

Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

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SIMSBURY BOARD OF SELECTMEN

Regular Meeting – September 14, 2020 – 6:00 p.m.

PLEDGE OF ALLEGIANCE

PRESENTATIONS

- a) Review of Police Department Policies and Procedures
- b) Simsbury Sustainable CT Committee Update

PUBLIC AUDIENCE

- Email written comments to ebutler@simsbury-ct.gov by 12:00 PM on Monday September 14, 2020 to be read into the record; or
- Email tfitzgerald@simsbury-ct.gov by 12:00 PM on Monday September 14, 2020 to register to address the Board of Selectmen live through Zoom.

FIRST SELECTMAN'S REPORT

TOWN MANAGER'S REPORT

SELECTMEN ACTION

- a) Road Acceptance for Murphy's Turn
- b) Proposed Updates to Teen Services Librarian Classification
- c) Tax Refund Requests
- d) Public Gathering Permit – Simsbury Performing Arts Center – Mellow Farmers Free Concert
- e) Extension of Temporary Suspension of Acceptance of Cash Payments
- f) FY 2019/2020 Year End Financial Results
- g) Proposed General Fund and Capital Transfers
- h) Proposed Police Private Duty Fund Transfers
- i) Proposed Settlement Agreement of Pending Tax Appeal for C-Tec Solar
- j) Proposed Settlement Agreement of Pending Tax Appeal for Willow Arms Apartments
- k) Proposed Amendments to the Tax Credit for Elderly and Disabled Homeowners Ordinance
- l) Disposition of a Portion of Open Space Located Along the Rear/Eastern Property Line for 133 Holcomb Street

APPOINTMENTS AND RESIGNATIONS

- a) Resignation of Edward LaMontagne from the Aging & Disability Commission
- b) Appointment to Simsbury Police Commission

REVIEW OF MINUTES

- a) Regular Meeting of August 10, 2020
- b) Special Meeting of August 28, 2020
- c) Special Meeting of September 3, 2020

SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS

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

COMMUNICATIONS

- a) Letter from M. Capriola and T. Roy, Re: Temporary Traffic Calming Measures - Intersection of Notch and West Mountain Roads, dated August 10, 2020
- b) Letter from M. Berry to PURA, Re: Eversource Response to Storm Isaias, dated August 19, 2020
- c) Memorandum from M. Capriola Re: Administrative Approvals of Public Gathering Permits, dated September 2, 2020
- d) Memorandum from M. Glidden Re: Affordable Housing Plan – Planning Commission, dated September 9, 2020

EXECUTIVE SESSION

- a) Pursuant to CGS §1-200(6)(E), discussion of a document that is exempt from disclosure under CGS §1-210(b)(10), documents that are covered by the attorney-client privilege
- b) Pursuant to CGS §1-200(6)(A): Town Manager Contract Renewal, January 2021 – January 2024
- c) Pursuant to CGS §1-200(6)(A), Town Manager's Annual Performance Review

ADJOURN



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Review of Police Department Policies and Procedures
2. **Date of Board Meeting:** September 14, 2020
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Nicholas J. Boulter, Chief of Police
Maria E. Capriola
4. **Action Requested of the Board of Selectmen:**
This presentation is informational.
5. **Summary of Submission:**
This presentation is a summary of the analysis of the current Police Department use of force policies and procedures and practice. This includes relevant training, use of force incidents, complaints and conformation with contemporary issues, expectations, and statutory requirements.

This information has also been presented to the Police Commission. Chief Boulter will give the presentation and be available for questions.
6. **Financial Impact:**
None
7. **Description of Documents Included with Submission:**
 - a) Presentation slides – *forthcoming*
 - b) Use of Force Policy and Practice Review

USE OF FORCE: POLICY AND PRACTICE ANALYSIS

BOARD OF SELECTMEN MEETING
SEPTEMBER 14, 2020



Chief Nick Boulter

DIRECTIVES

- Use of Force G.O. 1-2
- Less Lethal Munitions O.P. 4-1d
- Taser O.P. 4-1e
- Pursuit O.P. 41-1f
- Use of Force Policy Provisions D.D. 20-02

DIRECTIVE REVIEW

- External – CALEA and Other Department
- Internal
 - New officers
 - Annual review/training
 - Accreditation team
 - Instructors

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TRAINING

- Response to Aggression/Resistance
- Handcuffs
- Mental Health
- Law Enforcement Active Diffusion Strategies (LEADS)
- Use of Force Summit

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REPORTING

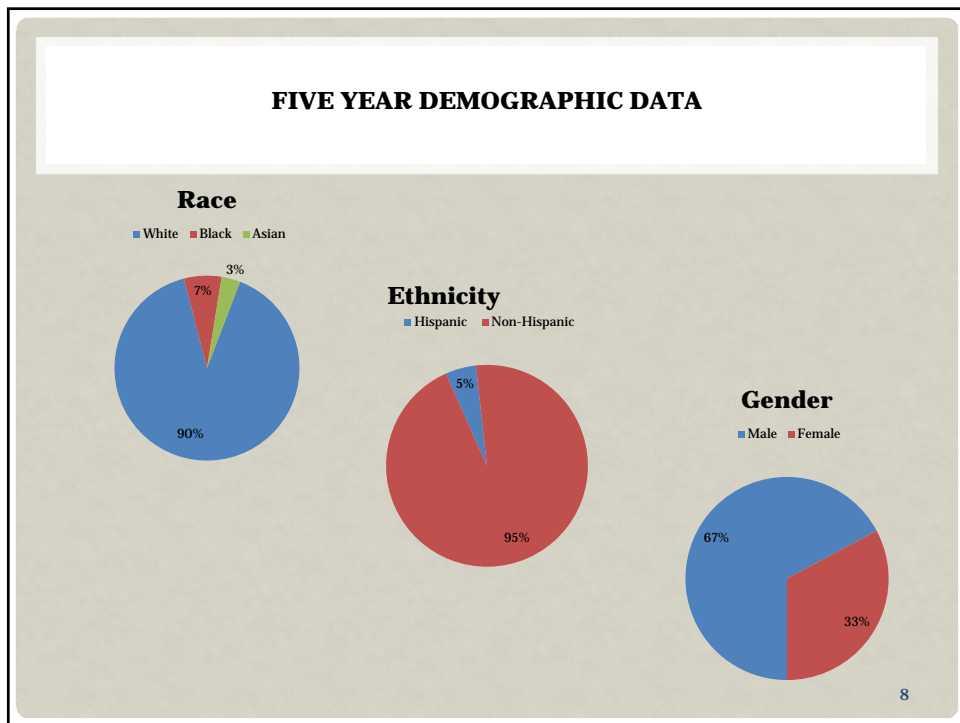
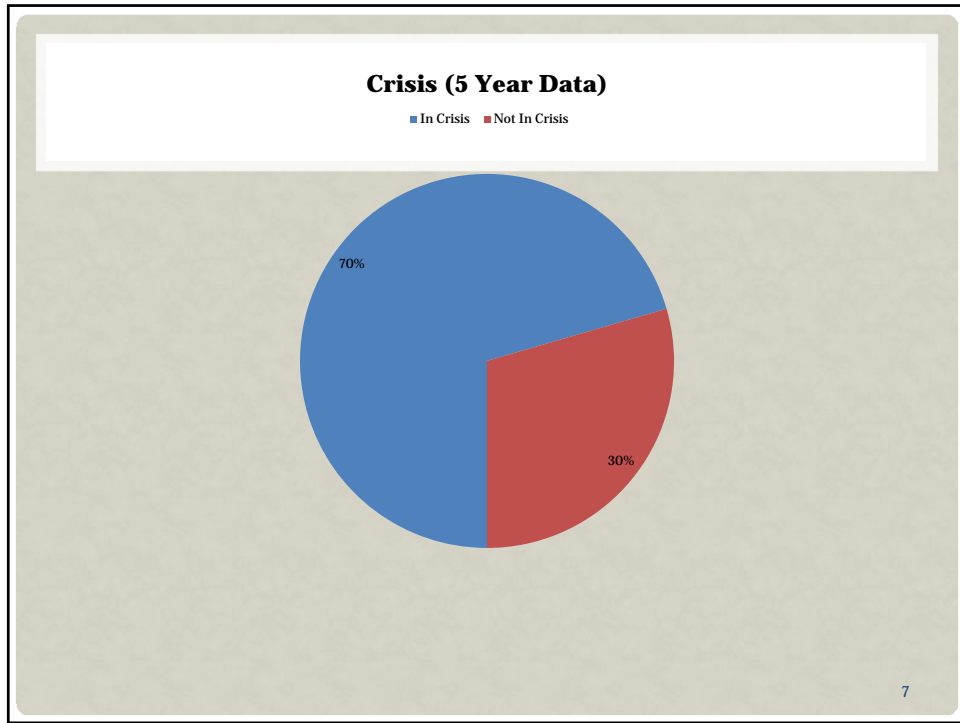
- Department Requirements
- State Requirements
- State's Attorney Office
- CT Office of Policy & Management
- Administrative Review
- CALEA

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FIVE YEAR USE OF FORCE ANALYSIS

CALENDAR YEAR	TOTAL # UOF	HANDS	OC	TASER	BATON	FIREARM	OTHER
2015	10	10	0	0	0	0	0
2016	14	11	0	1 (L)	0	1 (P)	1
2017	12	11	0	2 (1L & 1A)	0	0	0
2018	12	12	1	1 (DS)	1	1 (P)	0
2019	13	10	0	3 (1L & 2CD)	0	2 (P)	1

6



CONTEMPORARY MOVEMENT

- Chokehold and Strangleholds
- Shooting at Moving Vehicles
- De-escalation
- Warning Before Shooting
- Exhaust Alternatives
- Duty To Intervene
- Use of Force Continuum/Matrix
- Reporting

9

COMPLAINTS OF EXCESSIVE USE OF FORCE

- 2 in last 5 years
- Fully investigated

10

AREAS FOR CONSIDERATION

- Consistency among directives
- Explicit supervisor/command staff notice
- Force investigations
- Handcuff directive
- Explicit use of words/phrases
 - De-escalation
 - Duty to Intervene

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AREAS FOR CONSIDERATION

- Explanation of Matrix
- Warning when feasible
- Statewide policy
- On-line accessibility

<https://www.simsbury-ct.gov/police-emergency>

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Use of Force: Policy & Practice Analysis September 2020



Chief Nicholas J. Boulter
September 4, 2020
Police Commission Approved
September 10, 2020
Redacted Content per CGS 1-210(b)

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EXECUTIVE SUMMARY

In addition to laws, regulations and accreditation, use of force by members of the Simsbury Police Department is governed by Department directives. Four current Department directives and practices were examined for clarity, consistency, representation of contemporary policing needs and philosophy. Training opportunities were reviewed for intent, value and support. This analysis also looked at the use of force by the Department over the last five years, including complaints about use of force.

Current directives and practice may benefit from the addition of some contemporary terminology, topics, explicit requirements, and a restructure of the format of the directives. New formatting and additional content exists in new draft directives that have evolved over the last few years, but the new directives are still in draft form. They are not in effect nor are these draft directives included in this analysis.

A look at the overall Department use of force for the last five years showed a very low number of use of force incidents each year. Much of the force was used to control a combative person or physically resistant person who needed to be evaluated at a hospital for a mental health crisis (70% of incidents that required use of force).

Historically, complaints about excessive force have been extremely low. There were two complaints in the last five (5) years, both were fully investigated. One investigation (2015) determined by a preponderance of the evidence that the misconduct or malfeasance complained of did not occur. The individual involved in the second investigation (2016) did not want an investigation. The Department did investigate, but could not determine whether or not the actions occurred.

A temporary Department directive (D.D. 20-02) was issued in June 2020 to meet recently changed mandatory statewide standards through Compliance to Law Enforcement Standards and Practices (CLESP) Program. The standards addressed the use of force in regards to de-escalation, chokeholds, and a duty to intervene. Many of the new requirements were in practice, but not explicit in any current Department directive.

There will be a statewide policy on the use of force that each police department will have to adopt. This Department will adopt the policy as required and incorporate any additional accreditation and community standards, as well as guidelines, expectations, requirements, parameters for decision-making, values and responsibilities.

CURRENT USE OF FORCE POLICIES/PROCEDURES

Federal and State of Connecticut law, State policy and regulation, and Simsbury Police Department policy and procedure govern the use of force by sworn members of this police department. Currently, there are four (4) Department policies and procedures that directly guide and regulate use of force. The Department has other policies, procedures, and directives that also guide and regulate the use of force indirectly. In addition, instruction and training (practice) guide and regulate department use of force. The four (4) current Department policies and procedures that directly guide and regulate use of force are:

1. General Order 1-2 Use of Force

This policy provides general guidelines and communicates the values, philosophy, and culture surrounding expectations and use of force. It does so by providing key definitions of relevant terminology; a broad description of a progressive use of force model or matrix; restrictions; specific types of authorized weapons; and requirements for training, post-use of force medical assistance, procedures, and reporting, and convening a firearms review board. This policy was originally issued in 2002 and numerous amendments were made since, primarily to incorporate changes to the law, regulations, accreditation standards, or equipment. This is a current directive, not a draft or proposed directive.

2. Operational Procedure 4-1d Less Lethal Munitions (Attachment 2)

This directive establishes procedures for the safe and proper carry, use, and deployment of authorized less-lethal munitions (bean bag round) as an option for controlling violent or potentially violent subjects (violence toward self or others). The directive describes the authorized equipment; requirements for training, post-use, and reporting; deployment considerations and procedures (including impact areas of the body) and restrictions. It was issued in 2017. This is a current directive, not a draft or proposed directive.

3. Operational Procedure 4-1e Conducted Electronic Weapon-Taser (Attachment 3)

This directive establishes procedures for use of the authorized conducted electrical weapon (hereafter referred to as Taser). The directive provides state statutes that authorize police to carry weapons and to use force. It defines relevant terminology and describes authorized equipment, wearing and deployment of the Taser, and requirements for training, medical attention and reporting. The original directive was General Order 1-3 and it was issued in 2015. It was amended and changed to the current directive and issued in 2017. This directive follows an established statewide policy on the use of a Taser, pursuant to Connecticut Police Officer Standards and Training Council (POSTC) General Notice 14-02 (Attachment 3a). This is a current directive, not a draft or proposed directive.

4. Operational Procedure 41-1f Pursuit (Attachment 4)

This directive establishes procedures in accordance with the Police Officer Standards and Training Council Pursuit Motor Vehicle Pursuit Policy (Uniform Statewide Pursuit Policy). The directive provides definitions and a variety of procedures that include the use of firearms and forcing a vehicle to stop, as well as training and reporting requirements. This directive was established in 2003 and has been amended numerous times. It follows the most recent POSTC statewide policy,

under POSTC General Notice 19-04 (Attachment 4a), pursuant to a requirement of C.G.S.14-283a. This is a current directive, not a draft or proposed directive.

POSTC Revision to CLESP Standard #16

The Connecticut Compliance to Law Enforcement Standards and Practices (CLESP) Program are minimum standards and practices developed by POSTC, based upon standards established by the International Association of Chiefs of Police and the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) that each law enforcement unit in CT shall adopt and maintain, pursuant to Public Act 18-161. Standard #16 became effective on September 7, 2018 and required:

16. The agency to have a policy concerning the use of force including deadly force which is in compliance with current law, and includes the following provisions:

- a) A listing of the lethal and less lethal weapons authorized by the agency; and*
- b) A mandate that officers receive and are trained in the policy prior to carrying any lethal or less lethal weapons; and*
- c) Describes the initial training and in-service training requirements for all weapons.*

On June 11, 2020 POSTC held a special meeting to modify and adopt changes to CLESP Standard #16 to include a policy that must explicitly address a law enforcement officer's duty to intervene and report unreasonable, excessive, and/or illegal use of force with a series of specific requirements. General Notice 20-04 (Attachment 5) was distributed by POSTC to police departments and I issued Department Directive 20-02 (Attachment 5a) on June 30, 2020 to maintain compliance with CLESP. The Department Directive is temporary to provide the same guidance, direction, requirement, etc. of a policy or procedure, but it is not permanent. It is temporary until a new policy or procedure is in place. Department Directive 20-02 follows:



Chief of Police

Nicholas Boulter

Nicholas J. Boulter

Subject: CLESP Standard #16 -Use of Force Policy Provisions

Department Directive/D.D. 20-02

Date Issued – Distribution
06/30/2020

Rescinds – Amends

CLESP Standard#16 – Use of Force Policy Provisions

PURPOSE

The Connecticut Police Officer Standards and Training Council (POSTC) modified and adopted changes to the Compliance to Law Enforcement Standards and Practices (CLESP) program, minimum standards and practices that each law enforcement agency in Connecticut shall adopt and maintain. Specifically, CLESP standard #16 was modified and adopted on June 12, 2020 and dispersed to law enforcement agencies through General Notice 20-04. The standard, as well as this directive addresses the prohibition of neck restraints/chokeholds, the duty to intervene and report unreasonable, excessive, and/or illegal use of force and de-escalation/calming strategies.

POLICY

It is the policy of the Simsbury Police Department to meet or exceed the Commission on Accreditation of Law Enforcement Agencies (CALEA) standards, State of CT Accreditation standards and CT CLESP standards and to comply with state and federal law. Elements of this directive will be incorporated into General Order 1-2 Use of Force upon approval from the Simsbury Police Commission and/or other department orders/procedures.

CLESP Standard#16 reads (June 12, 2020),

The agency has a policy concerning the use of force including deadly force that complies with current state and federal law. The use of force policy must explicitly address a law enforcement officer's duty to intervene and report unreasonable, excessive, and/or illegal use of force. The policy shall include the following provisions:

- a) A guideline, use of force response matrix or other continuum where an individual/suspect/offender's actions dictate responsive use of force levels;*

D.D. 20-02
CLESP #16 – Use of Force

- b) *A requirement that officers deploy de-escalation/calming strategies and/or verbal warnings prior to the use of force when feasible;*
- c) *A prohibition against the intentional use of a chokehold or other method of restraint applied to the neck area of another person, including but not limited to, (1). Arm bar hold, (2). Carotid artery hold, (3). Lateral vascular neck restraint, (4). Neck restraint or hold with a knee or other object is prohibited. The use of a choke hold or neck restraint may only be used when the use of deadly physical force is authorized.*
- d) *A listing of the lethal and less lethal weapons authorized by the agency;*
- e) *A mandate that officers receive and are trained in the policy prior to carrying any lethal or less lethal weapons;*
- f) *Describes the initial training and in-service training requirements for all weapons;*
- g) *A requirement that an officer who directly observes a use of force that is unreasonable, excessive or otherwise in violation with the agency's use of force policy and/or a violation of state or federal statute (illegal), shall contact a supervisor as soon as practical;*
- h) *A requirement that an officer will act to intervene and stop the unreasonable, excessive, or illegal use of force by another police officer;*
- i) *A requirement that officers who have knowledge of excessive, unreasonable, or illegal use of force against a person shall notify a supervisor and submit a written incident report to a supervisor in a timely fashion; and*
- j) *A prohibition against retaliation for any officer that intervenes against excessive use of force, reports misconduct, or cooperates in an internal investigation.*

PROCEDURE

The existing use of force policy (General Order 1-2) currently provides a guideline or use of force matrix where an individual/suspect/offender's actions dictate responsive use of force levels. There is currently a pending revision of General Order 1-2.

Members of the Department will continue to deploy de-escalation/calming strategies when feasible and/or verbal warnings prior to the use of force when feasible. These have been staples in both our training and practice. This CLESP standard requirement is included in a pending revision of General Order 1-2.

Current use of force policy lists the lethal and less lethal weapons authorized by the agency and mandates that officers receive and are trained in policy prior to carrying any lethal or less lethal weapon. The initial training and in-service training requirement for all weapons will be expanded in the pending revision of the order(s) to provide a better description.

D.D. 20-02 CLESP #16 – Use of Force

Effective Immediately,

- a) Officers are required to deploy de-escalation/calming strategies and or/verbal warnings prior to the use of force when feasible.
- b) It is prohibited for a sworn member to intentionally use a chokehold or other method of restraint applied to the neck area of another person, including but not limited to,
 - (1) Arm bar hold,
 - (2) Carotid artery hold,
 - (3) Lateral vascular neck restraint,
 - (4) Neck restraint or hold with a knee or other object is prohibited.

The use of a choke hold or neck restraint may only be used when the use of deadly physical force is authorized.

