5.5. Amend Section 5.5 Permitted and Special Permit Uses (use matrix pg. 31-32).
 - 3. Delete “Medical Marijuana production facilities” entry (pg. 32).
 - 4. Replace with:

Industrial Permitted Uses	I-1	I-2
Cannabis Establishments as defined by CGS...limited to Cultivator, Micro-Cultivator, Food & Beverage Manufacturer, Product Manufacturer, Product Packager, Transporter	SE	SE

COMMENT: These changes would allow Cannabis production facilities by Special Exception, in the I-1 and I-2 Zoning Districts.

- G. Section 17.4. Amend Section 17.4 Definitions. Move Section 2.6B in its entirety to Section 17.4.

COMMENT: This action moves the adopted Cannabis definitions from the Moratorium Section 2.6 to the Definition Section 17.4

SEC. 4.2 ALLOWED USE TABLE

Use Category Specific Use	SC-1		SC-2		SC-3		SC-4		SC-5		CIV	OS
	Ground story	Upper story	Ground story	Upper story	Ground story	Upper story	Ground story	Upper story	Ground story	Upper story	All Stories	
Residential												
Household living	■	■		■	■	■	■	■	■	■		
Group living	■	■		■	■	■	■	■	■	■		
Social service												
Public												
Civic	■	■	■	■	■	■	■				■	
Parks and open space	■				■		■		■		■	■
Minor utilities	■		■		■		■		■		■	■
Major utilities												
Commercial												
Day care	■				■	■						
Indoor recreation	■				■	■						
Medical	■	■			■	■	■					
Office	■	■		■	■	■	■					
Outdoor recreation												
Overnight lodging	■	■		■	■	■						
Passenger terminal												
Personal service	■	■	■		■	■	■					
Restaurant/bar	■	■	■	■	■							
Retail sales	■		■		■							
Small Event Center (6/5/2017; eff 6/23/2017)	■	■										
Vehicle rental/sales												
<u>Cannabis Establishments</u>												
Industrial												
Agriculture												
Heavy industrial												
Light industrial												
Light manufacturing												
Research & development					■	■						
Resource extraction												
Self-service storage												
Vehicle service												
Warehouse & distribution												
Waste-related service												
<u>Cannabis Establishments</u>												

Table 6.1 Permitted Use Table

Legend		Permitted Use = <input checked="" type="checkbox"/>				Not Permitted = "blank cell"				Special Exception Use= <input type="checkbox"/>			
Component Zone		Neighborhood Commercial		Neighborhood Transition		Neighborhood		Cluster Neighborhood		Mixed Use Transition		Special District	
Use Category		GF	UF	GF	UF	GF	UF	GF	UF	GF	UF	GF	UF
F-1 Residential Uses													
1. Household Living			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Group Living			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
3. Social Service												<input type="checkbox"/>	<input type="checkbox"/>
F-2 Public Uses													
1. Civic		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2. Parks and open space (Neighborhood Scale)		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
3. Parks and open space (Regional)		<input checked="" type="checkbox"/>										<input checked="" type="checkbox"/>	
4. Minor Utilities		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
5. Major Utilities												<input type="checkbox"/>	
F-3 Commercial Uses													
1. Day Care		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>						<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2. Indoor Recreation		<input checked="" type="checkbox"/>										<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
3. Medical		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>							<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4. Office		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>						<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
5. Outdoor Recreation		<input type="checkbox"/>						<input type="checkbox"/>				<input type="checkbox"/>	
6. Overnight lodging		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>							<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
7. Passenger terminal													<input type="checkbox"/>
8. Personal service		<input checked="" type="checkbox"/>								<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
9. Personal service (under 3,000 sq.ft.)				<input checked="" type="checkbox"/>									
10. Restaurant/bar		<input checked="" type="checkbox"/>								<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
11. Restaurant/bar (under 3,000 sq.ft)				<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>					
12. Retail sales and service		<input checked="" type="checkbox"/>								<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
13. Vehicle rental/sales													
14. Any commercial use with a drive-through (standards in Section 7.0 apply)		<input checked="" type="checkbox"/>											
15. Cannabis Establishments													
F-4 Industrial Uses													
1. Agriculture								<input checked="" type="checkbox"/>					
2. Heavy Industry													
3. Light Industry and Assembly										<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4. Cottage Industry								<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
5. Light Manufacturing										<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
6. Research and development			<input checked="" type="checkbox"/>							<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
7. Resource extraction													
8. Self-service storage (mini-storage)												<input type="checkbox"/>	<input type="checkbox"/>
9. Vehicle service													
10. Warehouse & distribution												<input type="checkbox"/>	<input type="checkbox"/>
11. Waste-related													
12. Cannabis Establishments													
F-5 Other													
1. Surface Parking (accessory use)		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
2. Surface Parking (primary use)		<input checked="" type="checkbox"/>								<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
3. Parking structure or garage (commercial) (Standards in Section 7.0 shall apply)		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>							<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