- c) Any sworn member who directly observes a use of force that is unreasonable, excessive or otherwise in violation with the agency's use of force policy and/or a violation of state or federal statute (illegal), shall contact a supervisor as soon as practical;
- d) A sworn member will act to intervene and stop the unreasonable, excessive, or illegal use of force by another police officer;
- e) A sworn member who has knowledge of excessive, unreasonable, or illegal use of force against a person shall notify a supervisor and submit a written incident report to a supervisor in a timely fashion; and
- f) There shall be no retaliation against any sworn member that intervenes against excessive use of force, reports misconduct, or cooperates in an internal investigation.

POLICY AND PROCEDURE REVIEW (EXTERNAL AND INTERNAL)

National (CALEA) and State of Connecticut Accreditation and External Reviews

The Commission on Accreditation for Law Enforcement Agencies (CALEA) is a credentialing authority that was established in 1979 by the nation's leading law enforcement executive associations (International Association of Chiefs of Police, National Organization of Black Law Enforcement Executives, National Sheriff's Association, and the Police Executive Research Forum). CALEA designates a chapter of requirements or standards relating to the use of force that the Department has to meet in order to achieve or maintain national accreditation. The standards require the Department to address topics such as reasonable force, deadly force, warning shots, less lethal weapons, rendering aid, reporting use of force, administrative reviews, and annual analyses, training, etc. This Department has been in the CALEA accreditation process since 2008. Through 2016, our policies and practices were reviewed annually by CALEA assessors. Since 2016, CALEA changed the assessor review process, and certain policies, such as use of force, are reviewed by an assessor twice in a four (4) year period. The Department is also accredited through the State of CT (since 2003). The State of CT accreditation program does not regularly review our policies for use of force because we meet the CALEA standards. As preparation for CALEA assessments, accreditation teams from other CALEA agencies in Connecticut review our policies through a mock assessment.

Internal Reviews and Training of Policies

Newly hired officers are required to understand each policy relating to use of force prior to the issuance of relevant equipment/tools. The temporary exception to the rule is while under instruction and strict supervision during the police academy.

General Order 1-2 Use of Force (G.O. 1-2) is reviewed by functions of the Department several times each year. Two examples of function review are accreditation and training. The accreditation team reviews each policy annually for national and/or state accreditation compliance. Department use of force instructors review and instruct on the policy multiple times each year for training, instruction, and preparing for such (e.g. for use of pepper spray, baton, and firearms). In addition, each sworn member of the Department is required to review G.O. 1-2 at least once each year during firearms training. The reality is that each sworn member reviews the policy several times each year due to various opportunities.

Operational Procedures 4-1e (Taser) and 41-1f (Pursuit) are reviewed by sworn personnel and trained on at least annually. That training consists of a review of the current legal case law on the topic, review of the reporting requirements for Department and State required forms, review of techniques and responsibilities of each topic. In addition, live role playing exercises are performed using the Taser that cause officers to utilize de-escalation techniques and various verbalization skills to diffuse live, in person scenarios.

Operational Procedure 4-1d Less Lethal Munitions is reviewed and trained on at least every two years.

TRAINING

Department General Orders and Operational Procedures are reviewed and used for training regularly. They communicate an organization's values, philosophy, and culture. They provide general guidelines, expectations, requirements, parameters for decision-making, as well as instructions, processes and responsibilities. This includes de-escalation, a use of force matrix, notification and reporting requirements, alternatives and options, warnings, communication, etc. These policies and procedures (values, guidelines, parameters for instruction, requirements, etc.) are integrated into each of our training opportunities that have the potential for a response to aggression or resistance. The following are some of the relevant training opportunities:

1. Response to Aggression/Resistance (Use of Force)

For the last five years, sworn members annually participate in a two-day use of force training within the department. This training includes opportunities to practice skills and demonstrate proficiencies at different speeds, under varying conditions, situations and scenarios that involve role playing, de-escalation, decision-making and various stress levels. The practical exercises involve technical skills with a handgun, patrol rifle, Taser, oleoresin capicum spray (pepper spray), less lethal shotgun with bean bag rounds, and the baton. It includes communication skills and techniques for compliance, including clear, concise, and effective direction and verbal de-escalation. Use of the environment (distance, time, concealment, and cover), distraction, and aggression avoidance techniques are instructed and practiced. In addition to the practical aspect of the training, instruction and training on policy, procedure and law are incorporated by discussion, demonstration, video, reading, case law and examples. The Department has five (5) use of force instructors, who together along with the training sergeant prepare and instruct sworn members during the annual two-day training, when a need is identified, or during additional opportunities for training.

Sworn members, excluding the command staff, attend annual in-service training hosted by the West Hartford Police Department. In this annual four (4) day, regional training opportunity, sworn members receive opportunities for practical skills with the handgun and patrol rifle (which includes state qualification, decision-based scenarios and techniques). Specifically, handcuffing, decision shooting, de-escalation, active shooter/threat, and officer involved shooting training.

During these annual trainings, each sworn member (absent the command staff) participates in a minimum of six (6) hours handgun training, six (6) hours of patrol rifle training, two (2) hours of Taser training, one (1) hour of pepper spray training and one (1) hour of baton training. Each of those same members participates in at least two (2) hours of less lethal munitions training every other year. Command staff (Chief and Lieutenants) participates in at least the mandatory minimum requirements for maintaining police certification through POSTC and certification/proficiency with certain force options (e.g. pepper spray), but they each normally exceed those minimum requirements significantly. All of these trainings incorporate the same major components as described in our annual two-day use of force training, policy and procedure (to include law), practical situations (to include scenarios and decision making) and de-escalation techniques.

2. Handcuffs/Mechanical Restraints

Handcuffs are used to safely restrain an individual to minimize harm to others or oneself and to prevent the escape of a detainee or person in custody. They are intended to be used temporarily. Training in the proper use of handcuffs begins at the police academy and has historically reoccurred on an irregular frequency through classes off-site or through Department instructors. In 2019, we implemented annual training for each member through a Department instructor. This does not simply include safe application and removal of handcuffs, but techniques are also instructed and demonstrated to obtain compliance through de-escalation where applicable. It also includes reasonable care for the person in handcuffs to prevent injury. Instruction is provided during this training to prevent positional asphyxia (inadequate breathing due to restraint or compression) and recognition and treatment of excited delirium (life-threatening heart arrhythmias often associated with stimulant use or psychiatric disorders). Positional asphyxia and excited delirium are also part of the curriculum for annual Department holding facility training, annual emergency medical responder (EMR) training, and other trainings.

Leg irons are used with the Department on a very limited basis. They are tools that officers can use if a prisoner has a prior history of escape or is/has been combative. However, they are most commonly used when escorting a prisoner to the hospital for a medical evaluation.

There is not currently a directive on handcuffs.

3. Mental Health - Crisis Intervention Team

Since at least 2007, the Department has sent members (sworn and non-sworn) to a week-long class called Crisis Intervention Team (CIT). The training focuses on recognition, awareness, de-escalation, problem solving, and temporary resolution strategies and resources to achieve the most successful outcome possible for a person going through a mental health crisis. The objectives include improved access to resources for the person in crisis, their family, and first responders and a reduction in use of force and injury to all. There are periodic (usually annual) training updates that CIT members attend. The Department currently has fifteen (15) CIT members, and four (4) additional members were scheduled to attend in 2020, but the pandemic has delayed this training opportunity. A directive is pending that provides department-wide guidance and procedures specific to CIT training and responses. Many members have received much abbreviated versions of the mental health crisis awareness and de-escalation techniques in a variety of training opportunities over the last fifteen (15) years.

4. Mental Health – General

Department members receive a minimum of one (1) hour of mental health training annually through Department instructors, during annual in-service training (four days hosted at the West Hartford Police Department), and through numerous other trainings. Project Lifesaver is an example. This program is designed to quickly locate a person who has wandered from a caregiver (e.g. person with Alzheimer's). Membership trains every two years on use of the equipment relating to the program and on de-escalation, communication strategies, mental health awareness, disabilities, and developmental or spectrum disorders.

5. Law Enforcement Active Diffusion Strategies (LEADS)

LEADS is a comprehensive instructional class that includes lectures, demonstrations, role playing, and practical scenarios designed for effective communication skills, de-escalation techniques, and physical confrontation avoidance. The course identifies ways to recognize aggressive behaviors and prevent them from escalating. It teaches active diffusion strategies and a response if de-escalation is not successful. The Department had three (3) members enrolled to become instructors in this training in the fall of 2019 (hosted by Simsbury Police), but the class was postponed due to a lack of enrollment. It was rescheduled for March 2020, but again postponed due to the COVID-19 pandemic. It is scheduled for November 2020. Once the three (3) members become instructors in LEADS, they will provide this training to the remainder of the sworn membership.

6. Use of Force Summit

Daigle Law Group hosts an annual three-day Use of Force Summit for law enforcement around the country. The conference presents a wide range of topics relating to use of force, but focuses on proper legal and operational standards including the development of practices and policies. Some areas include de-escalation, reporting and investigation of the use of force, developing scenario based training, and crowd management. Eight (8) members have attended the conference since 2016, and seven more members are scheduled for December 2020.

POSTC Basic Police Academy Training

POSTC provides the basic police training for entry level, non-certified officers. The curriculum includes classroom (e.g. law) and practical (e.g. technical skills and decision making) instruction with use of force, de-escalation, conflict management, etc.

POSTC Re-certification Requirements (Professional Development)

POSTC mandates a minimum number of hours of required trainings for all police officers (regardless of rank) that have to be completed every three (3) years for an officer to maintain POSTC certification. Most of the training has been in a classroom or practical environment, not virtual. The following is a list of the mandatory topics and minimum required hours to maintain POSTC certification. Officers normally receive far more training every 3 years than these requirements.

Firearms (2 hours of firearms and 1 hour of use of force)	9 hours
Sexual Assault Crisis	2 hours
Human Relations (1 hour mental illness & 1 hour fair and impartial policing)	3 hours
Police and the Law (Legal update)	7 hours
Patrol Procedures	2 hours
Domestic Violence	2 hours
Juvenile Matters	1 hour
Gangs	1 hour
Hate and Bias Crimes	1 hour
Various Electives	<u>32 hours</u>
Total	60 hours

Additionally, state statute requires that officers receive 2 hours of training each year in human trafficking that is not included in the POSTC requirements.

REPORTING

When force is used by a member, an incident report, the Response to Aggression or Resistance report (use of force report), and CT Electronic Defense Weapons Report and/or Pursuit Forms (if applicable) are required. Officers who witness the use of force are required to complete an incident report. All reports are reviewed by a sworn member's immediate supervisor. Depending on the circumstances, the use of force may be investigated separately by a supervisor (sergeant or above). The criteria are not absolute, but considerations for a separate investigation are the type of force/weapon used, injuries, or special circumstances. The investigation will include statements from witnesses and evidence (e.g. video) and a memo from the investigator that will provide incident details, recommendations, corrections, a determination of policy compliance or non-compliance, etc.

Incident Report

Cumulatively, the four (4) current use of force directives require officers to complete an incident report (an electronic report that includes data and a narrative) any time physical force is applied, action is taken which results in or is alleged to have resulted in the injury of another person, and discharge of a weapon (intentional or accidental) other than for training purposes. This includes deployment (discharge or not) of a firearm or Taser. It also includes physical restraint of a person without injury and the use of handcuffs on a physically non-compliant person. This is a CALEA standard (4.2.1).

Department Response to Aggression or Resistance Report

This report is a Department form that is required and is specifically inscribed in three of the four current directives. It is not explicitly in the pursuit directive, but if force was used during a pursuit, it is necessary to complete the report under General Order 1-2. The Response to Aggression or Resistance Report is also referred to as a Use of Force Report/Form.

Electronic Defense Weapons Report

Operational Procedure 4-1e Taser requires completion of a State of CT Electronic Defense Weapons Report Form, in addition to the incident report. This complies with a state model policy for use of a Taser.

Pursuit Reporting

Operational Order 41-1f Pursuit requires completion of an incident report and a pursuit form if an officer is involved in a pursuit. The state model policy requires submission of a pursuit form to the State of CT. Supervisors are required under the pursuit directive to prepare a detailed report on any pursuit or use of any forcible stopping technique.

Notification to Supervisor

Each patrol shift is staffed by at least one patrol sergeant, who is responsible for the shift. All other officers (including detectives and sworn support staff) are assigned a supervisor for their normal assignments. All are assigned to a sergeant for their normal assignments, except for the Special Projects Officer (SPO). The SPO primarily performs accreditation work and normally reports to the accreditation manager (Administrative Lieutenant). The current use of force directives do not explicitly state that sworn personnel must notify their supervisor as soon as practical after a response to aggression or resistance event (after they use force). O.P. 4-1d Less-Lethal Munitions, O.P. 4-1e Taser and O.P. 41-1f Pursuits explicitly require the notification of a supervisor. O.P. 4-1d explicitly requires a supervisor to respond to the incident. These notification requirements will be explicit in future use of force directives.

Report to State's Attorney

Current State law requires notification to the State's Attorney Office if physical force by a police officer causes the death of another person or if a police officer uses deadly force. The Division of Criminal Justice will investigate the use of force, designate a state's attorney to the investigation, and determine whether the officer's use of force was appropriate under legal standards. These responsibilities will rest with the Office of the Inspector General (established through Public Act 20-1) in the future.

Sec. 51-277a. Investigation of the use of physical force by a peace officer that results in death of another person or use of deadly force. Reporting. (a)(1) Whenever a peace officer, in the performance of such officer's duties, uses physical force upon another person and such person dies as a result thereof or uses deadly force, as defined in section 53a-3, upon another person, the Division of Criminal Justice shall cause an investigation to be made and shall have the responsibility of determining whether the use of physical force by the peace officer was appropriate under section 53a-22. The division shall request the appropriate law enforcement agency to provide such assistance as is necessary to determine the circumstances of the incident.

(2) On and after January 1, 2020, whenever a peace officer, in the performance of such officer's duties, uses physical force upon another person and such person dies as a result thereof, the Division of Criminal Justice shall cause a preliminary status report to be completed that shall include, but need not be limited to, (A) the name of the deceased person, (B) the gender, race, ethnicity and age of the deceased person, (C) the date, time and location of the injury causing such death, (D) the law enforcement agency involved, (E) the status on the toxicology report, if available, and (F) the death certificate, if available. The division shall complete the report and submit a copy of such report not later than five business days after the cause of the death is available in accordance with the provisions of section 11-4a to the joint standing committees of the General Assembly having cognizance of matters relating to the judiciary and public safety.

(b) In causing an investigation to be made pursuant to subdivision (1) of subsection (a) of this section, the Chief State's Attorney shall, (1) as provided in section 51-281, designate a prosecutorial official from a judicial district other than the judicial district in which the incident occurred to conduct the investigation, or (2) as provided in subsection (a) of section 51-285, appoint a special assistant state's attorney or special deputy assistant state's attorney to conduct the investigation. The Chief State's Attorney shall, upon the request of such prosecutorial official or special prosecutor, appoint a special inspector or special inspectors to assist in such investigation.

(c) Upon the conclusion of the investigation of the incident, the Division of Criminal Justice shall file a report with the Chief State's Attorney which shall contain the following: (1) The circumstances of the incident, (2) a determination of whether the use of physical force by the peace officer was appropriate under section 53a-22, and (3) any future action to be taken by the division as a result of the incident. The Chief State's Attorney shall provide a copy of the report to the chief executive officer of the municipality in which the incident occurred and to the Commissioner of Emergency Services and Public Protection or the chief of police of such municipality, as the case may be, and shall make such report available to the public on the division's Internet web site not later than forty-eight hours after the copies are provided to the chief executive officer and the commissioner or chief of police.

Reporting to the State of Connecticut Office of Policy and Management

As of 2020, the State of CT requires each police department to create and maintain a record of incidents of use of physical force and discharge of a firearm and report the same to the Office of Policy and Management on an annual basis, pursuant to statute 7-282e. The report includes all reports from each use of force incident, summarized data compiled from the records, statistics on each use of force, the number of times force was used on a person, and any injuries suffered by person against whom force was used.

Administrative Review of Each Response to Aggression or Resistance

An administrative review of each response to aggression or resistance is completed by each member of the command staff (Lieutenants and Chief of Police). This includes a review of each report, any audio/video of the incident or other piece of evidence, as well as a recommendation from the Commander who oversees the division in which force was used. This requirement is in General Order 1-2 and a CALEA standard (4.2.2).

Annual Response to Aggression or Resistance (Use of Force) Analysis

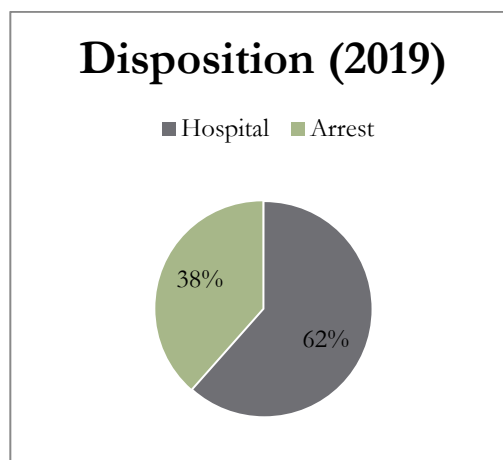
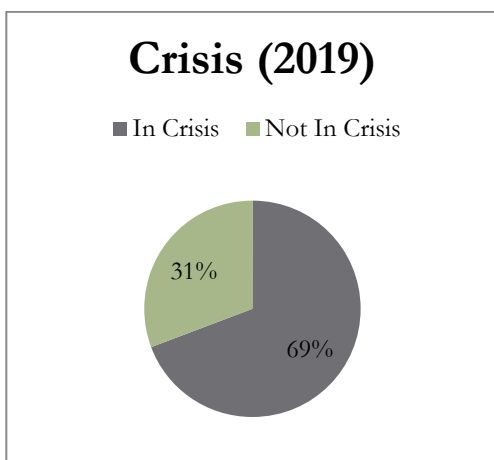
The Administrative Commander and the Training Sergeant produce an annual analysis of use of force activities, policies and practices. This is a CALEA standard (4.2.4). It is an in-depth look at the circumstances surrounding the incident, as well as identification of any needs (e.g. training or equipment), policy or procedure revision, etc.

USE OF FORCE ANALYSIS

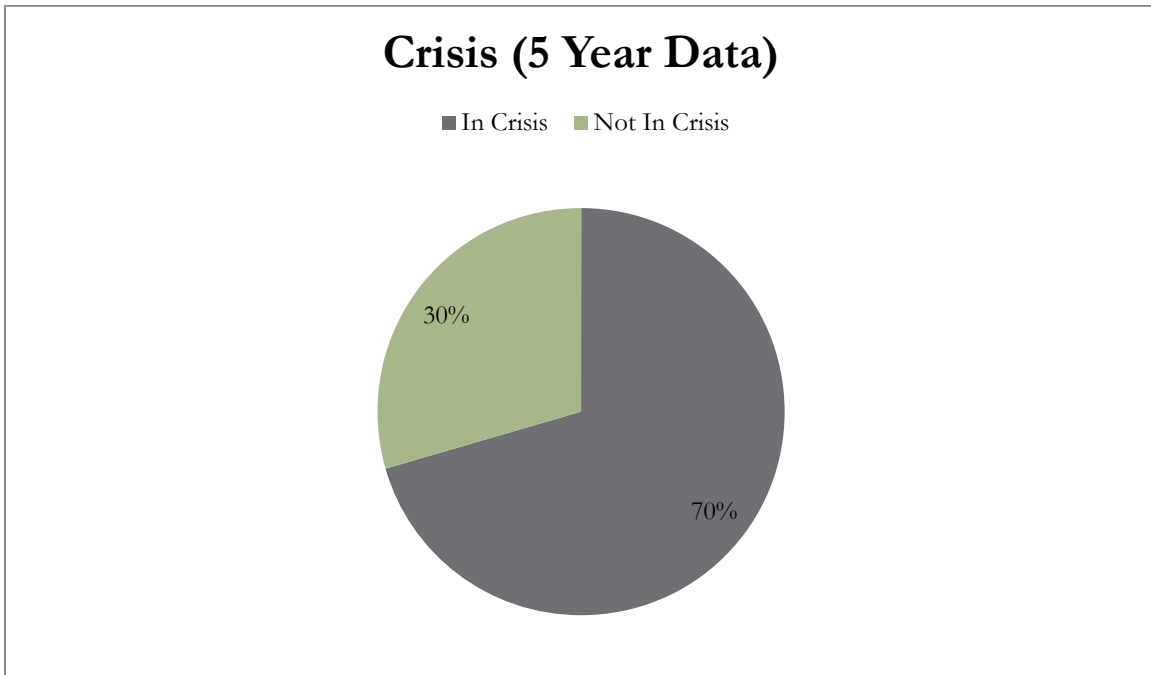
Each year, the Administrative Commander and the Training Sergeant compile an analysis of the Department use of force. Response to Aggression or Resistance (R.A.R.) reports and incident reports are the two main sources of information for the analysis. An R.A.R. is only completed if force is used beyond placing a hand on a person or handcuffing a compliant person. There has to be some sort of resistance or aggression.

CALENDAR YEAR	TOTAL # UOF	HANDS	OC	TASER	BATON	FIREARM	OTHER
2015	10	10	0	0	0	0	0
2016	14	11	0	1 (L)	0	1 (P)	1
2017	12	11	0	2 (1L & 1A)	0	0	0
2018	12	12	1	1 (DS)	1	1 (P)	0
2019	13	10	0	3 (1L & 2CD)	0	2 (P)	1

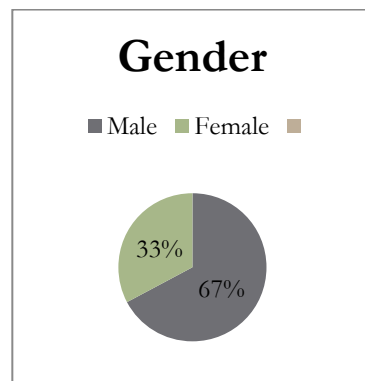
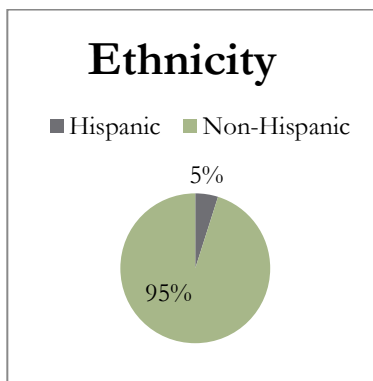
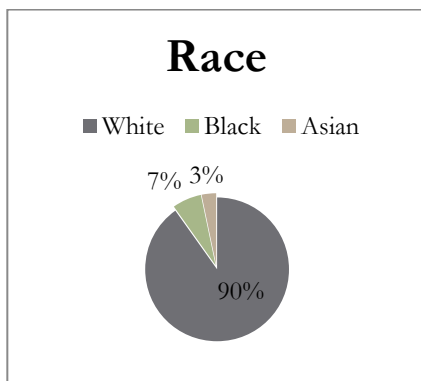
Of the 13 response to aggression or resistance incidences in 2019, nine (9) of the people were considered to be in crisis (e.g. suicidal, mental health crisis or highly intoxicated due to substances). Seven (7) of the nine (9) in crisis were strictly mental health issues, while the remaining two (2) involved criminal acts as well (Causing a Public Disturbance/Breach of Peace and Crash with Evading Responsibility with Breach of Peace). Eight (8) individuals were not charged with a crime and were sent to a hospital for an emergency evaluation because they were a danger to themselves, others, or gravely disabled.



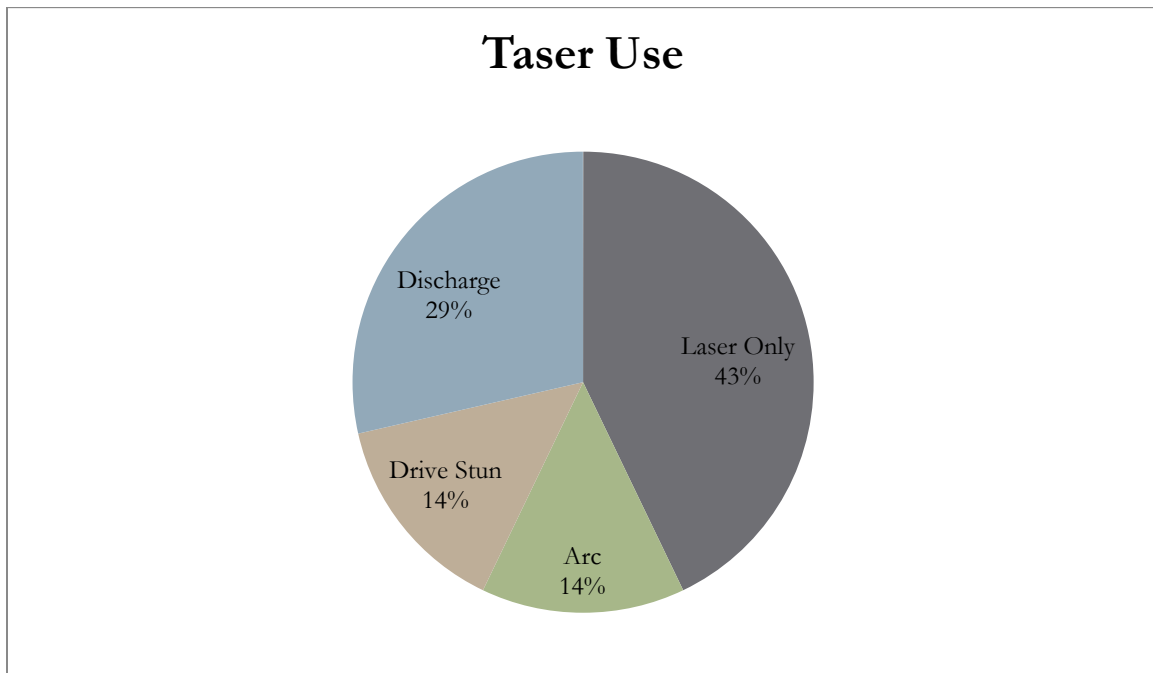
Over the last five (5) years, 70% of incidents requiring use of force involved a person in crisis, due to mental health or high intoxication from alcohol or another substance. Almost all of the responses to aggression or resistance were with hands. Officers had to control a person by the wrist or arm because they were non-compliant or use their hands and body weight to restrain a person from harming themselves, the officer, a third person or to prevent them from fleeing.



During that same five (5) year period, 90% of the individuals were white, 7% were black and 3% were Asian. Of the 61 individuals, 95% were non-Hispanic and 67% were male. O.C. (pepper spray) was used once on a white, non-Hispanic male. The baton was used once on a white, non-Hispanic male. It was not used to strike the person, but instead to put pressure on his leg to gain compliance. A firearm was removed from the holster and pointed at a person on three occasions. During one of the occasions, it was pointed at two people. Three (3) of the four people were white, non-Hispanic males and one (1) was a white, Hispanic male.



The Taser was used seven (7) times over the last four (4) years. It was used three (3) times to aim the laser on a person only. There was no discharge or Taser contact with a person. The Taser was removed once from the holster and the arc was used to gain compliance. There was no contact with the person. The drive stun was used once during this time period (contact was made with a person without using the projectiles). On two separate occasions, the Taser cartridges were discharged at a person. Each time that the Taser was used, the person was a white, non-Hispanic male. All of the injuries associated with the use of force were minimal (abrasions, skin marks or small punctures from a Taser, bruising).



CONTEMPORARY MOVEMENT

Most recently, concerns regarding aspects of use of force have included the following: banning chokeholds/strangleholds and shooting at moving vehicles, requiring de-escalation, warning before shooting, exhausting all alternatives before shooting, a duty to intervene, a use of force continuum, and comprehensive reporting. These eight (8) areas are most often associated with the [8cantwait campaign](#).

Chokehold and Strangleholds

Current Department directives do not ban the use of chokeholds or strangulation holds. General Order 1-2 Use of Force provides a model for the delivery of less lethal weapons and projectiles, based on the circumstances and the level of force authorized. Section G of G.O. 1-2 Use of Force provides a description and picture of areas of the body for determining contact areas for less lethal weapons (baton) and projectiles (bean bag rounds), based on potential for injury. Intentional

impact to the head and neck area will be avoided unless the use of deadly force is justified, necessary, and appropriate. Section F of O.P. 4-1d Less-Lethal Munitions provides a similar description and picture for areas of the body. “The head, throat, neck, spine and groin are not to be specifically targeted at any distance unless deadly force is authorized or the situation dictates otherwise.” It further states that “Target area with the greatest potential for serious or fatal injury consisting of the chest, spine, head, neck or throat. Only considered when maximum effectiveness is desired to meet a level of threat escalating to deadly force.” Chokeholds and strangleholds are not taught. Our policies clearly deter force to the neck area unless deadly force is justified and the most recently added Department Directive 20-02 addresses chokeholds and strangleholds specifically.

Shooting at Moving Vehicles

Shooting at moving vehicles has been prohibited by Department directives since at least 1998, absent very limited circumstances. The current directive that prohibits shooting at moving vehicles is General Order 1-2 Use of Force section D. Restrictions on Use of Firearms 2. Use of Force and with the exception “to protect a person from use of imminent use of deadly force and when there is no risk of injury to innocent persons.” It is also prohibited under Operational Procedure 41-1f Pursuit section E, absent certain circumstances, which reads:

1. Officers shall not discharge their firearms at a moving vehicle or its occupants unless, the occupants are using, or threatened the use of deadly physical force, against the officer or another person present, by means other than the vehicle.
 - a. This does not preclude exigent circumstances such as, but not limited to, where the officer reasonably believes there are no other means available to avert the threat of the vehicle, or if such vehicle is being utilized as a weapon against the officer(s), or another person, such as in a vehicle ramming attack.
 - b. No officer should intentionally position his or her body into the path of a fleeing motor vehicle, unless such action is a tactic approved by the law enforcement unit, that employs such police officer and in accordance with an established written policy. Whenever possible, the involved officer should make an effort to move to an area of safety if the vehicle becomes a threat, including retreating from the threat, if practical.

These current directives adhere to the State of CT Model Pursuit Policy in accordance with the provisions of 14-283a-1 to 14-283a-4 and section 14-283a of the CT General Statutes. It is the mandated minimum standard for all police pursuits in CT. This section of the Police Department directive (O.P. 41-1f) is identical to the respective section of the State Model Policy.

Require De-Escalation

De-escalation is taught in all of our training and classes that relate to the use or potential use of force, mental health and medical service, as noted in the training section of this document. Including the word or the concept of de-escalation in our directives is in the Areas For Consideration section of this document. De-escalation efforts should be required when possible.

Require Warning Before Shooting

Members are trained to provide clear and concise commands in situations that require immediate action to prevent injury. The commands may be “drop the gun”, “drop the knife”, “show me your hands”, etc. Although not explicit, these are implied warnings. Section F 5. O.P. 4-1e Taser states in part “Whenever possible, prior to a CEW (*Taser*) deployment, a loud, clear warning of a CEW (*Taser*) deployment should be made.” The law requires officers to warn a person of the intent to use deadly physical force where feasible. Members are instructed through training, but it is not in the directives. The language about warnings is addressed in the Areas For Consideration section of this document. The 8cantwait campaign advocates for a verbal warning in all situations before using deadly force.

Exhaust All Alternatives Before Shooting

The current directives do require the exhaustion of all other alternatives, including non-force and less lethal force options, prior to resorting to deadly force, but it is written differently with like meaning. General Order 1-2 Use of Force authorizes “only the amount of force absolutely necessary”.

Duty To Intervene

From the initial basic police academy through continued professional development, members are instructed about the “duty to intervene.” Our current directives do not provide any direct language regarding the duty to intervene. It is addressed in the Areas For Consideration section of this document.

Require Use of Force Continuum

Current policy allows for “only the amount of force absolutely necessary to achieve lawful objectives in accordance with state statute.” (General Order 1-2 Use of Force). Department directives describe a progressive use of force model, the degree of which should be in direct relationship to the amount of resistance or threat. For example Section B of General Order 1-2 Use of Force reads in part:

1. Officers will use only the minimum amount of force which is necessary and reasonable to control a situation, effect an arrest, overcome resistance to arrest, or defend themselves from harm.
2. When force is necessary, the degree of force that is employed should be in direct relationship to the amount of resistance offered or the immediate threat to the officer or others.

3. The use of force by officers will, whenever possible, be progressive in nature, as follows: verbal encounter; use of OC (Oleo-Resin Capsicum) spray when aggression is shown through actions or words; physical encounter; use of the CEW; use of the ASP Expandable Baton or extended range impact device (sock round); use of deadly force.

Section C of General Order 1-2 Use of Force specifically limits the use of deadly force, permitting use under the following circumstances:

An officer may use deadly force only when the officer reasonably believes that the action is in defense of human life, including the officer's own life, or in defense of any person in imminent danger of serious physical injury or death.

There are very clear restrictions on the use of force and of each weapon in the directives. For example, Section B.3. and 5. of General Order 1-2 Use of Force states in part:

3. The use of force by officers will, whenever possible, be progressive in nature, as follows: verbal encounter; use of OC (Oleo-Resin Capsicum) spray when aggression is shown through actions or words; physical encounter; use of the CEW; use of the ASP Expandable Baton or extended range impact device (sock round); use of deadly force.

The use of kinetic energy impact projectiles is considered an impact/self defense weapon when deployed to areas of the suspect's body that are considered ***unlikely to cause death or serious physical injury***.

The use of kinetic energy impact projectiles is considered a deadly force weapon if intentionally deployed at the head or neck.

5. The Simsbury Police Department does not authorize the use of "pain compliance" as a response to passive, non-violent demonstrators engaged in an act of civil disobedience.

Further examples include, Section F.1. and 2. of General Order 1-2 Use of Force which state in part:

1. Officers shall be trained prior to issue of OC (Oleo-Resin Capsicum) aerosol spray. OC is an intermediate weapon and should only be used after verbal persuasion has failed and the subject demonstrates aggressiveness through actions and/or words.
2. All officers shall be trained prior to issue of the ASP-F26 Expandable Baton. Areas of the body which shall not be struck are the head, neck, groin, face, spinal column, collarbone, and coccyx.

The current directives are very strict and clear and provide standards that meet the 8cantwait description about force continuum requirements:

Require Comprehensive Reporting

Our current directives require comprehensive reporting each time force is used, including pointing a firearm or Taser.

COMPLAINTS OF EXCESSIVE USE OF FORCE

In the last five years, there were two complaints of unnecessary force by an officer. One complaint was received and investigated in 2015. It was determined by a preponderance of the evidence that the misconduct or malfeasance complained of “man handling” did not occur. The complainant was a white male under arrest for a road rage incident. The second complaint was received in 2016. An officer put his hand on the shoulder area of a man he was interacting with, just prior to performing a pat frisk for weapons. Immediately after the officer put his hand on the man’s shoulder, he complied and was cooperative. A pat frisk was not necessary at that point because the officer was able to see that he was not likely carrying a weapon. The complainant was a black male, whose vehicle resembled the description of one used in a recent robbery. The officer did not complete a use of force or response to aggression/resistance report at the time, because he felt that simply putting his hand on the man’s shoulder was not force that was reportable in that manner. The complainant wanted to be sure that his concerns were documented, but he did not feel the need for an investigation. It was investigated and the investigation was unable to determine whether or not the complaint that the officer aggressively put his hand on him occurred.

AREAS FOR CONSIDERATION

The current directives described throughout this document are the existing directives. They each have slightly varying descriptions for the level of force that is authorized, even within the same directive. On the first page of General Order 1-2, the current policy allows only the amount of force absolutely necessary, while section B of the same policy allows only the minimum amount of force which is necessary and reasonable. Other current directives, O.P. 4-1d Less-Lethal Munitions and O.P. 4-1e Taser states that officers will only use the level of force that is reasonable to accomplish lawful objectives. Each directive needs consistency.

Some current directives explicitly require notifications to supervisory personnel, where other directives do not. There should be explicit notification requirements and procedures that are consistent in regards to supervisor or command staff notifications. In a future directive, there will be explicit requirements for a supervisor response to certain incidents that involve force.

The Department has conducted administrative reviews of each use of force incident for many years. Within the last few years, the Department has expanded reviews to include a force investigation based on the type of force option used, the injury or circumstances. The investigation has been assigned to a sergeant or a lieutenant. The practice of conducting a force investigation, separate from the incident, will be in a future directive. It provides for a timely and thorough investigation of all the circumstances involving the use of force, from a quality assurance and compliance perspective.

Currently, there is no directive specific to handcuffing. Although the use of handcuffs is not typically viewed as the application of force, it is very closely related. Handcuffs are used regularly with compliant and non-compliant suspects, detainees, arrestees or others that may be a harm to self or others. A handcuff directive will address when and how to use handcuffs (including leg irons), along with many of the other aspects in a force option directive (e.g. prohibitions/restrictions, reporting requirements, care and maintenance, etc.).

Two current Department directives prohibit shooting at moving vehicles, but the wording in each directive is not identical. For consistency, they should be identical. The wording in O.P. 41-1f Pursuit is identical to the state model policy. General Order 1-2 is not verbatim to the state model policy and it is much more restrictive in regards to the risk of injury to innocent persons. O.P. 41-1f and the State Model Pursuit Policy do not address the risk to innocent persons. Future directives will be consistent.

The use of de-escalation is throughout current directives, training and practice, but it is not specifically mentioned in any directive. The terminology, along with clear guidance, expectations and requirements in a directive(s) will provide some clarity and serve to strengthen current practice. The terminology will be added in a future directive(s).

Providing a warning to a person, when feasible, that force may be used against them to stop a threat or to gain compliance is the law for deadly force use, but also the practice for all types of force options. The warning may sometimes be implied based on the circumstances (actions). This practice is not in any of the directives and it will be in future directives.

New directives will explain more thoroughly the requirements, when feasible, to exhaust other reasonable alternatives prior to the use of force.

None of the current directives state that an officer has the duty to intervene and to report use of force believed to be unreasonable or excessive. The requirement to intervene has been taught to officers since the police academy, but it will be included in future directives.

The Department has been working on new draft policies and procedures that change the structure, more so than the content, of the current use of force related policies and procedures. For many years, General Order 1-2 Use of Force served as the policy and procedure for all use of force options. Every time that a law, procedure (form, notification, technology, etc.) or use of force option changed, the policy would need an update. The new draft policies and procedures (not included in this document) provide a General Order for use of force. The General Order will communicate the values, philosophy, culture, expectations, laws and accreditation standards. It will provide reporting, training and medical assistance requirements, prohibitions or restrictions (chokeholds and strangleholds), use of de-escalation, and force options based on a matrix-type system. This will provide consistency. Specific force options (e.g. o.c. spray, baton, non-weapon, etc.) will have an individual Operating Procedure that would include instructions, checklists, processes, responsibilities, notification requirements, care, storage, and maintenance.

The Connecticut Police Officer Standards and Training Council (POSTC) formed a committee on June 18, 2020 to create a statewide use of force policy. That statewide policy is pending. Bill 6004 was passed into law on July 31, 2020 and some of the sections apply to the use of force. These changes will need to be considered.

I expect that Connecticut will create a mandatory statewide policy within the next few months that each law enforcement agency will need to adopt. That policy will be shared with the Simsbury Police Commission and collectively new directives will be created that adhere to the new mandate and the expectations of this community. I expect many of the topics discussed in this document (chokeholds, duty to intervene and report, de-escalation, warnings, use of force continuum or matrix, etc.) to be in the statewide policy.

Department directives, such as use of force, will be made available to the public on-line.

The following pages contain some redactions pursuant to Connecticut General Statute 1-210(b). Redactions are marked with a capital X and/or the word REDACTION.



Chief of Police

Nicholas Boulter

Nicholas J. Boulter

Subject: Use of Force

General Order/ G.O. 1-2

Date Issued – Distribution
01/28/2002

Rescinds – Amends 11/18/2010
08/14/2012
08/12/2015
08/25/2016
03/20/2017
11/30/2018

Use of Force Policy

PURPOSE

To establish policy concerning the use of force by sworn members of the Simsbury Police Department.

POLICY

It is the policy of the Simsbury Police Department to allow only the amount of force absolutely necessary to achieve lawful objectives in accordance with state statute.

DEFINITIONS

1. Non-deadly force: A degree of force which is neither intended nor likely to cause injury, which is used by an officer to control a situation or the actions or behavior of a person or persons.
2. Deadly force: A degree of force which can reasonably be expected to cause serious physical injury or death.
3. Serious physical injury: A bodily injury that creates a substantial risk of death; causes serious, permanent disfigurement; or results in long-term loss or impairment of the function of any bodily member or organ.
4. Reasonable belief: When facts or circumstances the officer knows or should know are such as to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.