GF = Ground Floor

UF = Upper Floors

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4. Boundaries indicated as parallel to, or extension of, features indicated in subsections (1) through (4) above shall be so construed.
5. Distances not specifically indicated on the Zoning Map shall be determined by measurement in accordance with the scale of the map;
6. In cases of further uncertainty, the Zoning Commission shall determine the location of the boundary.

2.4 APPLICATION OF DISTRICT REGULATIONS

The requirements set by this regulation within each district shall apply uniformly to each class or kind of structure or land, and particularly, except as hereinafter provided.

1. No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered unless in conformity with all of the regulations herein specified for the district in which it is located.
2. **LOTS IN ZONES ABUTTING THE FLOODPLAIN ZONE**
Where a parcel of land is located in two zones, one of which is a Floodplain Zone, all zoning requirements for the applicable non-floodplain zone must be met within that portion of the parcel which is not located in the Floodplain Zone.
3. **UNBUILDABLE LAND**
Land in any zone which in the judgment of the Town Zoning or Town Planning Commission may be unfit for human habitation for health reasons shall not be built on for that purpose until the building permit has the written approval of the Health Officer.
4. **LOTS IN TWO ZONING DISTRICTS**
Where a lot of record at the time of passage of these regulations or any amendments thereto falls into two or more zoning districts, any questions of uncertainty as to district boundaries shall be determined by the Zoning Commission.

2.5 REGULATIONS DECLARED TO BE MINIMUM REGULATIONS

In their interpretation and application, the provisions of this Regulation shall be held to be minimum regulations, adopted for the promotion of the public health, safety, morals, or general welfare. Wherever the requirements of this Regulation are at variance with the requirements of any other lawfully adopted rules, regulations, deed restrictions or covenants, the most restrictive or that imposing the higher standards shall govern.

2.6 TEMPORARY AND LIMITED MORATORIUM ON CANNABIS ESTABLISHMENTS

A. Statement of Purpose: This section has been adopted to provide the Commission with the time necessary to consider adoption of potential changes to the Zoning Regulations pursuant to Section 8-2 of the Connecticut General Statutes. The Connecticut General Assembly has passed, and the Governor has signed S.B. 1201, An Act Concerning Responsible and Equitable Regulation of Adult Use Cannabis (the "Act"), portions of which are effective on July 1, 2021. Said Act contains provisions allowing municipalities to prohibit or place certain restrictions on cannabis establishments with the exception of existing dispensary facilities and producers for medical marijuana as defined in Chapter 420f, C.G.S., Palliative Use of Marijuana — legislation passed in 2012 authorizing the use of medical marijuana. This temporary and limited term moratorium has been adopted to provide the Town with the time necessary to develop regulations for cannabis establishments that meet statutory responsibilities and promote the public's general health, safety and welfare.