G.O. 1-2
Use of Force

5. Less lethal force philosophy: A concept of planning and force application which meets operational objectives with less potential for causing death or serious physical injury than conventional police tactics. The potential for causing death or serious physical injury with kinetic energy impact projectiles is a reality. This potential is greatly reduced when impacts to the head and neck are avoided, and when appropriate medical examination is provided in cases where the subject is struck in an area that might conceal a closed injury, including such areas as the chest, back, thoracic and abdominal cavities and the groin.

When engaging a target, the officer should evaluate the effectiveness of each round during the volley. Compliance and/or incapacitation is the desired goal, and alternative target areas/response should be considered when rounds are not effective. Alternative target area/response considerations will be based on the circumstances the officer is encountering and the established department safety priorities.

6. Kinetic Energy Impact Projectiles: Sock round projectiles which are intended to incapacitate a subject with a minimal potential for causing death or serious physical injury when compared to conventional projectiles.
7. Conducted Electrical Weapons (CEW): The CEW (also known as an Electronic Defense Weapon or EDW) is a less than lethal weapon designed to disrupt a subject's central nervous system by employing battery-powered electrical energy sufficient to cause uncontrolled muscle contractions and override voluntary motor responses.

B. PROGRESSIVE USE OF FORCE

1. Officers will use only the minimum amount of force which is necessary and reasonable to control a situation, effect an arrest, overcome resistance to arrest, or defend themselves from harm.
2. When force is necessary, the degree of force that is employed should be in direct relationship to the amount of resistance offered or the immediate threat to the officer or others.
3. The use of force by officers will, whenever possible, be progressive in nature, as follows: verbal encounter; use of OC (Oleo-Resin Capsicum) spray when aggression is shown through actions or words; physical encounter; use of the CEW; use of the ASP Expandable Baton or extended range impact device (sock round); use of deadly force.

The use of kinetic energy impact projectiles is considered an impact/self-defense weapon when deployed to areas of the suspect's body that are considered *unlikely to cause death or serious physical injury*.

G.O. 1-2 Use of Force

The use of kinetic energy impact projectiles is considered a deadly force weapon if intentionally deployed at the head or neck.

4. The department acknowledges that extraordinary circumstances may compel deviation from the letter of this policy. Such situations will be judged on the reasonableness of an officer's actions based on that specific set of circumstances.
5. The Simsbury Police Department does not authorize the use of "pain compliance" as a response to passive, non-violent demonstrators engaged in an act of civil disobedience.

C. USE OF DEADLY FORCE

1. The use of deadly physical force by officers of the Simsbury Police Department is permitted under the following circumstances:

An officer may use deadly force only when the officer reasonably believes that the action is in defense of human life, including the officer's own life, or in defense of any person in imminent danger of serious physical injury or death.

2. A "fleeing felon" should not be presumed to pose an immediate threat to life in the absence of actions that would lead one to believe such is the case, such as a previously demonstrated threat or a wanton disregard for human life. Deadly force may only be used against a human being when the conditions in section (1), above, are present.
3. The use of deadly force is permitted to kill an animal which presents an immediate physical threat to an officer or another person, or an animal which is so badly injured that it should be euthanized from the standpoint of humaneness.

D. RESTRICTIONS ON USE OF FIREARMS

1. Warning shots are prohibited.
2. Officers will not discharge their weapons at or from a moving vehicle, except to protect a person from use or imminent use of deadly force and when there is no risk of injury to innocent persons.
3. Use of firearms is prohibited against any individual the officer knows or reasonably believes to be under sixteen years of age, except to protect any person from use or imminent use of deadly force.

G.O. 1-2 Use of Force

E. WEAPON MOUNTED LIGHT SYSTEMS

1. The Sig Sauer 229 pistol is equipped with the Streamlight TLR-1s weapon mounted light system. The Colt M4 Monolithic CQB carbine (M4) is each equipped with an Inforce WMLx weapon mounted light system.
2. The weapon mounted light systems are intended for use only in conjunction with the respective firearm and under authorized circumstances. Authorized circumstances are limited to those that may ordinarily require the use of a firearm.
3. The weapon mounted light systems are not to be detached and used as a flashlight.
4. The Sig Sauer 229 and Colt M4 Monolithic CQB carbine (M4) with weapon mounted light systems are not to be used exclusively as a light source.

F. LESS LETHAL WEAPONS

1. Officers shall be trained prior to issue of OC (Oleo-Resin Capsicum) aerosol spray. OC is an intermediate weapon and should only be used after verbal persuasion has failed and the subject demonstrates aggressiveness through actions and/or words.
2. All officers shall be trained prior to issue of the ASP-F26 Expandable Baton. Areas of the body which shall not be struck are the head, neck, groin, face, spinal column, collarbone, and coccyx.
3. Detectives and undercover assigned officers are authorized to carry the ASP-F20 Expandable Baton.
4. Kinetic energy impact projectiles (sock round):
 - a. The only less lethal (sock round) ammunition authorized is that which has been approved by the Administrative Commander of the Department. XXX XXXXXXXXXXXX XX
XXXXXXXX XX XXX XXXXXXXXXXXXXXX XXXXXXXXXXXX XXXXXXXXXXXX XXXXX
XXX XXXX REDACTED XX XX XXXXXXXXXXXX
XXX XXX
XX
5. All officers shall be trained prior to issue of the Taser X2 Conducted Electrical Weapon (CEW). Use of the CEW shall be in accordance with General Order 4-1 Use of Conducted Electrical Weapons.

**G.O. 1-2
Use of Force**

G. LESS LETHAL DEPLOYMENT AREAS

Less lethal weapons and projectiles will be delivered to suspect target areas based on the circumstances, the established safety priorities, and the level of force authorized.

The Monadnock PR-24 training chart is the recognized department model for determining contact areas for kinetic energy impact weapons, based on potential for injury.

Green Areas — These areas will be considered when incapacitation is necessary and a minimal potential for injury is the appropriate response.

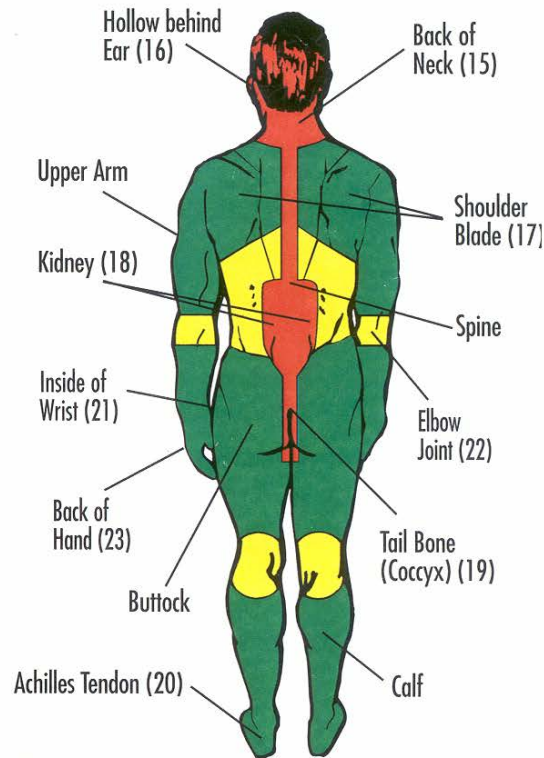
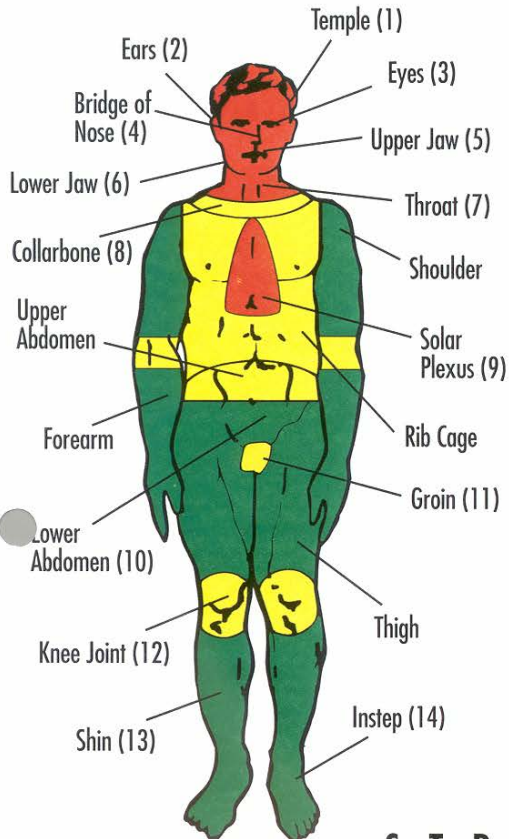
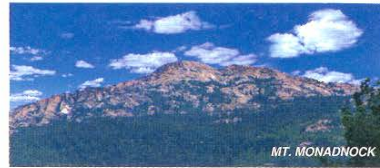
Yellow/Red Areas — These areas will be considered when an escalation of force above green (areas) is necessary and appropriate, acknowledging an increase in the potential for death or serious physical injury.

Head/Neck — Intentional impacts to these areas will be avoided unless the use of deadly force is justified, necessary and appropriate.

G.O. 1-2 Use of Force

MONADNOCK BATON CHART

Calculation Of Trauma By Vital And Vulnerable Striking Areas



S T R I K I N G

GREEN TARGET AREAS

REASONING: Minimal level of resultant trauma. Injury tends to be temporary rather than long-lasting, however exceptions can occur.

Except for the HEAD, NECK, and SPINE, the whole body is a Green Target Area for the application of baton blocking and restraint skills.

YELLOW TARGET AREAS

REASONING: Moderate to serious level of resultant trauma. Injury tends to be more long-lasting, but may also be temporary.

RED TARGET AREAS

REASONING: Highest level of resultant trauma. Injury tends to range from serious to long-lasting rather than temporary and may include unconsciousness, serious bodily injury, shock or death.

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**G.O. 1-2
Use of Force**

H. NON-ISSUED/PERSONAL BACK-UP FIREARMS

1. Officers are limited to carrying no more than X handguns while on-duty, one of which shall be the Department issued handgun.
2. Whenever an officer is carrying a handgun, on or off-duty on their badge, they shall be in possession of their official badge and identification card.
3. An officer using their position as a Police Officer as their authority to carry a handgun under LEOSA off-duty is only authorized by the Department to carry ammunition and handguns approved by the Chief of Police or designee. For a listing of the general preauthorized off- duty handguns and ammunition refer to the "Approved Weapons and Ammunition" listing located in the appendix.
4. Officers are responsible for any and all maintenance and upkeep cost for any personally owned handgun.
5. To obtain authorization to carry a personally owned handgun for off-duty use under their status as a sworn police officer or on-duty as a back-up weapon, an officer must comply with the following:
 - a. Officers who do not possess a valid pistol permit and who elect to carry a personally owned handgun off-duty or on-duty as a back-up weapon, must qualify annually with that handgun on a Department approved course of fire.
 - b. Each handgun and holster must be inspected by a Certified Firearms Instructor and the method of carry approved.
 - c. Personally owned handguns and ammunition carried for off-duty and on-duty back-up purposes must be approved by the Department.
 - d. The general requirement for a personally owned handgun to be approved for off-duty or on-duty back-up carry are as follows:
 1. Of good quality and manufactured by a reputable, recognized, established manufacturer of firearms with no known current safety recalls specific to the desired firearm.
 2. XXXXXXXX XXXXXXXX REDACTED XXXX XXX XX XXXXXXXX XXXX XXXX;
 3. XXXXXXXX XXXXXXXX REDACTED XXX XX XXXX XXXX X XXXXXXXX.

G.O. 1-2 Use of Force

- e. The general requirements for personally owned ammunition to be approved for off-duty or on-duty back-up carry are as follows:
 - 1. Shall be "of reputable manufacturer", "factory new", and consist of no previously used or loaded components.
 - 2. Shall be XXXXXXXXX REDACTED XXXXXXXXXX XXXXXXXXXXXXXXXX.
 - 3. Shall not XX XXXXX REDACTED XX XXXXXXXXXXXX XX XXXXXX.
 - f. If the handgun and/or ammunition and method of carry is approved by a Department firearms instructor and the officer has qualified with the handgun through a Department instructor, the "Request to Carry Additional Weapon" form can be submitted to the Chief of Police for review and authorization.
6. The Training Sergeant shall record and file the serial number, caliber, make and model of the handgun and the ammunition specifications of all backup and off-duty firearms.

I. SPECIAL WEAPONS

- 1. Patrol vehicles will be equipped with a Colt M4 Monolithic CQB carbine (M4). XXXX
XXXXXXXXXXXXXXXXXXXXREDACTEDXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
XX
XX.
- 2. The M4 will be secured in the appropriate locking gun mount located in the marked patrol vehicle in a "cruiser safe" configuration.
- 3. XXXXXXXXXXXXXXXXXXXXREDACTEDXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
XX
XX.
- 4. The locking mechanism on the patrol carbine locking gun mount (as well as the sock round shotgun locking mount) will be inspected for proper function as part of the daily cruiser inspection. This inspection will be noted on the officer's daily "Cruiser Checklist" and will be conducted in a safe location.
- 5. Rifles may be removed from the locking mount for inspection, care and cleaning, and for training. Each qualified officer will inspect his/her vehicle carbine rifle/sock round shotgun at the start of each shift to ensure it is in proper working order.

G.O. 1-2 Use of Force

6. Officers assigned to the patrol unit as well as the detective unit will be trained in the deployment and use of the M4 on a yearly basis.

J. OFF-DUTY WEAPONS

1. Officers are not required to carry a firearm when off duty. If an officer is off duty and not carrying a department-approved weapon, he or she is neither expected nor required to take action as a police officer. If an off-duty officer is carrying a departmental approved weapon and is within the boundaries of Simsbury, then that officer is required to act if police action is needed.
2. Officers are authorized to carry department weapons to and from work, outside the boundaries of Simsbury (Connecticut only) with proper authorization for training purposes, or when the officer is within the boundaries of the Town.

Officers residing outside the State of Connecticut shall adhere to their home-state firearms laws and ordinances.

3. Officers shall not bring any unauthorized weapon into the confines of the department without the permission of the Chief of Police.
4. Because weapons attract children and young adults, care shall be taken to properly secure those weapons taken home in accordance with Connecticut State law as well as department rules and regulations.
5. Weapons kept at police headquarters will be secured under lock and key.

K. POST-USE OF FORCE MEDICAL ASSISTANCE

Officers shall provide and document appropriate medical assistance following any use of force. Individuals who have been subjected to OC spray shall be provided with the opportunity to rinse affected areas with cool water. Refusal of an offer of assistance shall be documented in writing.

L. REPORTING

1. Officers will complete an incident report, as well as a use of force report any time:
 - a. they take action which results in, or is alleged to have resulted in, the injury or death of another person;

G.O. 1-2 Use of Force

- b. they discharge any weapon other than for training or recreational purposes, whether intentional or accidental;
- c. they apply force through the use of lethal or less-lethal weapons; or
- d. physical force is applied.

Only an incident report is required when an animal is humanely euthanized. A use of force form is not required.

- 2. When possible, prior to discharge of a firearm on animal-related calls, the officer shall orally report the need to euthanize an animal to the shift supervisor. In all other cases after a firearm has been discharged, the shift supervisor should be notified as soon as possible. The officer, prior to the end of the shift during which the weapon was discharged, shall submit a written report. If the officer involved is unable to complete the report, the officer's supervisor shall complete the report prior to the end of the shift. The report shall be submitted through the Operational Commander to the Administrative Commander and to the Chief of Police.
- 3. A copy of reports involving use of force shall be forwarded to the Operational Commander and the Administrative Commander for an administrative review. After review, the Operational Commander and the Administrative Commander will forward their copies with recommendations and comments to the chief of police. The Administrative Commander shall maintain a file of all such reports.
- 4. The Administrative Commander and the Training Sergeant shall produce an annual analysis of instances in which force was used.

M. POST-USE OF FORCE PROCEDURES

- 1. Any time death or serious injury results from an employee's use of force, that employee will be released from field duty by the supervisor as soon as practical. The employee shall not resume a line duty assignment until the incident has been administratively reviewed.
- 2. During the period of time an investigation into the incident is being conducted, the chief of police may assign the officer to internal duty. Such relief from regular duty will not be considered a suspension or disciplinary action, but is rather an administrative course of action for the purpose of relieving the officer from performance of field duty while undergoing emotional stress as a result of the incident.
- 3. Any officer involved in a shooting resulting in injury or death shall be advised of the following:

G.O. 1-2 Use of Force

- a. his or her rights relative to criminal and internal investigations;
 - b. that there will be a criminal investigation;
 - c. that there will be a separate investigation conducted by Internal Affairs;
 - d. that the office of the chief state's attorney will be called as soon as is reasonably possible, pursuant to general statute 51-277a and will initiate a separate investigation;
 - e. that the office of the chief medical examiner shall be notified when death has occurred, pursuant to general statute 51-277a;
 - f. that the officer will be temporarily reassigned, and that such reassignment is not disciplinary in nature; and
 - g. that psychological support services are available.
4. A complete investigation shall be conducted concerning any discharge of a firearm, on or off duty, intentional or accidental. It shall consist of an on-scene investigation by the officer's immediate supervisor and, when appropriate, on-scene investigation by the unit commander or his designee.

N. FIREARMS REVIEW BOARD

Upon conclusion of the administrative investigation conducted by the internal affairs officer as designated by the Chief of Police, the Chief of Police shall convene a firearms discharge review board. The board shall consist of the Operational Commander and/or Administrative Commander, the officer's immediate supervisor at the time of the incident, and the Training Sergeant. The board will review the incident, including the internal affairs report, and determine if the discharge of the weapon was in compliance with department guidelines.

O. TRAINING AND ISSUANCE OF WEAPONS

- 1. Only officers who have demonstrated proficiency with department-authorized weapons are authorized to carry and use such weapons.
- 2. Only Department authorized ammunition shall be used on duty.
- 3. The Training Sergeant shall coordinate issue of new weapons, including recording the serial number of the weapon and inspection by a firearm instructor.

G.O. 1-2 Use of Force

4. Each officer authorized to carry lethal and less-lethal weapons shall receive a copy of this policy and be instructed in its contents.
5. Officers will receive training with less lethal weapons they are authorized to carry or use, at least biennially. Officers trained in the CEW shall receive training annually and be required to demonstrate proficiency with the CEW during the training. Firearms qualification shall take place at minimum twice per year, with the exception of the Chief of Police, the Administrative Commander and the Operational Commander who shall qualify once per year.
6. Weapons training shall be conducted by a certified instructor, including review of agency policy and inspection of the weapon by the instructor, inspection by a certified armorer and fully documented by the Training Sergeant.
7. If a weapon is determined to be unsafe the following process will ensue:
 - a. the weapon will be removed from service immediately and placed in an evidence locker or the armory;
 - b. the officer will be issued a safe, proper functioning weapon by a certified firearms instructor, certified armorer, shift supervisor, training sergeant, Administrative Commander, or the Operational Commander depending on the circumstances for the removal of the weapon;
 - c. the issuing official will document the reason for the removal of the unsafe weapon as well as document the serial number, make and model of the newly issued weapon, and forward a copy of this documentation to the senior firearms instructor, training sergeant, Administrative Commander, and the Operational Commander;
 - d. a certified armorer will inspect, repair if possible, or return to the manufacturer for repair or replacement any weapon determined to be unsafe. Once per year a certified department armorer will take down and clean each service weapon.
8. If an officer fails to qualify with a weapon, the following process will ensue:
 - a. the officer will be given a second opportunity to qualify;
 - b. if unsuccessful, the officer will be given four hours of remedial training;
 - c. if unsuccessful, the officer shall be assigned to administrative responsibilities (without the firearm) and given ten days in which to practice on his/her own;

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Use of Force

- d. if unsuccessful at this point, the chief of police shall review the circumstances related to the failure to qualify and make recommendations up to and including dismissal.