~~B. Definitions.~~

~~1. **Cannabis.** Marijuana as defined in Section 21a-240, C.G.S.~~

~~2. **Cannabis Establishment.** Producer, dispensary facility, cultivator, microcultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager and or delivery service.~~

~~3. **Cultivator.** A person that is licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment with not less than fifteen thousand square feet of grow space.~~

~~4. **Delivery Service.** A person that is licensed to deliver cannabis from (A) micro-cultivators, retailers and hybrid retailers to consumers and research program subjects, and (B) hybrid retailers and dispensary facilities to qualifying patients, caregivers and research program subjects, as defined in Section 21a-408, C.G.S., or to hospices or other inpatient care facilities licensed by the Department of Public Health pursuant to Chapter 368v, C.G.S. that have a protocol for the handling and distribution of cannabis that has been approved by the department, or a combination thereof.~~

~~5. **Dispensary Facility.** Means a place of business where cannabis may be dispensed, sold or distributed in accordance with Chapter 420f, C.G.S. and any regulations adopted thereunder, to qualifying patients and caregivers, and to which the department has issued a dispensary facility license under Chapter 420f, C.G.S. and any regulations adopted thereunder.~~

~~6. **Food and Beverage Manufacturer.** A person that is licensed to own and operate a place of business that acquires cannabis and creates food and beverages.~~

~~7. **Hybrid Retailer.** A person that is licensed to purchase cannabis and sell cannabis and medical marijuana products.~~

~~8. **Micro-cultivator.** A person licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment containing not less than two thousand square feet and not more than ten thousand square feet of grow space, prior to any expansion authorized by the commissioner.~~

~~9. **Person.** An individual, partnership, limited liability company, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee or any other legal entity and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination thereof.~~

~~**10. Product Manufacturer.** A person, excluding a producer, that is licensed to obtain cannabis, extract and manufacture products exclusive to such license type and who may sell or transfer cannabis and cannabis products to laboratories, research programs and cannabis establishments.~~

~~**11. Product Packager.** A person that is licensed to package and label cannabis and cannabis products.~~

~~**12. Retailer.** A person, excluding a dispensary facility that is licensed to purchase cannabis and cannabis products from producers, cultivators, product manufacturers and food and beverage manufacturers and to sell cannabis and cannabis products to consumers and research programs.~~

~~**13. Transporter.** Means a person licensed to transport cannabis between cannabis establishments, laboratories and research programs.~~

C. Applicability. During this temporary and limited term moratorium, cannabis establishments shall be prohibited in the Town of Simsbury, and any and all applications submitted for the approval of any cannabis establishment shall be denied by the Commission or Zoning Enforcement Officer, as may be appropriate.

D. Effective Date/Term. This temporary and limited moratorium shall become effective on November 8, 2021 and shall remain in effect until November 8, 2022.

SECTION 3 RESIDENTIAL DISTRICTS

3.1 PURPOSES

These residential zoning districts are established to provide for residential neighborhoods that are in harmony with the natural features of the land and the needs of present and future Simsbury residents.

3.2 DESIGNATION OF RESIDENTIAL DISTRICTS

District Name	District Symbol
High Density Residential	R-15
Moderate Density Residential	R-25
Moderate Density Residential	R-30
Low Density Residential	R-40
Rural Residential	R-80
Rural Residential	R-160

<ul style="list-style-type: none"> The total square footage of all residential uses does not exceed 40 percent of the total floor area of all uses. The residential uses are constructed at the same time or after the development of the principal area, but never before. Use is part of an approved site plan. <ul style="list-style-type: none"> New residential uses in existing or rehabilitated commercial uses shall be considered a Special Exception and require a public hearing. Such uses shall conform to standards above. 				
Short-Term Rentals	SP	SP	SP	NO
Multi-use Sports, recreational and restaurant complex. (Adopted October 15, 2003)	SE	SE	SE	NO
Licensed medical marijuana Cannabis Establishments limited to retailer, hybrid retailer, dispensary (Adopted October 22, 2013) <ul style="list-style-type: none"> The dispensing of medical marijuana may only take place on the premises which have been properly permitted to do so and may only be done under the requirements and restrictions of those contained in CGS 21a-408-1 through 21a-408-70. A maximum of two (2) medical marijuana dispensary facilities are one (1) establishment is permitted within the Town of Simsbury at any time. Any proposal to relocate such a dispensary shall: <ol style="list-style-type: none"> Only be granted upon agreement by the property owner to abandon such use at the original location as verified by notarized affidavit submitted to the Commission, and Be the subject of a new special exception application to the Zoning Commission and shall be subject to all applicable standards. The establishment must be within 1,500 feet of the intersection of Route 167 (Bushy Hill Rd.) and Route 202/44 (Albany Tpke.) 	SE NO	SE NO	SE	NO
Printing, where the product is sold at retail on the premises	NO	SP	SP	NO
Wholesale business, sales office, or sample rooms	NO	SP	SP	NO
Private club	NO	SP	SP	NO
Motor or motel hotel	NO	SP	SP	NO
Funeral homes	NO	SP	SP	NO
Bakery, laundry, clothes cleaning and dyeing establishments	NO	SP	SP	NO
Radio and television studios	NO	SP	SP	NO
Repair services or businesses which are not heavy industrial in nature (amended December 19, 2011)	NO	SP	SP	NO
Any other business of the same general character as above	NO	SP	SP	NO
Bowling alleys and similar commercial recreational places	NO	SE	SP	NO
Automobile sales, repair, and storage	NO	SE	SP	NO