For specifications on Department pre-authorized/issued weapons and ammunition, see G.O. 1-2 Appendix A

G.O. 1-2
Use of Force



Chief of Police

Peter N. Ingvertsen

Subject: Less-Lethal Munitions

Operational Procedure/ O.P. 4-1d

Date Issued – Distribution

09/25/2017

Rescinds – Amends

Less-Lethal Munitions Policy

PURPOSE

The purpose of this directive is to establish guidelines for the safe and proper carry, use and deployment of authorized less-lethal munitions as a less-lethal method for controlling violent or potentially violent subjects.

POLICY

It shall be the policy of the Simsbury Police Department to minimize the potential for serious injury or death to the public, criminal suspects and departmental personnel by authorizing and deploying less-lethal munitions when deemed reasonably necessary to accomplish lawful objectives. Less-lethal munitions enhance public and officer safety and have proven to be an effective less-lethal alternative for taking violent offenders into custody. Officers will only use the level of force that is reasonable to accomplish lawful objectives.

A. DEFINITIONS DEFINE

1. Specialty Impact Munitions (SIMs) -- Less-lethal kinetic energy impact projectiles designed to be used at extended range which may cause temporary pain compliance or incapacitation.

B. AUTHORIZED EQUIPMENT

1. Only department issued or approved less-lethal munitions and weapons are authorized for carry, use and deployment.

**O.P. 4-1d
Less-Lethal Munitions**

2. Officers shall not tamper with or alter in any manner, any less-lethal devices, munitions, or weapon system.
3. Only department issued, specifically dedicated Remington 870 12 gauge weapon systems shall be used for deploying 12 gauge shotgun Specialty Impact Munitions.
4. A 12 gauge Specialty Impact Weapon system and munitions will be assigned to each patrol vehicle and available for use by authorized personnel. The SIM weapon system will be secured in the appropriate locking gun mount in the patrol vehicle interior. The SIM weapon system will be secured in this mount in a “cruiser safe” configuration. Traditional “cruiser safe” mode of carry XXXXXXXXXX REDACTED
XX
XX
XX.
5. The only authorized Specialty Impact Munitions available for deployment by trained officers is the XXXXXXXX REDACTEDXXX XXXXXXXXXXXXXXXX bean bag munitions.

C. TRAINING/AUTHORIZED USE

1. All sworn personnel below the rank of Lieutenant shall be trained in the proper carry and use of Specialty Impact Munitions biennially. Training shall be conducted by a certified instructor. All Specialty Impact Munitions training will be fully documented by the Training Sergeant.
2. Only officers who successfully complete the approved Specialty Impact Munitions training requirements and demonstrate acceptable proficiency will be allowed to carry, use and deploy Specialty Impact Munitions.
3. If an officer fails to qualify with a weapon, the following process will ensue:
 - A. The officer will be given a second opportunity to qualify;
 - B. If unsuccessful, the officer will be given four hours of remedial training;
 - C. If unsuccessful at this point, the Chief of Police shall review the circumstances related to the failure to qualify and make recommendations up to and including dismissal.

O.P. 4-1d Less-Lethal Munitions

D. DEPLOYMENT CONSIDERATIONS

1. Less-lethal munitions are considered a less-lethal force control option. As is the case with all response to aggression/resistance (R.A.R.) tools and techniques, these munitions are not absolutely effective on all subjects and officers should have alternate plans in place to deal with such situations.
2. Less-lethal munitions are an alternative to "hands on" altercations and are not a substitute for appropriate deadly force. Officers are reminded of the deployment limitations and optimal range of the less-lethal munitions they are deploying. As such, the use of these munitions against armed subjects may not be appropriate. Officers should not be placed in positions of undue risk in order to use or deploy less-lethal force options.
3. Officers should consider, but are not limited to the following deployment consideration guidelines in the proper authorized use and deployment of less-lethal munitions;
 - a. Against subject(s) exhibiting violent or potentially violent behavior who are threatening the safety of themselves or others and the officer's attempts to subdue the subject(s) by other force options that are not reasonable, would be ineffective, or could potentially lead to a heightened level of injury to officers or suspects.
 - b. When it is deemed unsafe for an officer to approach or contact a violent or potentially violent or armed subject.
 - c. Against aggressive animals who pose an immediate risk of injury to people, pets or livestock or significant damage to property.
 - d. Circumstances in which other force control options appear to be more hazardous for the officer, subject, or others when attempting to gain compliance of a physically resistive violent subject.

E. GENERAL DEPLOYMENT PROCEDURES

1. Officers should only use and deploy less-lethal munitions consistent with their training, case law and department directives. Officers must adhere to established safety practices when handling and deploying department less-lethal munitions.
2. Officers should, if feasible and safe to do so, ensure all personnel at the scene are notified by radio or other means that less-lethal munitions are being deployed and may be used if time and conditions permit.

O.P. 4-1d Less-Lethal Munitions

3. Officers deploying less-lethal munitions should have a lethal force cover option immediately available to them and should remember to properly use cover and distance to ensure officer safety.
4. Officers deploying less-lethal munitions should have at least one other officer present and identified to serve as a contact officer for purposes of handcuffing and securing if the situation allows.

F. SPECIALTY IMPACT MUNITIONS (SIMs) PROCEDURES

1. Officers should, if feasible and safe to do so, verbally announce the immediate pending deployment of SIMs by verbally stating "BEAN BAG" to prepare and notify officers.
2. Officers should adhere to the recommended minimum and maximum SIMs deployment distances and human target areas as provided by their training.
3. Target Zones: The head, throat, neck, spine and groin are not to be specifically targeted at any distance unless deadly force is authorized or the situation dictates otherwise.
 - a. Zone 1 -- Preferred target zone consisting of large muscle groups including buttocks, calf and thighs. Presents the least risk of injury.
 - b. Zone 2 -- Medium muscle groups such as the abdominal area presenting a slightly higher risk of injury than Zone 1 target zones.
 - c. Zone 3 -- Target area with the greatest potential for serious or fatal injury consisting of the chest, spine, head, neck or throat. Only considered when maximum effectiveness is desired to meet a level of threat escalating to deadly force.

O.P. 4-1d Less-Lethal Munitions

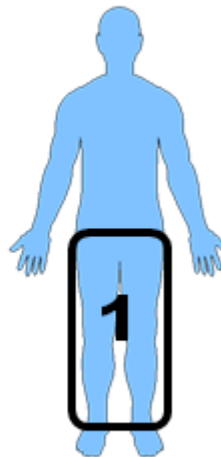
Impact Areas

- Consider the need for immediate incapacitation as well as the potential for causing injury – then balance these factors while making the point of aim decision.
- Shots to “Center Mass” provide for the highest probability of causing immediate incapacitation, but also have the potential to cause serious injury or death.
- Areas such as the head, neck, spine, and groin should be avoided if possible.



Impact Areas – ZONE 1

- Consists of large muscle groups. Where the threat level is appropriate and this zone is viable, it should be considered first
 - Buttocks
 - Thigh
 - Calf
 - The groin area should not be intentionally targeted



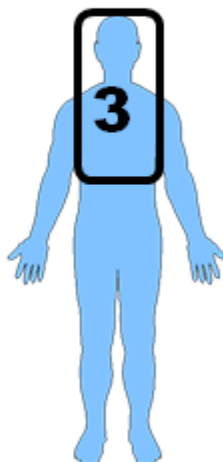
Impact Areas – ZONE 2

- Consists of medium muscle groups
 - Abdominal area
 - The spine & kidneys should not be intentionally targeted



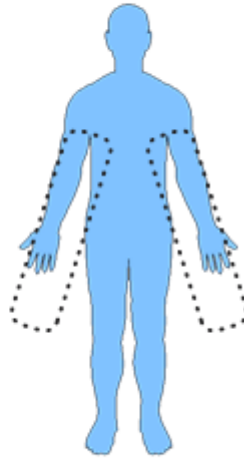
Impact Areas – ZONE 3

- This zone carries the greatest potential for serious or fatal injury and should be avoided when possible. It should only be considered when maximum effectiveness is desired to meet a level of threat escalating to deadly force.
 - Chest (center mass)
 - Spine
 - Head and Neck



Impact Areas

- The shoulders and arms are primarily skeletal areas
- Because of the mobility of the shoulders and arms there is greater potential to miss and unintentionally strike another zone
- Careful consideration should be given before aiming for the shoulders or arms



4. XXXXXXXXXX
 - a. XXXXXXXX XXXXXXXX REDACTED XXXXXXXX XXXXXXXXXXXXXX-- XXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXXXXX XXXXXX..
5. Prior to deploying Specialty Impact Munitions, the officer should consider:
 - a. Appropriate response to aggression/resistance for the exhibited level/type of threat or resistance;
 - b. Distance which impacts energy, accuracy and response time;
 - c. Available target areas, subject stature/condition/age and clothing involved; and
 - d. Department safety priorities.
 - e. Officers shall exercise safe handling procedures, equivalent to that of any other lethal firearm, when using or deploying Specialty Impact Weapons or Munitions.

O.P. 4-1d Less-Lethal Munitions

G. RESTRICTIONS

1. Less-lethal munitions shall never be used punitively, as coercion, or as a threat in the absence of actual or threatened physical resistance or aggression.
2. Officers are prohibited from discharging their firearms as a means of warning or frightening a person.
3. Less-lethal munitions should not be deployed against handcuffed prisoners unless significant physical resistance has to be overcome and their use is reasonably necessary.
4. Officers shall not engage in unsafe practices when handling, using or deploying less-lethal munitions.
5. Generally, the head, throat, neck, spine and groin are not to be specifically targeted by SIMs at any distance unless the intent is to deliver deadly force, or the situation dictates otherwise.
6. Less-lethal munitions should not be deployed in the following circumstances unless the situation dictates otherwise:
 - a. Subjects with known serious pre-existing medical conditions.
 - b. Subjects known to be or who are obviously pregnant.
 - c. Feeble, very old or very young subjects.
 - d. Subjects of a small stature irrespective of age.
 - e. Subjects in control of a moving motor vehicle.
 - f. Subjects in a position of height sufficient to cause serious injury from a fall.
 - g. Subjects in a position of a water hazard sufficient to cause drowning.
 - h. Subjects in a threatening situation to themselves or others in which sympathetic reaction would create a substantial injury hazard.
 - i. Situations involving flammable or hazardous materials/environments such as drug labs.

H. AFTER ACTION PROCEDURES

1. The supervisor will be notified and respond if possible to the scene of all pending and actual deployments of less-lethal munitions. Officers are not required to wait for the arrival of the supervisor prior to necessary deployment.
2. Officers should always perform a wellness assessment of the exposed subject for any injury or condition that may require medical attention as soon as possible after the subject is secured.

O.P. 4-1d Less-Lethal Munitions

3. When less-lethal munitions are used or deployed on a subject, it is the responsibility of the officers on scene to render any needed medical aid as soon as possible after the suspect is secured.
4. Subjects exposed to less-lethal munitions should be medically checked and cleared by EMS. Any exposed subject who asks for, exhibits or otherwise is deemed in need of further medical assistance should be transported to medical facilities to allow for further medical treatment and monitoring. All subjects exposed to less-lethal munitions in a zone 3 area shall be transported by EMS to a medical facility for evaluation.
5. Officers should be cognizant of warning indicators that may be present related to potential sudden in-custody death or other medical related concerns.
6. Subjects with known pre-existing medical conditions, suffering from a drug overdose, cocaine psychosis, excited delirium, or exhibiting other in-custody death warning signs should be provided with immediate medical attention as necessary.
7. The R.A.R. incident will be investigated by supervisory personnel, documented and properly processed according to General Order 1-2 Section 9. R.A.R. Reporting.
8. Deployed munitions, casings or other physical evidence should be collected and placed into evidence. Photographs and distance measurements of all evidence and injuries should also be accomplished if possible. All injuries will be fully documented and recorded.

I. REPORTING

1. Deployment of less-lethal munitions is considered a R.A.R. and as such, falls under normal R.A.R. reporting procedures under Operational Procedure 4-1e. In addition to an incident report, the deploying officer will complete a R.A.R. report.
2. Other assisting witness officers will complete a supplemental report.

J. ISSUANCE, HANDLING, MAINTENANCE, STORAGE AND INVENTORY

1. Department less-lethal munitions and dedicated weapons shall be inspected and approved by trained personnel prior to issuance and inspected at least annually. All inspections shall be documented.

O.P. 4-1d Less-Lethal Munitions

2. Department less-lethal devices and munitions and dedicated weapons found to be unsafe or unsatisfactory will be removed from service and repaired/replaced. They will be secured and marked out of service in the armory.
3. All less-lethal munitions should be stored separately from lethal munitions. Less-lethal munitions that have reached their expiration warranty date may be used for training purposes only.

O.P. 4-1d
Less-Lethal Munitions



Chief of Police

Peter N. Ingvertsen
Peter N. Ingvertsen

Subject: Conducted Electrical
Weapon - Taser

Operational Procedure/ **O.P. 4-1e**

Date Issued – Distribution
09/25/2017
Rescinds – Amends
G.O. 1-3

Taser Policy

PURPOSE

To establish department policy governing the use of Conducted Electrical Weapons (CEW) by sworn members of the Simsbury Police Department and to ensure compliance with applicable state statute(s) and regulations adopted by the Police Officer Standards and Training Council.

POLICY

Officers will only use the level of force that is reasonable to accomplish lawful objectives.

A. RESPONSE TO AGGRESSION/RESISTANCE (R.A.R.) AUTHORITY

1. Per CGS 53a-22, police officers are justified in using physical force when and to the extent that they reasonably believe such to be necessary to: (1) Effect an arrest or prevent the escape from custody of a person whom they reasonably believed to have committed an offense, unless they know that the arrest or custody is unauthorized; or (2) defend themselves or a third person from the use or imminent use of physical force while effecting or attempting to effect an arrest or while preventing or attempting to prevent an escape.
2. Officers are specifically granted the legal authority to carry weapons under C.G.C.53-206 while engaged in the pursuit of such officer's official duties.

B. DEFINITIONS

1. Conducted Electrical Weapon: (Also referred to as an 'Electronic Defense Weapon' or 'EDW'). The CEW is a less than lethal weapon designed to disrupt a subject's central nervous system by deploying battery-powered electrical energy sufficient to cause uncontrolled muscle contractions and override voluntary motor responses.

O.P. 4-1e
Conducted Electrical Weapon -Taser

2. Less-Than-Lethal Force: A Response to Aggression/Resistance which is not likely to cause death or serious physical injury.
3. Active Resistance: Any physical act, or failure to act, undertaken by a subject, against an officer, that could reasonably interfere with or defeat a lawful attempt by the officer to gain physical control of the subject.
4. Passive Resistance: The mere failure or refusal to cooperate with the lawful directions of a police officer by one or more unarmed, non-violent persons, such as in the case of an act of civil disobedience or a non-violent handcuffed prisoner.
5. Deployment: Does not include the mere removal of the CEW from the holster, but does include any use of a CEW against any person, **including the illumination of the laser sight onto an individual.**

C. AUTHORIZED EQUIPMENT

1. Only department issued CEWs are authorized for carry, use and deployment.
2. Officers shall not tamper with or alter in any manner, any CEW or cartridge.
3. Only a department issued TaserX2 CEW and Department issued Taser 25' cartridges shall be used.
4. All sworn officers below the rank of Lieutenant and the Animal Control Officer will be assigned a Taser X2. The CEW and cartridges will be carried in the Department issued holster. When not carried, the CEW will be stored under lock and key.

D. TRAINING

1. All sworn personnel below the rank of Lieutenant and the Animal Control Officer shall be trained in the proper carry and use of the CEW.
2. All sworn personnel have access to the Department CEW and Response to Aggression/Resistance policies and receive training as to its content prior to obtaining authorization to carry a CEW. CEWs may only be deployed by sworn personnel who have demonstrated proficiency and satisfactorily completed this agency's approved training.

O.P. 4-1e Conducted Electrical Weapon -Taser

3. CEW training shall be conducted by a P.O.S.T.C. certified instructor and shall include: policy review, weapon inspection, written exam and demonstrated proficiency by firing a minimum of two cartridges. All training shall be fully documented by the Training Sergeant. Initial certification shall be a six-hour block with a two-hour block of yearly requalification. If the officer fails to pass qualification the following procedure shall apply:
 - a. The officer will be given a second opportunity to qualify;
 - b. If unsuccessful, the officer will be given four hours of remedial training;
 - c. If unsuccessful at this point, the Chief of Police shall review the circumstances related to the failure to qualify and make recommendations up to and including dismissal.

E. WEARING OF THE CEW

1. The device shall be carried in an approved waist or thigh holster on the side of the body opposite the service handgun. Officers not assigned to uniformed patrol may be authorized to utilize other department-approved holsters and carry the device consistent with department training and the requirement as set out in this paragraph.
2. The device shall be carried in accordance with manufacturer's recommendations and department training. The CEW shall be pointed in a safe direction during loading, unloading, or when handled in other than an operational deployment.
3. Officers shall inspect their CEW prior to the beginning of their assignment and any other time where necessary or appropriate to ensure all equipment is present and functioning properly. The inspections shall include a spark test and checking that the battery level is sufficient. If the battery level readout indicates 20% or less, return the CEW battery to a Sergeant for replacement. Spark tests shall be conducted in accordance with manufacturer recommendations and training, with the CEW pointed in a safe direction.
4. Officers shall carry a minimum of X cartridges in a manner consistent with manufacturer recommendations and department training. Cartridges shall be replaced according to the manufacturer's expiration requirements.
5. Officers are not authorized to carry CEW's off-duty and are not authorized to store CEW's in personal vehicles unless traveling immediately to or from work.
6. Officers shall store CEW's in such a manner as to prevent damage, theft, unauthorized use, or unintentional use. Because weapons attract children and young adults, care shall be taken to properly secure CEW's so that they are not accessible to them.

O.P. 4-1e Conducted Electrical Weapon -Taser

7. Officers shall report any loss, damage, or replacement needs to the Training Sergeant or their supervisor as soon as practicable.

F. DEPLOYMENT OF THE CEW

1. A supervisor shall be notified and requested to respond to the scene of a potential or completed CEW deployment as soon as possible.
2. As in all R.A.R., certain individuals may be more susceptible to injury. Officers should be aware of the greater potential for injury when deploying a CEW against persons of small stature irrespective of age, or those who the officer has reason to believe are pregnant, equipped with a pacemaker, the infirm, or those in obvious ill health.
3. Upon discharging the device, the officer shall energize the subject the least number of times and no longer than necessary to accomplish the legitimate operational objective.
4. The subject should be secured as soon as practical while disabled by the CEW to minimize the number of deployment cycles. In determining the need for additional energy cycles, officers should be aware that an energized subject may not be able to respond to commands during or immediately following exposure. Personnel should deploy the CEW for one standard cycle and then evaluate the situation to determine if subsequent cycles are necessary. Each application of the CEW should be independently justifiable. Officers should only deploy the CEW to the extent necessary to gain control of the subject.
5. Whenever possible, prior to a CEW deployment, a loud, clear warning of a CEW deployment should be made. When aiming the CEW at a subject, officers should adhere to the manufacturer's preferred target zones whenever reasonably possible. Officers should take into consideration the capabilities and limitations of the CEW whenever employing it at close quarters.
6. A CEW should be aimed by use of the aiming lasers when possible. Fixed sights shall be used when the laser sights are ineffective or as a secondary aiming tool.
7. The device may also be deployed in certain circumstances in a "drive stun" mode. Deployment of the CEW in drive stun mode, from a policy perspective, is no different than a cartridge deployment. It is important to note that when the device is deployed in this manner, it is primarily a pain compliance tool; is minimally effective compared to a conventional cartridge deployment; and is more likely to leave marks on the subject's skin.
8. Officers should not intentionally activate more than one CEW at a time against a subject.

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9. The CEW should not be deployed:

- In a punitive or coercive manner.
- On any subject demonstrating only passive resistance.
- In any environment where an officer knows that a potentially flammable, volatile, or explosive material is present (including but not limited to OC spray with volatile propellant, gasoline, natural gas, or propane).
- Where it is likely that the subject may drown or fall from an elevated area.

10. The shift supervisor in charge at the time of the CEW deployment shall ensure that the following CEW download procedures are followed:

Laser and/or Arc Use (no CEW contact)

Supervisors will download the CEW and place the downloaded file in the SPD Electronic Taser Storage Drive. A hard copy of the download will also be attached to the use of force report. If the CEW is functioning properly, the supervisor will return the CEW to the officer. If the CEW is not functioning properly, the supervisor will issue the officer a spare CEW from the armory.

Probe and/or Drive Stun Deployment

Supervisors will notify the Duty Officer as soon as practical. Supervisors will download the CEW and place the downloaded file in the SPD Electronic Taser Storage Drive. A hard copy of the download will also be attached to the use of force report. If the CEW is functioning properly, the supervisor will assign new cartridges to the officer and send the Training Sergeant an email with the serial number(s) of the cartridges assigned. If the CEW is not functioning properly, the supervisor will issue the officer a spare CEW from the armory.

Probe and/or Drive Stun Deployment involving death or possible death.

Supervisors will secure the scene and follow the established process to notify the Duty Officer, State's Attorney, etc.

11. The expended CEW cartridge(s) and probes shall be collected as evidence and shall be clearly marked as a biohazard. The probes should be carefully placed, sharp tip first, back into the side of the expended cartridge.
12. Injuries to the subject resulting from CEW use shall be documented in the officer's incident report, the use of force report, and through photographs. Officers should also document lack of injury through the same methods.

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G. MEDICAL ATTENTION

Any subject struck with a CEW shall be offered medical attention. In most circumstances, probes can be removed by Law Enforcement without further medical intervention.

Probe Non-Removal Body Areas

CEW probes will not be removed by Law Enforcement when the probe(s) have penetrated vulnerable areas of the body such as the genitalia, female breast(s), eyes, or skin above the clavicles. Suspicion that a CEW probe might be embedded in bone, blood vessel, or other sensitive structure will not be removed.

Mandatory Transport to Hospital

The patient will be transported to a hospital, regardless of the patient's request, under the following circumstances: when the probe is embedded in the eye, genitals, or bone; seizure is witnessed after CEW exposure; there is excessive bleeding from the probe site after probe removal; cardiac arrest, complaints of chest pain, palpitations; respiratory distress; change in mental status after exposure; the patient is pregnant and/or any other serious injury that would require immediate medical attention at a medical facility.

H. REPORTING

1. Beginning January 1, 2015, following any deployment of a CEW, the officer deploying the CEW shall complete prior to the end of shift where practicable:
 - An incident report.
 - A State of Connecticut, Office of Policy and Management, Electronic Defense Weapons Report Form.
 - A Simsbury R.A.R. report.
2. Reports must be completed in their entirety and specifically describe the justification for the R.A.R., including events and communications leading up to the physical confrontation, the subject's behavior, the environment in which the incident took place, and any injuries sustained by anyone during the event.
3. Shift supervisors shall promptly review all reports generated regarding the deployment of a CEW and determine whether or not that the deployment was appropriate. The supervisor's findings regarding the deployment of the CEW shall be documented in the R.A.R. form. The Operational Commander will promptly review the R.A.R. and forward all paperwork and documented findings to the Administrative Commander, who will review and determine if the R.A.R. was appropriate and in line with department policy and law.

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4. Shift supervisors shall download and update the firmware of all CEWs used by officers assigned to their shift. This download/update will occur on a quarterly basis. The downloaded report will be saved under the officer's name in the CEW electronic storage drive.
5. The Administrative Commander shall conduct an annual review (calendar) of all CEW deployments in the field in order to evaluate compliance with policy and law. If there is no department use of a CEW within a calendar year, the Administrative Commander will make notification to the State of Connecticut Criminal Justice Policy and Planning Division within the Office of Policy and Management no later than January 15th covering the preceding calendar year.
6. The Administrative Commander will report any training needs to the Training Sergeant and any policy needs to the Chief of Police.

I. ISSUANCE, HANDLING, MAINTENANCE, STORAGE AND INVENTORY

1. Department CEWs shall be inspected and approved by trained personnel (CEW Instructors) prior to issuance and inspected by sergeants during the quarterly download. All inspections shall be documented.
2. The Training Sergeant shall maintain electronic records (issuance, maintenance, repair, usage, etc.) for each CEW. On a quarterly basis, officers authorized to carry a CEW will submit their issued CEW to a shift supervisor, who will conduct a quarterly download of the internal data. The quarterly downloads will be stored in a Taser drive on the local server and sergeants will e-mail a data analysis and compliance review to the Patrol Commander.
3. Department CEWs and cartridges found to be unsafe or unsatisfactory will be immediately reported to a supervisor and removed from service and repaired/replaced. The supervisor will issue a replacement CEW and/or cartridge and make notification to the Training Sergeant.

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POSTC Model Policy - Taser

State of Connecticut
Police Officer Standards and Training Council
Model Policy
Use of Conducted Electrical Weapons

1. **PURPOSE AND SCOPE:**

A. Purpose: To establish Department policy governing the use of Conducted Electrical Weapons (CEW) by sworn members of the Anytown Police Department.

B. This Model Policy is intended to provide guidance for proper deployment and use of a CEW by a police officer in the field. This Model Policy is implemented via a Model Lesson Plan and related Instructor's Addendum compiled in conjunction with this policy as part of a Connecticut CEW Model Policy and Training Module.

2. **DISCUSSION:**

A. This policy deals with the use of the CEW. Police officers sometimes use force to ensure public safety or to effect an arrest, and as with all use of force, the use of less than lethal options must be "objectively reasonable." Officers are not constrained by rules of engagement that would establish a subject's use of force as a prerequisite to the application of reasonable force. Nor should this order be interpreted to suggest that an officer is required to engage in prolonged hand to hand combat, risking injury, prior to utilizing an alternative means of force to gain compliance from a subject.

B. Officers are specifically granted the legal authority to carry and use weapons under C.G.S. 53-206 "while engaged in the pursuit of such officer's official duties."

3. **DEFINITIONS:**

A. **CONDUCTED ELECTRICAL WEAPON:** The CEW is a non-lethal weapon designed to disrupt a subject's central nervous system by deploying battery-powered electrical energy sufficient to cause uncontrolled muscle contractions and override voluntary motor responses.

B. **REASONABLE FORCE:** The level of force that is objectively reasonable and necessary to accomplish a lawful purpose.

C. **PHYSICAL FORCE:** Any force that exceeds mere touching.

D. **LESS-THAN-LETHAL FORCE:** A use of force which is not likely to cause death or serious physical injury.

E. ACTIVE RESISTANCE: Any physical act undertaken by a subject, against an officer, that could reasonably defeat a lawful attempt by the officer to gain control of the subject.

4. POLICY:

A. It shall be the policy of the Anytown Police Department that all officers will only use the level of force necessary to accomplish lawful objectives.

B. It shall be the policy of the Anytown Police Department that when a subject is injured through any use of a CEW, the officer shall offer the injured party medical assistance when such medical assistance is reasonably necessary. In the case of obvious physical injury or when otherwise prudent, the officer shall request medical dispatch.

C. It shall be the policy of the Anytown Police Department that following any use of a CEW, a written report will be generated and filed to accommodate CEW use tracking. Reports must be completed in their entirety and specifically describe the justification for the use of force, including events and communications leading up to the physical confrontation, the subject's behavior, the environment in which the incident took place, and any injuries sustained by anyone during the event.

D. It shall be the policy of the Anytown Police Department that all written reports generated regarding the use of a CEW be promptly reviewed by a supervisor to determine that the use of the CEW was appropriate. Should a determination be made by the supervisor that the use of the CEW was questionable or inappropriate, the matter shall be immediately referred for further review per Department policy.

E. It shall be the policy of the Anytown Police Department that all sworn person have access to the Departmental CEW policy and receive training as to its content prior to obtaining authorization to carry a CEW. CEW's may only be used only by sworn personnel who have satisfactorily completed this agency's approved training.

F. It shall be the policy of the Anytown Police Department to conduct an annual review of all CEW use in the field in order to evaluate policy compliance.

5. WEARING OF THE CEW:

A. The device shall be carried in an approved holster on the side of the body opposite the service handgun if it is to be worn in a waist holster or a thigh holster. Officers not assigned to uniformed patrol may be authorized to utilize other Department-approved holsters and carry the weapon consistent with Department training and the requirement as set out in this paragraph.

B. The device shall be carried in accordance with manufacturer's recommendations and Department training. The CEW shall be pointed in a safe direction during loading, unloading, or when handled in other than an operational deployment.

C. Officers authorized to use the device shall be issued a minimum of one spare cartridge as a backup in case of cartridge failure, the need for redeployment, or in case the first cartridge's leads break during engagement. The spare cartridges shall be stored and carried in a manner consistent with training and the cartridges replaced consistent with the manufacturer's expiration requirements.

6. USE OF THE CEW:

A. Recognizing that it may not always be possible to do so, a supervisor should be requested to respond to the scene of a potential or completed CEW application.

B. As in all uses of force, certain individuals may be more susceptible to injury. Officers should be aware of the greater potential for injury when using as CEW against children, the elderly, persons of small stature irrespective of age, or those who the officer has reason to believe are pregnant, equipped with a pacemaker, or in obvious ill health.

C. Upon firing the device, the officer shall energize the subject the least number of times and no longer than necessary to accomplish the legitimate operational objective.

D. The subject should be secured as soon as practical while disabled by the CEW to minimize the number of deployment cycles. In determining the need for additional energy cycles, officers should be aware that an energized subject may not be able to respond to commands during or immediately following exposure.

E. Whenever possible, prior to a CEW use, a loud, clear warning of a CEW deployment should be made. When aiming the CEW at a subject, officers should adhere to the manufacturer's preferred target zones whenever reasonably possible. Officers should take into consideration the capabilities and limitations of the CEW whenever employing it at close quarters.

F. A CEW should be aimed by use of the aiming laser(s) when possible. Fixed sights shall be used when the laser sight(s) are ineffective or as a secondary aiming tool.

G. The device may also be used in certain circumstances in a "drive stun" mode. Use of the CEW in drive stun mode, from a policy perspective, is no different than a cartridge deployment. It is important to note that when the device is used in this manner, it is primarily a pain compliance tool; is minimally effective compared to a conventional cartridge deployment; and is more likely to leave marks on the subject's skin.

H. The CEW shall not be used:

1. In a punitive or coercive manner;
2. On a handcuffed or secured prisoner, absent overtly assaultive behavior that cannot be reasonably dealt with in any other less intrusive fashion;

3. On any suspect who does not demonstrate an overt intention (1) to use violence or force against themselves, the officer or another person, or (2) to flee in order to resist or avoid detention or arrest, (3) actively resist arrest;
4. On any subject demonstrating only passive resistance unless clear warnings are given by the officer who will then be responsible for administering the application of the CEW on the subject;
5. In any environment where an officer knows that a potentially flammable, volatile, or explosive material is present (including but not limited to OC spray with volatile propellant, gasoline, natural gas, or propane);
6. In any environment where the subject's fall could reasonably result in death (such as in water or on an elevated structure).

7. MEDICAL ATTENTION

- A. Any subject against whom a CEW is used shall be evaluated by qualified medical personnel. Qualified medical personnel include medical professionals including medical doctors, licensed nurses, EMS first responders, or police officers certified in the use of a CEW and currently certified at no less than the Emergency Medical Responder (EMR) level (formerly known as Medical Response Technician (MRT)). The Department must also be cognizant of any medical regulations or guidelines regarding CEW's asserted by any medical authority having jurisdiction over the agency in whose jurisdiction the CEW is used.
- B. Probes that have entered the skin shall only be removed under proper medical authority.
- C. The following persons shall be transported to a hospital for examination following exposure to a CEW. Any person who:
 1. Loses consciousness, exhibits irregular breathing or is known to be under the influence of drugs or medications;
 2. Is hit in a sensitive area (e.g., face, head, female breasts, male groin);
 3. Does not appear to recover properly after being energized;
 4. Has been energized more than three times or has been subjected to a continuous energy cycle of 15 seconds or more;
 5. Has had more than one CEW effectively used against him or her in any given incident;

6. Has exhibited signs of extreme uncontrolled agitation or hyperactivity prior to CEW deployment;
7. Is in a potentially susceptible population category, including children, the elderly, persons of small stature irrespective of age, or those who the officer has reason to believe are pregnant, equipped with a pacemaker, or in obvious ill health;
8. Exhibits bizarre or violent behavior, including self-mutilation;
9. Is naked in a public place or exhibits signs of overheating;
10. Evidences slurring or slowness of speech.



Chief of Police

Nicholas Boulter

Nicholas J. Boulter

Subject: Pursuit

Operational Procedure/ O.P. 41-1f

Date Issued – Distribution
12/27/19

Rescinds - Amends
03/03/2003
02/20/2007
09/05/2018
12/27/2018

Pursuit Policy

PURPOSE

To establish policy and procedure governing police pursuits.

POLICY

It is the policy of the Simsbury Police Department to balance the risks of a vehicular pursuit with the need to immediately apprehend a fleeing vehicle operator and/or occupant(s), with the safety of the public the highest priority, as authorized by the Statewide Uniform Pursuit Policy, C.G.S. 14-283a and in accordance with the Police Officer Standards and Training Council Pursuit Policy.

DEFINITIONS

Pursuit: An attempt by a police officer in an authorized emergency vehicle to apprehend any occupant of another moving motor vehicle, when the driver of the fleeing vehicle is attempting to avoid apprehension by maintaining or increasing the speed of such vehicle or by ignoring the police officer's attempt to stop such vehicle.

Authorized Emergency Vehicle: A police vehicle equipped with operable emergency equipment, including audible siren and red or blue flashing lights, while such vehicle is being operated by a police officer.

Primary Unit: The police vehicle operated by a police officer that initiates a pursuit or any police vehicle operated by a police officer that assumes control of the pursuit.

Secondary Units: Any police vehicle operated by a police officer that becomes involved as a backup to the primary unit and follows the primary unit at a safe distance.

Supervisor: A person designated by the Department to have supervisory control over the operation of the agency's vehicles during a pursuit.

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Communications: The central dispatch center or personnel staffing the central dispatch center of the police agency in the jurisdiction where the pursuit is occurring.

PROCEDURES:

A. Initiation of Pursuit

1. A police officer may only engage another vehicle in a pursuit if the officer has reasonable suspicion to believe that the driver or occupant has very recently committed, is committing or is attempting to commit a violent crime or threat thereof that may cause serious physical injury or death to another person, or that there are exigent circumstances that warrant the need to apprehend a person in a timely manner because of the potential for harm to the public if the apprehension does not occur. In all circumstances, motor vehicle pursuit is prohibited when the potential danger to the officer and the public posed by the pursuit outweighs the need for apprehending a fleeing individual by such means. Generally, the following types of crimes, or reasonable belief the following crimes have occurred, would warrant pursuit:
 - a. murder, manslaughter (any type),
 - b. any assault with serious physical injury or threat of serious physical injury,
 - c. robbery with serious physical injury or threat of serious physical injury,
 - d. a vehicle independent of a pursuit that presents an immediate threat of serious physical injury and/or death,
 - e. criminal attempt for these crimes,
 - f. kidnapping (Exception where no serious physical injury/threat of is required)

Officers must be able to articulate the exigent need to apprehend the driver or occupant because of the potential harm or risk to the public.

2. Offenses that constitute infractions, property crimes, (to include stolen motor vehicles), non-violent misdemeanors and non-violent felonies shall not be justification to engage in a pursuit of another vehicle, absent articulable exigent circumstances.
3. Officers involved in the pursuit and their supervisors shall continuously reassess the factors listed above to determine whether the pursuit shall continue or be terminated.
4. A pursuit shall not be undertaken, even if allowable by other provisions of this policy, unless and until the officer, based upon the information available to him/her at the time, shall make an objectively reasonable determination that the threat of imminent death or serious physical injury to the officer, the public or both, created by the pursuit is less than the immediate or potential danger to the public, should the suspect(s) or occupant(s) remain at large. A decision to engage in a pursuit shall be based upon the following criteria:

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- The underlying crime for which the operator or occupants are suspected of committing;
- Whether the identity of the operator or occupant is known and apprehension by other means is possible;
- That the immediate danger to the public and the police officer created by the pursuit is less than the immediate danger to the public should the occupants of the pursued vehicle remain at large;
- Location, speed, direction of other traffic, population density, type of vehicle being pursued and operators driving behaviors;
- Environmental factors such as, weather, time of the day, visibility;
- Relative capability of the police vehicle(s) and the vehicle being pursued;
- Road conditions, including surface type, wet, icy, dry roadway. Road typography, traffic controls;
- The presence of other people in the police vehicle,
- Population density, vehicular and pedestrian traffic.

B. Pursuit Operations

1. All authorized emergency vehicle operations shall be conducted in strict conformity with Sections 14-283a-1 to 14-283a-4, inclusive, of the Regulations of Connecticut State Agencies, and section 14-283a of the Connecticut General Statutes.
2. Upon engaging in or entering into a pursuit, the pursuing vehicle shall activate appropriate warning equipment. An audible warning device and emergency lights shall be used during all such pursuits.
3. Upon engaging in a pursuit, officers shall immediately notify communications of the location, direction and speed of the pursuit, the description of the pursued vehicle and the initial purpose of the stop. Officers shall keep communications updated on the pursuit. Communications personnel shall immediately notify the Shift Supervisor, clear the radio channel of non-emergency traffic, and relay necessary information to other officers of this Department or other agencies and adjacent police departments in whose direction the pursuit is proceeding.
4. When engaged in a pursuit, police officers shall drive with due regard for the safety of persons and property.
5. Unless circumstances dictate otherwise, a pursuit will not consist of more than three police vehicles, one of which shall be designated as the primary unit. No other personnel will join the pursuit unless instructed to do so by a supervisor.
6. The primary unit involved in the pursuit shall become secondary when the fleeing vehicle comes under police air surveillance or when another unit has been assigned primary responsibility.

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C. Supervisor Responsibilities

1. When made aware of a pursuit, the appropriate supervisor shall evaluate the situation and conditions that caused the pursuit to be initiated, the need to continue the pursuit, and shall monitor incoming information, coordinate and direct activities as needed to ensure that proper procedures are used. Such supervisor shall also have the authority to terminate the pursuit. When the Department supervisor communicates a termination directive, all agency vehicles shall disengage warning devices and cease the pursuit.
2. When possible, a supervisor will respond to the location where a vehicle has been stopped following a pursuit.
3. In all cases where a pursuit enters another jurisdiction the Shift Supervisor will ensure communications personnel immediately notifies the appropriate law enforcement agency for that jurisdiction. If that agency has access to the RAFS radio system, pursuing officers may be instructed to switch to the appropriate RAFS radio frequency.
4. In the event multiple agencies are involved in the pursuit, supervisors from the respective agencies will communicate with each other to determine the respective responsibilities of each agency and to determine which agency will assume primary operational control of the pursuit.
5. The supervisors will also communicate with each other regarding any external conditions pertinent to the continuation of the pursuit. Communications between police agencies will be conducted by inter-agency police radio, mobile data terminal or telephone.

D. Pursuit Tactics

1. Police officers not engaged in the pursuit as the primary or secondary unit shall not normally follow the pursuit on parallel streets unless authorized by a supervisor or when it is possible to conduct such an operation without unreasonable hazard to other vehicular or pedestrian traffic.
2. When feasible, available patrol units having the most prominent markings and emergency lights shall be used to pursue, particularly as the primary unit. When a pursuit is initiated by other than a marked patrol unit, such unit shall become the secondary unit when a marked unit becomes available as the primary unit, and such unit shall disengage from the pursuit when another marked unit becomes available as the secondary unit.

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3. Motorcycles may be used for a pursuit in exigent circumstances including, but not limited to, situations where a felony has been committed, deadly force has been used by a vehicle occupant, or the pursuit is necessary to preserve a life, provided that weather and related conditions allow such pursuit to continue. Motorcycles shall disengage from the pursuit when support from marked patrol units becomes available.
4. Once the pursued vehicle is stopped, police officers shall utilize appropriate police officer safety tactics and shall be aware of the necessity to utilize only the force the police officer reasonably believes to be necessary to take occupants into custody.
5. All intervention techniques short of deadly force shall be used when it is possible to do so in safety and when the police officers utilizing them have received appropriate training in their use. Such techniques shall include, but not be limited to, boxing in the vehicle or using controlled termination devices such as stop sticks.
6. Roadblocks are prohibited unless specifically authorized by the supervisor in charge after consideration of the necessity of applying deadly physical force to end the pursuit.