wrecking, house wrecking, and used lumber as long as such uses are conducted entirely within enclosed building.		
Wireless Telecommunication Sites located on buildings and shielded from view- standards	NO	SE
Wireless Telecommunication Sites where antenna is mounted to existing towers, utility poles, water towers, light standards, bridges or other structures	NO	SE
<u>Medical Marijuana production facilities</u> <u>Cannabis Establishments limited to Cultivator, Micro-Cultivator, Food & Beverage Manufacturer, Product Manufacturer, Product Packager, Transporter</u>	SE	SE
Sand, stone and gravel quarries including the manufacture of products composed of materials extracted from said quarries, along with principal and accessory buildings relating to such operation or manufacture	NO	NO
Assisted living facility, Congregate Senior Housing Facility and/or Continuing Care Retirement Community with accessory uses	SE	SE
Vehicle Repair facility, excluding sales, located completely within a building. No outdoor storage of unregistered vehicles/equipment is to be permitted.	SE	SP
Public Utility substations, approved by the Connecticut Siting Council	OK	OK
Open Space and Passive Recreation	OK	OK
Medical Offices and Clinics	SP	SP
Retail < 20,000 square feet	SP	SP
Retail ≥ 20,000 square feet	SE	SE
Indoor movie Theaters or similar performing art facilities/theaters	SP	SP
Commercial Kennels, Veterinary office and hospitals	SE	SE
Conversion of buildings for residential uses provided the structure was built prior to January 1, 2021	SE	SE

5.6 SPECIAL EXCEPTION FOR HEIGHT REQUIREMENTS IN THE I-1 AND I-2 ZONES

The Zoning Commission may, after public notice and hearing, grant a special exception to the height requirement of this Section 5, for an individual site in the I-1 or I-2, Industrial Zones, subject to the following standards:

1. The Commission may require approval of a site plan prepared in accordance with Section 11.
2. In evaluating the request for special exception, the Commission shall consider the standards set forth in Section 12.
3. For the purposes of computing the height of a structure, the measurement shall not include flagpoles, chimneys, water tanks, elevator bulkheads, or mechanical penthouses.
4. The height of a structure shall mean the average of the highest and lowest points on a structure as measured five (5) feet from the finished grade of foundation.
5. The Commission shall not grant a special exception for height that would allow a structure to exceed either seventy-five (75) or four (4) stories.

Caliper: The diameter of a tree measured at a point four and one-half feet above grade.

Camp Trailer: A trailer which is currently registered with the Motor Vehicle Department as a Camp Trailer, and which is for travel, recreational and vacation use only. This includes camper bodies not registered by the Connecticut Department of Motor Vehicles.

Campground: Any lot on which may be located two or more cabins, tents, other accommodations of a design or character suitable for seasonal or other temporary recreational living purposes, including a day camp but not a mobile home park, boarding or rooming house, tourist home, hotel or motel.

Cannabis Establishments

1. Cannabis. Marijuana as defined in Section 21a-240, C.G.S.

2. Cannabis Establishment. Producer, dispensary facility, cultivator, microcultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager and or delivery service.