E. Use of Firearms during a Pursuit

1. Officers shall not discharge their firearms at a moving vehicle or its occupants unless, the occupants are using, or threatened the use of deadly physical force, against the officer or another person present, by means other than the vehicle.
 - a. This does not preclude exigent circumstances such as, but not limited to, where the officer reasonably believes there are no other means available to avert the threat of the vehicle, or if such vehicle is being utilized as a weapon against the officer(s), or another person, such as in a vehicle ramming attack.
 - b. No officer should intentionally position his or her body into the path of a fleeing motor vehicle, unless such action is a tactic approved by the law enforcement unit, that employs such police officer and in accordance with an established written policy. Whenever possible, the involved officer should make an effort to move to an area of safety if the vehicle becomes a threat, including retreating from the threat, if practical.

F. Dispatcher Responsibilities

1. The dispatcher shall immediately notify the Shift Supervisor of a pursuit in progress.
2. The dispatcher shall maintain communication with units involved in the pursuit and advise units not involved to refrain from non-critical radio transmissions.

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3. Dispatchers shall notify the appropriate police agency when it is anticipated a pursuit will enter another jurisdiction.
4. When another agency requests assistance with a pursuit, the Simsbury Dispatcher will obtain the reason for the pursuit from the requesting agency and the supervisor will be notified of the pursuit immediately.

G. Termination of Pursuit

1. The police officer serving as the primary unit engaged in the pursuit shall continually re-evaluate and assess the pursuit situation, including all of the initiating factors, and terminate the pursuit whenever he or she reasonably believes that the risks associated with continued pursuit are greater than the public safety benefit of making an immediate apprehension.
2. The pursuit may be terminated by the primary unit at any time.
3. A supervisor may order the termination of a pursuit at any time and shall order the termination of a pursuit when the potential danger to the public outweighs the need for immediate apprehension. Such decision shall be based on information known to the supervisor at the time of the pursuit.
4. A pursuit may be terminated if the identity of the occupants has been determined, immediate apprehension is not necessary to protect the public or police officers, and apprehension at a later time is feasible.
5. A pursuit may be terminated when the police officers are prevented from communicating with their supervisors, communications or other police officers.
6. A pursuit shall be terminated if the police officer knows or is reasonably certain, that the fleeing motor vehicle is being operated by a juvenile and the suspected offense is not a violent felony.

H. Inter-jurisdictional Pursuits

1. The primary unit shall notify communications when it is likely that a pursuit will continue into a neighboring police agency's area of law enforcement responsibility or cross the state line. Municipal police agencies and the State Police shall notify each other whenever entering the other's area of law enforcement responsibility.
2. A pursuit into a bordering state shall comply with the laws of both states and any applicable inter-agency agreements.

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3. In all cases where a pursuit enters an area of law enforcement responsibility of a police agency other than that of the initiating police agency, the police agency in pursuit shall be responsible for immediately notifying the police agency responsible for such area. The supervisor for the police agency responsible for such area shall determine if assistance is necessary and police officers from police agencies other than the initiating agency shall not join the outside pursuit unless:
 - a. Directed by such supervisor; or
 - b. The involved pursuit unit is unable to request assistance; or
 - c. The situation demands immediate assistance. The supervisors of the respective police agencies involved in the pursuit shall communicate with each other to determine the respective responsibilities of each police agency and to determine which police agency will assume primary operational control of the pursuit. The supervisors shall also communicate with each other regarding any external conditions pertinent to the continued conduct of the pursuit. Communications between police agencies shall be controlled by inter-agency police radio systems, if they exist, or by telephone, or by both.
 - d. If the reason for the pursuit does not comply with this order, Simsbury units will not join in the pursuit. Simsbury units will not continue out of town on another agency's pursuit unless authorized by the supervisor for officer safety reasons. Once the pursuing officer's safety is provided for by the arrival of other units, the Simsbury unit will discontinue its role in the pursuit and return to Simsbury.
4. In all cases where the pursuit enters a municipality without a regularly organized police department, notification shall be made to the State Police troop responsible for that area. Such troop shall maintain radio communications with all local police officers serving in any such municipality.
5. Agencies pursuing a vehicle into another jurisdiction must notify that jurisdiction as soon as practical, provide that agency with all available information pertinent to the pursuit, including but not limited to:
 - The reason(s) for the pursuit, or primary offense the driver or occupant(s) are believed to have committed
 - Location, speed, and direction of travel
 - Vehicle and occupant(s) description
 - The number of vehicles and agencies involved in the pursuit
 - Whether assistance is requested/needed or not
 - Other available information as to the conditions of the pursuit

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The pursuing agency will notify the other jurisdiction whether or not the pursuit has been terminated or is leaving their jurisdiction.

Any agency involved in the pursuit may, at its discretion, choose to terminate its involvement in a pursuit at any time. The supervisor and the police officers involved in the pursuit shall make their own determination whether their officers shall enter, continue or terminate the pursuit within their jurisdiction.

I. Post-Pursuit Reporting and Review

1. Any officer involved in a pursuit or use of any forcible stopping technique must submit an incident report, Simsbury Police Pursuit Form and State of Connecticut Pursuit Tracking Form to the Shift Supervisor during the tour of duty in which the pursuit occurred. The reports shall be reviewed by the supervisor and command staff to determine if policy has been complied with and to detect and correct any training deficiencies.
2. The Shift Supervisor at the time shall prepare a detailed report on any pursuit or use of any forcible stopping technique occurring within the Town of Simsbury or in which Simsbury officers were involved. The report shall be submitted as soon as possible to the Operational Commander. The Shift Supervisor shall provide a verbal or written summary report to the Operational Commander within 24 hours of the event.
3. If a pursuit in which Simsbury units have participated causes property damage, or ends in an accident, or if an outside agency pursuit causes damage or injury or ends in an accident within the Town of Simsbury, the Operational Commander/Duty Officer shall be notified immediately. If serious injury or death has resulted from a pursuit, the Operational Commander/Duty Officer and the Chief of Police shall be notified immediately.
4. The Operational Commander will review all submitted reports, share with command staff for review and forward the same to the Chief with a conclusion.
5. Annually, the Operational Commander will conduct a documented annual analysis of pursuit reports. The analysis shall include a review of policy and reporting procedures and identification of any additions, deletions or modifications warranted in pursuit procedures. The analysis will be submitted to the Chief of Police for approval. Additionally, the Operational Commander will complete the State of Connecticut Annual Pursuit Report and submit it to agency identified for collecting this data for the State of Connecticut no later than January 31st, covering the preceding calendar year. The Operational Commander shall indicate on the form whether Simsbury was the initiating agency or a secondary unit.

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J. Other Pursuit Considerations

1. High speed operation - A police officer in pursuit may operate their vehicle at a speed that the condition of the vehicle, existing road, traffic, environmental conditions, and the officer's driving abilities will safely permit. Operation will be in adherence to all Department directives.
2. Number of involved pursuit vehicles - No more than three police vehicles shall be actively involved in a pursuit, unless directed otherwise by a commander, superior officer, or supervisor, however, all police officers should be alert to the progress and location of any nearby and ongoing pursuit.
3. Offensive driving tactics are limited – Deliberate contact between vehicles (i.e. intentional collision, PIT maneuver or ramming) shall not be attempted unless permission is obtained from a supervisor, in accordance with established written policy.
4. Spacing of Vehicles - All police units in active pursuit shall space themselves at reasonable and safe distances to permit adequate braking and reaction times if any preceding vehicle stops, slows, turns, becomes disabled or collides with any vehicle or object.
5. Police officers shall operate available emergency warning lights and their vehicle siren to alert other motorists to unexpected pursuit vehicle maneuvers.
6. A police pursuit vehicle entering any intersection against traffic control signals or signs shall slow to safe speeds and be prepared to slow or stop to avoid any collision.

K. Forced Stop Procedures (Alternative Measures)

1. Forced stop procedures, to include but not limited to, PIT maneuver, boxing-in, intentional collision, and roadblocks), short of deadly force, may be considered to stop a fleeing vehicle;
2. Forced stop procedures may be considered when the necessity for an immediate apprehension outweighs the dangers presented to all parties involved and innocent persons.
3. Forcing vehicles to stop usually presents serious safety hazards to participants and any innocent persons who are present.
4. Forced stop procedures must be reasonably and properly applied by police officers who have received appropriate training in their use and have received authorization from their supervisor, absent exigent circumstances.

**O.P. 41-1f
Pursuit**

5. Forced stop procedures shall be conducted in accordance with Department policy and training.

A. Roadblocks

1. Use of a roadblock, ramming or forcing a vehicle from the roadway may be employed if deadly force can be reasonably applied to apprehend one of the following persons, after all other reasonable alternatives have been exhausted or would be ineffective;
 - A dangerous fleeing felon - A person for whom there is reasonable cause to believe that the person has committed a violent felony involving an actual or threatened attack which the police officer has reasonable cause to believe could or has resulted in death or serious physical injury; or
 - Any person who is operating a motor vehicle recklessly and in such a manner as to be reasonably likely to cause death or serious injury to any other person should they be allowed to continue operation of the vehicle.
 - The use of roadblocks shall be used in accordance with Department policy and training.

B. Boxing-In

1. Boxing in shall only be performed at relatively low speeds. The use of such a tactic must be carefully coordinated with all involved vehicles, taking into consideration the circumstances and conditions apparent at the time, as well as the potential risk of injury to police officers, the public and the occupants of the violator vehicle.
2. Boxing in normally requires two or more police units to position themselves around the violator to form a box at low speeds pursuits. Once the fleeing vehicle is blocked, the police pursuit vehicles slowly and gradually reduce their speed, causing the violator to stop.
3. It must be anticipated that a violator may attempt to maneuver past the lead blocking vehicle or intentionally collide with it or one of the other blocking vehicles to move out of the box.
4. Boxing-in technique shall be used in accordance with Department policy and training.

C. Intentional Collision of the Offending Vehicle

1. A deliberate contact between a police vehicle and a violator's vehicle and is intended to cause the violator to spin or leave the roadway in a slow and controlled manner.

O.P. 41-1f Pursuit

2. This technique shall be used in accordance with Department policy and training.
3. When considering intentional collision of a violator, each police officer and supervisor must be aware that these actions may result in serious physical injury or death and may activate the vehicle airbags or fuel system shut-offs causing the police vehicle to become disabled.

D. Tire Deflation Devices – Stop Sticks

1. Police officers must first complete a Department required training course on the use of Tire Deflation Devices. These devices shall only be used in accordance with Department policy.
2. Stop Sticks shall not be deployed to stop Motorcycles, or other vehicles with less than four (4) wheels.

L. Training

1. The Sergeant in Charge of Training will be responsible for providing initial and annual update training with regard to this policy and in safe driving tactics to sworn members and communications personnel. The provisions of Sections 14-238a-1 to 14-238a-4, inclusive, of the regulations of CT State Agencies shall be part of the curriculum for all police basic recruit-training and re-certification programs in CT.
2. Pursuit training programs shall consist of:
 - Knowledge of applicable statutes
 - Court decisions impacting police pursuits
 - Department policy
 - Supervisory and individual responsibilities in a police pursuit
 - Reporting requirements
 - Inter-jurisdictional considerations
 - Pursuit driving skills and techniques
3. The Sergeant in Charge of Training will be responsible for documenting all training and review updates of this policy.

O.P. 41-1f
Pursuit

POSTC Model Policy - Pursuits

Police Motor Vehicle Pursuit Policy

Sec. 1. Purpose

The purpose of this policy is to establish a Uniform Statewide Pursuit Policy in accordance with the provisions of 14-283a-1 to 14-283a-4, inclusive and section 14-283a of the Connecticut General Statutes. This policy shall serve as the minimum standard for all police pursuits in Connecticut, involving POSTC Certified Police Officers. Additional requirements adopted by an individual police agency shall not conflict with any provision of this policy.

Sec. 2. Policy

Pursuits of fleeing motor vehicles may present a danger to the lives of the public, officers, and those vehicle occupants involved in the pursuit. Each police agency shall be responsible for assisting police officers in the safe performance of their duties.

Sec. 3. Definitions

1. "Pursuit" means an attempt by a police officer in an authorized emergency vehicle to apprehend any occupant of another moving motor vehicle, when the driver of the fleeing vehicle is attempting to avoid apprehension by maintaining or increasing the speed of such vehicle or by ignoring the police officer's attempt to stop such vehicle.
2. "Authorized emergency vehicle" means a police vehicle equipped with operable emergency equipment, including audible siren and red or blue flashing lights, while such vehicle is being operated by a police officer.
3. "Primary unit" means the police vehicle operated by a police officer that initiates a pursuit or any police vehicle operated by a police officer that assumes control of the pursuit.
4. "Secondary unit" means any police vehicle operated by a police officer that becomes involved as a backup to the primary unit and follows the primary unit at a safe distance.
5. "Supervisor" means a person designated by the police agency to have supervisory control over the operation of the agency's vehicles during a pursuit.
6. "Communications" means the central dispatch center or personnel staffing the central dispatch center of the police agency in the jurisdiction where the pursuit is occurring.
7. "Uniform Statewide Pursuit Policy, "known as "the policy" or "this policy," means Sections 14-283a-1 to 14-283a-4, inclusive, of the Regulations of Connecticut State Agencies.
8. "Police agency" means the Division of State Police within the Department of Public Safety, including local police officers serving in municipalities with a Resident State Trooper, or an organized municipal police department.

9. “Crime of Violence” -An offense in which physical force, the attempted use or threatened use of physical force, is used against another person(s) for the purpose of, injuring, damaging or abusing another person(s), or any offense that is a felony and that involves a substantial risk that physical force against another person may be used in the course of committing the offense.

Sec. 4. Procedures

A. Initiation of Pursuit

1. A police officer may only engage another vehicle in a pursuit if the officer has reasonable suspicion to believe that the driver or occupant has committed or is attempting to commit a crime of violence, or there are exigent circumstances that warrant the need to apprehend the suspect in a timely manner because of the potential for harm to the public if the apprehension does not occur. The officers must be able to articulate the exigent need to apprehend the driver or occupant because of the potential harm or risk to the public.

2. Offenses that constitute Infractions, property crimes, (to include stolen motor vehicles), non-violent misdemeanors and non-violent felonies shall not be justification to engage in a pursuit of another vehicle, absent articulable exigent circumstances.

3. The officers involved in the pursuit and their supervisor’s shall continuously reassess the factors listed above to determine whether the pursuit shall continue or be terminated.

4. A pursuit shall not be undertaken, even if allowable by other provisions of this policy, unless and until the officer, based upon the information available to him/her at the time, shall make an objectively reasonable determination that the threat of imminent death or serious physical injury to the officer, the public or both, created by the pursuit is less than the immediate or potential danger to the public, should the suspect(s) or occupant(s) remain at large. A decision to engage in a pursuit shall be based upon the following:

*The underlying crime for which the operator or occupants are suspected of committing;
Whether the identity of the operator or occupant is known and apprehension by other means is possible;*

That the immediate danger to the public and the police officer created by the pursuit is less than the immediate danger to the public should the occupants of the pursued vehicle remain at large;

Location, speed, direction of other traffic, population density, type of vehicle being pursued and operators driving behaviors;

Environmental factors such as, weather, time of the day, visibility;

Relative capability of the police vehicle(s) and the vehicle being pursued;

Road conditions, including surface type, wet, icy, dry roadway. Road typography, traffic controls;

The presence of other people in the police vehicle;

Population density, vehicular and pedestrian traffic.

Sec. 5. Pursuit Operations

All authorized emergency vehicle operations shall be conducted in strict conformity with Sections 14-283a-1 to 14-283a-4, inclusive, of the Regulations of Connecticut State Agencies, and section 14-283a of the Connecticut General Statutes.

Upon engaging in or entering into a pursuit, the pursuing vehicle shall activate appropriate warning equipment. An audible warning device shall be used during all such pursuits.

Upon engaging in a pursuit, the police officer shall immediately notify communications of the location, direction and speed of the pursuit, the description of the pursued vehicle and the initial purpose of the stop. The police officers shall keep communications updated on the pursuit.

Communications personnel shall immediately notify any available supervisor of the agency or agencies involved in such pursuit, clear the radio channel of non-emergency traffic, and relay necessary information to other police officers of the involved police agency or agencies, and adjacent police agencies in whose direction the pursuit is proceeding.

When engaged in a pursuit, police officers shall drive with due regard for the safety of persons and property.

Unless circumstances dictate otherwise, a pursuit shall consist of no more than three police vehicles, one of which shall be designated as the primary unit. No other personnel shall join the pursuit unless instructed to participate by a supervisor.

The primary unit involved in the pursuit shall become secondary when the fleeing vehicle comes under police air surveillance or when another unit has been assigned primary responsibility.

Sec. 6. Supervisory Responsibilities

When made aware of a pursuit, the appropriate supervisor shall evaluate the situation and conditions that caused the pursuit to be initiated, the need to continue the pursuit, and shall monitor incoming information, coordinate and direct activities as needed to ensure that proper procedures are used. Such supervisor shall also have the authority to terminate the pursuit. When the agency supervisor communicates a termination directive, all agency vehicles shall disengage warning devices and cease the pursuit.

Where possible, a supervisory police officer shall respond to the location where a vehicle has been stopped following a pursuit.

Sec. 7. Pursuit Tactics

Police officers not engaged in the pursuit as the primary or secondary unit shall not normally follow the pursuit on parallel streets unless authorized by a supervisor or when it is possible to conduct such an operation without unreasonable hazard to other vehicular or pedestrian traffic.

When feasible, available patrol units having the most prominent markings and emergency lights shall be used to pursue, particularly as the primary unit. When a pursuit is initiated by other than a marked patrol unit, such unit shall become the secondary unit when a marked unit becomes

available as the primary unit, and such unit shall disengage from the pursuit when another marked unit becomes available as the secondary unit.

Motorcycles may be used for a pursuit in exigent circumstances including, but not limited to, situations where a felony has been committed, deadly force has been used by a vehicle occupant, or the pursuit is necessary to preserve a life, provided that weather and related conditions allow such pursuit to continue. Motorcycles shall disengage from the pursuit when support from marked patrol units becomes available.

Once the pursued vehicle is stopped, police officers shall utilize appropriate police officer safety tactics and shall be aware of the necessity to utilize only the force the police officer reasonably believes to be necessary to take occupants into custody.

All intervention techniques short of deadly force shall be used when it is possible to do so in safety and when the police officers utilizing them have received appropriate training in their use. Such techniques shall include, but not be limited to, boxing in the vehicle or using controlled termination *devices such as stop sticks*.

Roadblocks are prohibited unless specifically authorized by the supervisor in charge after consideration of the necessity of applying deadly physical force to end the pursuit.

Sec. 8. Use of Firearms during a Pursuit

1. Officers shall not discharge their firearms at a moving vehicle or its occupants unless, the occupants are using, or threatened the use of deadly physical force, against the officer or another person present, by means other than the vehicle.

a. This does not preclude exigent circumstances such as, but not limited to, where the officer reasonably believes there are no other means available to avert the threat of the vehicle, or if such vehicle is being utilized as a weapon against the officer(s), or another person, such as in a vehicle ramming attack.

b. No officer should intentionally position his or her body into the path of a fleeing motor vehicle, unless such action is a tactic approved by the law enforcement unit, that employs such police officer and in accordance with an established written policy. Whenever possible, the involved officer should make an effort to move to an area of safety if the vehicle becomes a threat, including retreating from the threat, if practical.

Sec. 9. Termination of the Pursuit

The police officer serving as the primary unit engaged in the pursuit shall continually re-evaluate and assess the pursuit situation, including all of the initiating factors, and terminate the pursuit whenever he or she reasonably believes that the risks associated with continued pursuit are greater than the public safety benefit of making an immediate apprehension.

The pursuit may be terminated by the primary unit at any time.

A supervisor may order the termination of a pursuit at any time and shall order the termination of a pursuit when the potential danger to the public outweighs the need immediate apprehension. Such decision shall be based on information known to the supervisor at the time of the pursuit.

A pursuit may be terminated if the identity of the occupants has been determined, immediate apprehension is not necessary to protect the public or police officers, and apprehension at a later time is feasible.

A pursuit may be terminated when the police officers are prevented from communicating with their supervisors, communications or other police officers.

A pursuit shall be terminated if the police officer knows or is reasonably certain, that the fleeing motor vehicle is being operated by a juvenile and the suspected offense is not a violent felony.

Sec. 10. Inter-Jurisdictional Pursuits

The primary unit shall notify communications when it is likely that a pursuit will continue into a neighboring police agency's area of law enforcement responsibility or cross the state line.

Municipal police agencies and the State Police shall notify each other whenever entering the other's area of law enforcement responsibility.