3. Cultivator. A person that is licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment with not less than fifteen thousand square feet of grow space.

4. Delivery Service. A person that is licensed to deliver cannabis from (A) micro-cultivators, retailers and hybrid retailers to consumers and research program subjects, and (B) hybrid retailers and dispensary facilities to qualifying patients, caregivers and research program subjects, as defined in Section 21a-408, C.G.S., or to hospices or other inpatient care facilities licensed by the Department of Public Health pursuant to Chapter 368v, C.G.S. that have a protocol for the handling and distribution of cannabis that has been approved by the department, or a combination thereof.

5. Dispensary Facility. Means a place of business where cannabis may be dispensed, sold or distributed in accordance with Chapter 420f, C.G.S. and any regulations adopted thereunder, to qualifying patients and caregivers, and to which the department has issued a dispensary facility license under Chapter 420f, C.G.S. and any regulations adopted thereunder.

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9. Person. An individual, partnership, limited liability company, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee or any other legal entity and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination thereof.

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12. Retailer. A person, excluding a dispensary facility that is licensed to purchase cannabis and cannabis products from producers, cultivators, product manufacturers and food and beverage manufacturers and to sell cannabis and cannabis products to consumers and research programs.

13. Transporter. Means a person licensed to transport cannabis between cannabis establishments, laboratories and research programs.

Car Wash Facility: An automated car washing and cleaning establishment attended during hours of operation equipped to wash automobiles, pick-up trucks and small vans, with systems capable of complete recycling of all wash waters utilized on site.

Civic Center: An area developed with a substantial concentration of public and governmental buildings or uses.

Club: An association of persons which is the owner, lessee or occupant of an establishment operated solely for a recreational, social, fraternal, religious, political or athletic purpose whose activities are confined to the members and guests, are not extended to the general public, and include the establishment so operated; but does not include such clubs, the chief activity of which is a service customarily carried on primarily for business or gain.

Co-location: Means locating wireless communication facilities from more than one provider on a single site.

Commercial Use: Retail, personal, and business services; restaurants, inns, professional offices; banks; institutional uses and equivalent uses as determined by the Commission.

Commercial Vehicle: Any truck, trailer, van or other equipment on wheels used in the operation of a commercial activity. This term includes automobiles, vans, mini-vans and pickup trucks even if such vehicles feature a company name, slogan or logo. Construction equipment and farming equipment of any type are included in this definition.

Community Center: A building used as and providing a place of meeting for religious, fraternal, social and/or recreational programs generally open to the public and designed to accommodate and serve significant segments of the community.

Congregate Senior Housing Facility: A residential community occupied by those aged 55 and over to the extent permitted by Federal and State Fair Housing Laws any other applicable laws with limited support services generally providing meal service, laundry service, housekeeping, social and recreational activities, transportation and personal services in a group setting.



Robert M. DeCrescenzo
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rdcrescenzo@uks.com

September 8, 2022

Via Email

mcapriola@simsbury-ct.gov

Maria Capriola, MPA
Town Manager
Town of Simsbury
933 Hopmeadow Street
Simsbury, CT 06070

Re: Municipal Regulation of Cannabis

Dear Maria:

You have asked me to respond to the following question regarding the municipal regulation of cannabis.

1. Under the recently adopted cannabis statutes, may the Zoning Commission cap or limit the number of cannabis establishments? If so, does the Zoning Commission need to consider any specific criteria or rationale in determining a cap?

Response: The new state law governing municipal regulation of cannabis in Connecticut is found in Section 148 of Public Act 21-1. The Act allows municipal regulation of cannabis by zoning regulation and/or municipal ordinance. Section 148(b)(6) states the following:

(b) Any municipality may, by amendment to such municipality's zoning regulations or by local ordinance, (1) prohibit the establishment of a cannabis establishment, (2) establish reasonable restrictions regarding the hours and signage within the limits of such municipality or (3) establish restrictions on the proximity of cannabis establishments to any of the establishments listed in subsection (a) of subdivision (1) of section 30-46 of the general statutes. The chief zoning official of a municipality shall report, in writing, any zoning changes adopted by the municipality regarding cannabis establishments pursuant to this subsection to the Secretary of the Office of Policy and Management and to the department not later than fourteen days after the adoption of such changes.

(c) Unless otherwise provided for by a municipality through its zoning regulations or ordinances, a cannabis establishment shall be

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zoned as if for any other similar use, other than a cannabis establishment, would be zoned.

Previously the law established a density cap until June 30, 2024, of one retailer and one micro-cultivator for every 25,000 residents, as determined by the 2020 census. According to the 2020 census, the population of Simsbury is 24,517. Therefore, the density cap for Simsbury is one retailer if the retailer is permitted prior to July 1, 2024. Municipalities cannot grant zoning approval for more retailers or micro-cultivators than the cap allows before that date.

Current law now allows the DCP commissioner to set a density cap beginning July 1, 2024, and post it on DCP's website. Public Act 22-10 amended a number of provisions in Public Act 21-1. The change relevant to municipal regulation of retailers involved in so called "density cap. The bill eliminates the density cap provisions that, (1) limits the number of retailers and micro-cultivators in proportion to the number of municipal residents until June 30, 2024; and (2) after July 1, 2024, allows the DCP commissioner to set a cap. Municipalities are then prohibited from granting zoning approval for more establishments than the cap allows.

2. Can the Zoning Commission adopt a text amendment regarding public smoking or ingestion on public property? Or, is that under the purview of the Board of Selectmen?

Response: Regulating smoking on Town property is more appropriately done through the adoption of an ordinance. Zoning regulations are generally limited to the use of land. Prohibiting conduct on land within municipalities is regulated through ordinances. Existing law allows municipalities to regulate activities deemed harmful to public health, including tobacco smoking, on municipally-owned property. The law now broadens this to include property that a municipality controls but does not own. For the purposes of this section, property that a municipality controls includes, but is not limited to, sidewalks, parks, beaches, municipal land and buildings, etc. It specifies that this regulatory authority applies to (1) smoked or vaped tobacco or cannabis, and (2) other types of cannabis use or consumption.

3. Does the Board of Selectmen have the authority to permit or prohibit the sale of recreational cannabis? If so, does the action of the Board of Selectmen override land use regulations established by the Zoning Commission if the action of the Board of Selectmen is contrary to the land use regulations?

Response: Yes. The Zoning Commission may only regulate legal activities within the Town. If the Board of Selectmen adopts an ordinance prohibiting the retail sale of cannabis, the activity cannot be authorized by the zoning regulations.

4. If the Board wants to expressly permit or prohibit the use, would a resolution of the Board suffice, or would an ordinance be required?

Response: Yes, but the prohibition must be enacted by ordinance.



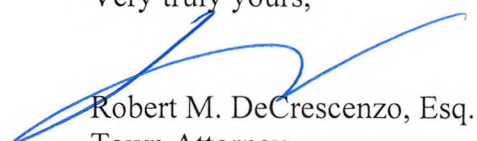
5. If our electors submitted a successful petition for a general election ballot question to either permit or prohibit the sale of recreational cannabis, and the outcome of the ballot question is contrary to land use regulations and/or an action of the Board of Selectmen, does the outcome of the vote override the Zoning Commission and/or Selectmen action?

Response: Yes, the referendum result will override any contrary previous action by the Board of Selectmen or the Zoning Commission.

If the petition circulators are successful in meeting the referendum threshold, I advise both Boards to suspend any action on the subject until the outcome of the referendum is known.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,



Robert M. DeCrescenzo, Esq.
Town Attorney

RMDe/psm





Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

Maria E. Capriola - Town Manager

MEMORANDUM

To: Board of Selectmen
From: Maria Capriola, Town Manager
Cc: Melissa Appleby, Deputy Town Manager; Tom Tyburski, Director of Parks and Recreation; Orlando Casiano, Parks Superintendent; Tom Roy, Director of Public Works/Town Engineer; Adam Kessler, Deputy Town Manager; Matt Hopkins, Facilities Supervisor
Date: September 6, 2022
Subject: Drought Conditions and Simsbury Current Practices

The current drought in Simsbury has been classified as a Severe Drought (D2) over the past several weeks. We have been fortunate to see no significant change to our aquifer levels during this drought.

Staff has worked to educate the public on the drought conditions, including practices Aquarion recommends to reduce usage. The intent of our public communications regarding water conservation this summer was to provide specific steps that residents can take to help minimize the impacts of drought conditions and remind residents about Aquarion's twice-weekly irrigation schedule, which applies to Simsbury from April 1 through October 31. On July 22, 2022 we posted a notice through the News & Announcement feature on our website regarding [voluntary water conservation](#); this was posted to the Town Facebook and Twitter accounts as well. On August 18, 2022 we again posted a reminder to residents (via Facebook and Twitter) to be mindful of water consumption, along with another reminder regarding Aquarion's twice-weekly irrigation schedule.

In regards to our internal practices, the Simsbury Farms Golf Course staff have tried to lower water usage by 20%. The Simsbury Farms Golf Course is not connected to a public water system. They have not been watering during the day with sprinkler heads and only hand watering any stressed areas on greens with a hose through a process called syringing. Golf staff utilizes a moisture meter to check water levels in the soil and they use computer controlled irrigation to water as little as possible while allowing for firm and fast playing conditions. The Parks Maintenance staff has altered irrigation practices to reduce usage by 20% as well. Whenever possible staff are watering parks and athletic fields at night to reduce evaporation. During normal conditions, watering and irrigation of our parks and athletic facilities is in compliance with Aquarion's requirements (for those facilities utilizing Aquarion water).

Through consultation with water companies¹, review of drought monitoring reports from CT Department of Agriculture and the National Drought Mitigation Center, and education to the public regarding voluntary water conservation measures, staff believes no additional measures are necessary at this time. We have attached a copy of the Town's Water Shortage Ordinance for reference. Should the Board wish to discuss this topic further, please let me know.

¹ There are currently three water companies operating in Simsbury: Aquarion, CT Water Company, Tariffville Water Company. The remaining water users are operating off of private wells.



Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

Maria E. Capriola - Town Manager

MEMORANDUM

To: Board of Selectmen
From: Maria Capriola, Town Manager
Cc: George McGregor, Planning Director; Laura Barkowski, Code Compliance Officer; Tom Tyburski, Director of Culture, Parks and Recreation; Nick Boulter, Chief of Police; Chris Davis, Deputy Chief of Police; Greg Samselski, Police Lt.; Tom Roy, Director of Public Works/Town Engineer; Patrick Tourville, Fire Marshal
Date: August 12, 2022
Subject: Administrative Approval of Public Gathering Permit

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

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

Name of Event	Location	Date	Type
Berkley Healthcare Company Picnic	PAC	August 10, 2022	Picnic

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



Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

Maria E. Capriola - Town Manager

MEMORANDUM

To: Board of Selectmen
From: Maria Capriola, Town Manager
Cc: George McGregor, Planning Director; Laura Barkowski, Code Compliance Officer; Tom Tyburski, Director of Culture, Parks and Recreation; Nick Boulter, Chief of Police; Chris Davis, Deputy Chief of Police; Greg Samselski, Police Lt.; Tom Roy, Director of Public Works/Town Engineer; Patrick Tourville, Fire Marshal
Date: September 2, 2022
Subject: Administrative Approval of Public Gathering Permits

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

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

Name of Event	Location	Date	Type
Hohman-Uhl Wedding	Flower Bridge	September 2, 2022	Wedding Photos
Motown Magic	PAC	September 10, 2022; rain date September 11, 2022	Concert/Fundraiser
Arts & Crafts Festival	PAC	September 17 and 18, 2022	Festival
River Run	Iron Horse Blvd, downtown area	September 24, 2022	Running Event
Pumpkin Patch	Boy Scout Hall	September 24, 2022 – November 5, 2022	Sale/Fundraiser
Rosh Hashanah Service	Flower Bridge	September 26, 2022	Religious Service
Malash-Wilosz Wedding	Flower Bridge	October 15, 2022	Wedding Ceremony
Harris Wedding	Flower Bridge	November 5, 2022	Wedding Photos

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