A pursuit into a bordering state shall comply with the laws of both states and any applicable inter-agency agreements.

In all cases where a pursuit enters an area of law enforcement responsibility of a police agency other than that of the initiating police agency, the police agency in pursuit shall be responsible for immediately notifying the police agency responsible for such area. The desk officer or duty supervisor for the police agency responsible for such area shall determine if assistance is necessary and police officers from police agencies other than the initiating agency shall not join the outside pursuit unless:

Directed by such duty supervisor or desk officer; or

The involved pursuit unit is unable to request assistance; or

The situation demands immediate assistance. The supervisors of the respective police agencies involved in the pursuit shall communicate with each other to determine the respective responsibilities of each police agency and to determine which police agency will assume primary operational control of the pursuit. The supervisors shall also communicate with each other regarding any external conditions pertinent to the continued conduct of the pursuit.

Communications between police agencies shall be controlled by inter-agency police radio systems, if they exist, or by telephone, or by both.

In all cases where the pursuit enters a municipality without a regularly organized police department, notification shall be made to the State Police troop responsible for that area. Such troop shall maintain radio communications with all local police officers serving in any such municipality.

Agencies pursuing a vehicle into another jurisdiction must most notify that jurisdiction as soon as practical, provided that agency with all available information pertinent to the pursuit, including but not limited to:

The reason(s) for the pursuit, or primary offense the driver or occupant(s) are believed to have committed

Location, speed, and direction of travel

Vehicle and occupant(s) description

The number of vehicles and agencies involved in the pursuit

Whether assistance is requested/needed or not

Other available information as to the conditions of the pursuit

The pursuing agency will notify the other jurisdiction whether or not the pursuit has been terminated or is leaving their jurisdiction.

Any agency involved in the pursuit may, at its discretion, choose to terminate its involvement in a pursuit at any time. The supervisor and the police officers involved in the pursuit shall make their own determination whether their officers shall enter, continue or terminate the pursuit within their jurisdiction.

Sec. 11. Post-Pursuit Reporting

Whenever a police officer engages in a pursuit, the police officer shall file a written report on the appropriate form required by his or her agency describing the circumstances. This report shall be reviewed by the appropriate supervisor or supervisors to determine if policy has been complied with and to detect and correct any training deficiencies.

Each police agency shall periodically analyze its police pursuit activity and identify any additions, deletions or modifications warranted in agency pursuit procedures.

Post-Pursuit reports shall be completed for each police pursuit in accordance with department policy and training.

In accordance with Section 14-283a-1 to 14-283a-4, inclusive and section 14-283a of the Connecticut General Statutes Not later than January 31, 2020, and annually thereafter, each Chief of Police and the Commissioner of the Department of Emergency Services and Public Protection shall submit an annual report to the Police Officers Standards and Training Council regarding pursuits by police officers, on the standardized form developed and promulgated by POSTC

Each police agency involved in the pursuit must report their involvement to POSTC on the designated reporting form. Departments shall indicate on the form whether they were the initiating agency or a secondary unit.

Sec. 12 Other Pursuit Considerations

High speed operation - A police officer in pursuit may operate their vehicle at a speed that the condition of the vehicle, existing road, traffic, environmental conditions, and the officer's driving abilities will safely permit.

Number of involved pursuit vehicles - No more than three police vehicles shall be actively involved in a pursuit, unless directed otherwise by a commander, superior officer, or supervisor, however, all police officers should be alert to the progress and location of any nearby and ongoing pursuit.

Offensive driving tactics are limited - Deliberate contact between vehicles, (i.e., intentional collision, PIT Maneuver, or ramming) shall not be attempted unless permission is obtained from a supervisor, in accordance with established written policy

Spacing of Vehicles - All police units in active pursuit shall space themselves at reasonable and safe distances to permit adequate braking and reaction times if any preceding vehicle stops, slows, turns, becomes disabled or collides with any vehicle or object.

Police officers shall operate available emergency warning lights and their vehicle siren to alert other motorists to unexpected pursuit vehicle maneuvers.

A police pursuit vehicle entering any intersection against traffic control signals or signs shall slow to safe speeds and be prepared to slow or stop to avoid any collision.

Sec. 13. Forced Stop Procedures (Alternative Measures)

Forced stop procedures, to include but not limited to PIT Maneuver, Boxing-in, and Intentional collision. Roadblocks), short of deadly force, may be considered to stop a fleeing vehicle;

Forced stop procedures may be considered when the necessity for an immediate apprehension outweighs the dangers presented to all parties involved and innocent persons.

Forcing vehicles to stop usually presents serious safety hazards to participants and any innocent persons who are present.

Forced stop procedures must be reasonably and properly applied by police officers who have received appropriate training in their use and have received authorization from their supervisor, absent exigent circumstances.

Forced stop procedures shall be conducted in accordance with department policy and training.

Roadblocks

Use of a roadblock, ramming or forcing a vehicle from the roadway may be employed if deadly force can be reasonably applied to apprehend one of the following persons, after all other reasonable alternatives have been exhausted or would be ineffective;

A dangerous fleeing felon - A person for whom there is reasonable cause to believe that the person has committed a violent felony involving an actual or threatened attack which the police officer has reasonable cause to believe could or has resulted in death or serious physical injury; or

Any person who is operating a motor vehicle recklessly and in such a manner as to be reasonably likely to cause death or serious injury to any other person should they be allowed to continue operation of the vehicle.

The use of a roadblock shall be used in accordance with department policy and training.

Boxing-In

Boxing in shall only be performed at relatively low speeds. The use of such a tactic must be carefully coordinated with all involved vehicles, taking into consideration the circumstances and conditions apparent at the time, as well as the potential risk of injury to police officers, the public and the occupants of the violator vehicle.

Boxing in normally requires two or more police units to position themselves around the violator to form a box at low speeds pursuits. Once the fleeing vehicle is blocked, the police pursuit vehicles slowly and gradually reduce their speed, causing the violator to stop.

It must be anticipated that a violator may attempt to maneuver past the lead blocking vehicle or intentionally collide with it or one of the other blocking vehicles to move out of the box.

Boxing-in techniques shall be used in accordance with department policy and training.

Intentional Collision of the Offending Vehicle

A deliberate contact between a police vehicle and a violator's vehicle and is intended to cause the violator to spin or leave the roadway in a slow and controlled manner.

This technique should be used in accordance with department policy and training.

When considering intentional collision of a violator, each police officer and supervisor must be aware that these actions may result in serious physical injury or death and may activate the vehicle airbags or fuel system shut-offs causing the police vehicle to become disabled.

Tire Deflation Devices – Stop Sticks

Police officers must first complete a department required training course on the use of Tire

Deflation Devices. These devices shall only be used in accordance with department policy.

Stop Sticks shall not be deployed to stop Motorcycles, or other vehicles with less than four (4) wheels.

Sec. 14. Vehicle Pursuit Training

Police officers who drive police vehicles shall be given initial and biennial update training in the agency's pursuit policy and in safe driving tactics. The provisions of Sections 14- 283a-1 to 14-283a-4, inclusive, of the Regulations of Connecticut State Agencies shall be a part of the curriculum for all police basic recruit-training and re-certification programs in Connecticut.

Pursuit Training Programs shall consist of:

Knowledge of applicable statutes

Court decisions impacting police pursuits

Department policy

Supervisory and individual responsibilities in a police pursuit

Reporting requirements

Inter-jurisdictional considerations

Pursuit driving skills and techniques.

Police Officer Standards and Training Council



Compliance to Law Enforcement Standards and Practices (CLESP)

Program

(Minimum Standards)

June 12, 2020

The agency has a policy concerning governing bias based policing and, at a minimum, includes the following provisions:

A prohibition against bias based policing in traffic contacts, field contacts and in asset seizure and forfeiture efforts; and

Training agency personnel in bias-based policing issues including legal aspects; and

Assuring all traffic stop data is collected and transmitted for analysis as required by law; and

Assuring that officers distribute the appropriate notice to the operator; and

Reporting complaints from motorists related to perceived profiling as required by law.

Guidance: Refer to CGS 54-1m

The agency has a policy concerning complaints that allege misconduct by law enforcement officers which meets or exceeds the minimum standards as required by the POST-C Model Policy and makes the policy available on the agency website and another municipal building.

Guidance: Refer to POST General Notice 15-03 and the State Model Policy.

The agency has a policy concerning pursuit of motor vehicles which meets or exceeds the minimum standards as required by the Uniform Statewide Pursuit Policy..

Guidance: Refer to CGS 14-283a.

The agency has a policy concerning procedures for handling missing persons which meets or exceeds the minimum standards as required by the POST-C Model Policy.

Guidance: Refer to POST-C General Notices 11-01 & 12-06

The agency has a policy concerning the response to family violence policy which meets or exceeds the minimum standards as required by C.G.S. 46b-38b.

Guidance: Refer to POST-C General Notice 17-05 and POST-C General Notice 10-05

The agency complies with all Police Officer Standards and Training Council (POST-C) requirements for selection and testing of police officers.

If the agency utilizes body worn recording systems, the agency has a policy which meets or exceeds the minimum standards as required by the POSTC Model Policy.

Guidance: Refer to POST-C General Notice 15-05 and Model Policy.

The agency has a policy concerning Eyewitness Identification Procedures which meets or exceeds the minimum standards as required by the POST-C Mandatory Policy.

Guidance: Refer to POST-General Notice 12-08 and Model Policy

The agency has a policy concerning Notifications in Death and Related Events in which meets or exceeds the minimum standards as required by the POST-C Mandatory Policy.

Guidance: Refer to POST-C General Notice 08-01

The agency has developed and implemented guidelines for the recruitment, retention and promotion of minority police officers as defined in section 7-291a of the general statutes. Such guidelines shall promote achieving the goal of racial, gender and ethnic diversity within the law enforcement unit.

Guidance: Refer to CGS 7-291b

The agency provides mandatory training regarding the handling of incidents involving individuals affected with a serious mental illness as part of the agency's review training program.

Guidance: Although the state legislature did not define "Serious mental illness", generally accepted serious mental illness include, but are not limited to: Schizophrenia, Paranoia and other psychotic disorders, Bipolar disorders (hypo manic, manic, depressive and mixed; Major disorders, Attention-deficit/Hyperactivity disorders (ADD/ADHD), Autism Spectrum disorders, Alzheimer's Dementia disorders, etc..

Guidance: Refer to POST-C General Notice 15-01

The agency has a policy concerning response to sexual assault complaints which meets or exceeds the minimum standards as required state statute.

Guidance: The policy should include the statement that sexual assault victims' names shall not be released to the public or press. Refer to CGS 54-86e.

The agency has a policy concerning the use of electronic defense weapons that meets or exceeds the minimum standards as required by the POST Model Policy.

Guidance: Refer to POST-C General Notice 14-02 and Model Policy

The agency complies with annual reporting requirements for Juveniles In Custody.

Guidance: The Juvenile Justice and Delinquency Prevention Act of 1974, as amended (JJDP), assists states in efforts to prevent and control juvenile delinquency, provide proper and adequate treatment for troubled youth, and improve the juvenile justice system. To achieve these goals, the JJDP has established certain core protections (mandates) with which the states must demonstrate compliance in order to be eligible for federal funding under the JJDP Formula Grants Program. As part of this process, participating states are required to maintain a comprehensive statewide compliance monitoring system that inspects facilities, collects essential data and reports annually to the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP) on the extent of compliance with the following three mandates: *Deinstitutionalization of Status Offenders (DSO)*. The JJDP provides for status offenders, civil-type offenders, and non-offenders not to be detained or confined in secure detention or correctional facilities.

Separation of Juveniles from Adult Offenders in Secure Facilities (Separation)

The JJDPA provides for juvenile offenders, status offenders and non-offenders not to be detained or confined in any institution in which they have contact with adult inmates.

Removal of Juveniles from Adult Jails and Lockups (Jail Removal)

The JJDPA provides for all juveniles not to be detained or confined in any jail or lockup for adults.

The Office of Policy and Management is the state agency responsible for maintaining the compliance monitoring system in Connecticut. All facilities in the state (both public and private) that have the potential to hold juveniles pursuant to public authority fall within the purview of the monitoring universe. This includes local and state police lockups, juvenile detention and correctional facilities, court facilities, adult jails and prisons, mental health hospitals and institutions, and all other public and private juvenile placement and residential facilities. Annually, data is collected from all such facilities. A minimum of 10% of the facilities must be on-site inspected each year for verification and 100% of all the facilities must have an on-site inspection once every 3 years.

The agency complies with the required mandatory training in Human Trafficking.

Guidance: Refer to Public Act 17-32

The agency has a policy concerning the use of force including deadly force that complies with current state and federal law. The use of force policy must explicitly address a law enforcement officer's duty to intervene and report unreasonable, excessive, and/or illegal use of force. The policy shall include the following provisions:

A guideline, use of force response matrix or other continuum where an individual/suspect/offender's actions dictate responsive use of force levels;

A requirement that officers deploy de-escalation/calming strategies and/or verbal warnings prior to the use of force when feasible;

A prohibition against the intentional use of a chokehold or other method of restraint applied to the neck area of another person, including but not limited to, (1). Arm bar hold, (2). Carotid artery hold, (3). Lateral vascular neck restraint, (4). Neck restraint or hold with a knee or other object is prohibited. The use of a choke hold or neck restraint may only be used when the use of deadly physical force is authorized.

A listing of the lethal and less lethal weapons authorized by the agency;

A mandate that officers receive and are trained in the policy prior to carrying any lethal or less lethal weapons;

Describes the initial training and in-service training requirements for all weapons;

A requirement that an officer who directly observes a use of force that is unreasonable, excessive or otherwise in violation with the agency's use of force policy and/or a violation of state or federal statute (illegal), shall contact a supervisor as soon as practicable;

A requirement that an officer will act to intervene and stop the unreasonable, excessive, or illegal use of force by another police officer;

A requirement that officers who have knowledge of excessive, unreasonable, or illegal use of force against a person shall notify a supervisor and submit a written incident report to a supervisor in a timely fashion; and

A prohibition against retaliation for any officer that intervenes against excessive use of force, reports misconduct, or cooperates in an internal investigation.



Town of Simsbury

933 HOPMEADOW STREET

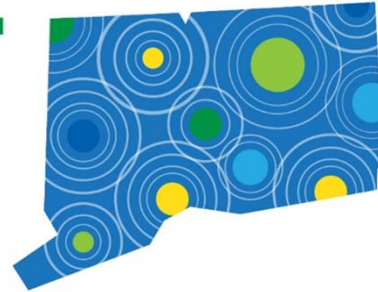
SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Simsbury Sustainable CT Committee Update
2. **Date of Board Meeting:** September 14, 2020
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Thomas J. Roy PE, Director of Public Works; Cheri Calnan, Chair of Simsbury Sustainable CT Committee
Maria E. Capriola
4. **Action Requested of the Board of Selectmen:**
This presentation is a requirement for the Sustainable CT program and intended to be informational with no action needed.
5. **Summary of Submission:**
At the February 11, 2019 Board of Selectmen meeting, the Board voted to participate in the Sustainable CT program. This program provides municipalities with a menu of coordinated, voluntary actions, to continually become more sustainable; provides resources and tools to assist municipalities in implementing sustainability actions and advancing their programs for the benefit of all residents; and certifies and recognizes municipalities for their ongoing sustainability achievements. Simsbury achieved Silver Certification with their first year submission in 2019.
6. **Financial Impact:**
Staff time is required to help support this initiative including staffing meetings and coordination of any data requirements etc. Additional staffing would be required to support any new initiatives.
7. **Description of Documents Included with Submission:**
 - a) Sustainability Team Presentation
 - b) Memo from T. Roy RE: Solar Panel Arrays at DPW Facilities and Simsbury Farms Ice Rink, dated September 11, 2020
 - c) Memo from T. Roy RE: Street Light Purchas and Relamping Outcome, dated September 11, 2020

Sustainable CT

Local Actions. Statewide Impact.



Simsbury Sustainability Committee

presentation to the

Simsbury Board of Selectmen

September 14, 2020



The Simsbury Sustainability Committee is part of a statewide organization with a national reach.

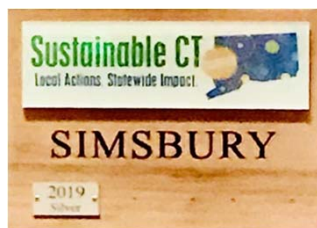
There are **169** municipalities in the Connecticut.

48 of these municipalities have received certification since the program's inaugural year in 2018.

14 of these municipalities have achieved Silver Certification in the last two years

and only **9** of these municipalities received Silver status with their first submission.

Simsbury is one of them!





Simsbury is a leader in sustainability...

Town Liaisons:	Tom Roy, Director of Public Works Ray Harris, DPW Project Administrator
Chairperson:	Cheri Calnan, Clean Energy Task Force
Vice Chairperson:	Mark Scully, Clean Energy Task Force
Members:	Jeff Tindall, BoE and Facilities & Enrollment Task Force Sarah Cramer, Culture, Parks & Recreation Commission Rich Cortes, Planning Commission Mary Turner, Recycling Committee Tim Walczak, Open Space Committee & Clean Energy Task Force Mike Tanca, Clean Energy Task Force Bob Crowther, Economic Development Commission



Simsbury is a leader in sustainability...

Simsbury's 2019 submission highlighted achievements in

Environmental Impacts * Well Stewarded Land & Natural Resources

Greenhouse Gas Emissions * Alternative Transportation

Energy Efficiency * Renewable Energy * Cost Savings

Climate Resilience * Resilient Planning * Biodiversity

Thriving Economies * Creative Cultural Ecosystems

Housing Options * Public Services

Inclusive & Equitable Community Impacts



Committee members pictured with Congresswoman Jahana Hayes

Crew pictured with memorial plans ahead of Ground Breaking Ceremony

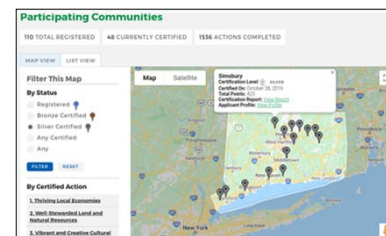
Simsbury is a leader in sustainability...



The Simsbury Sustainability Committee going forward....

Bronze Certification		Silver Certification	
Completed 3 Ready To-dos in action (5)		Completed 3 Ready To-dos in action (5)	
Successful complete actions totaling 200 or more points.		Successful complete actions totaling 400 or more points.	
Action	Points	Action	Points
1. THRIVING LOCAL ECONOMIES			
1.1 Support development of local food sales	5-20	1.1 Encourage Smart Commuting	5
1.2 Implement Sustainable Purchasing	10-30	1.2 Support Sustainable Land Use Development	5-20
1.3 Promote and encourage local Retail Districts	5-20	1.3 Encourage Public Transit and Other Innovative Solutions	5-10
1.4 Promote Sustainable Procurement Practices	5-20	2. EFFECTIVE PHYSICAL INFRASTRUCTURE & OPERATIONS	
1.5 Promote Sustainable Infrastructure Development	5-25	2.1 Address Energy Use Across All Municipal Buildings	10-30
1.6 Participate in and promote C-Panel Program	5-10	2.2 Address High Energy Performance for Individual Buildings	5-10
2. WELL-DEVELOPED LAND & NATURAL RESOURCES			
2.1 Provide Important Education	5-20	2.3 Address Land Use and Sustainable Energy for Municipal Buildings	10-20
2.2 Create a Watershed Management Plan	10-30	2.4 Manage Municipal Fleet	5
2.3 Engage in Watershed Protection	10-40	2.5 Manage Municipal Landscapes	5-20
2.4 Develop an Open Space Plan	5-10	2.6 Implement a Community Energy Campaign	10
2.5 Create a Watershed Reserve and establish inventory	10-30	3. STRATEGIC & INCLUSIVE PUBLIC SERVICES	
2.6 Manage for Drought and Municipal Water Use	5-10	3.1 Foster a Welcoming Town	5-10
2.7 Promote Education and Public Communication	5-20	3.2 Provide Effective Community Communications	10
2.8 Implement Low Impact Development	5-30	3.3 Track Municipal Sustainability	5-10
2.9 Manage Wastewater and Sewerage	40	3.4 Encourage Healthy and Sustainable Food Systems	10-30
2.10 Facilitate Invasive Species Education and Management	5-20	3.5 Support Sustainable Management Data and Decision Making	5-10
2.11 Implement Green Corridors and Watershed Program	5-25	3.6 Implement Open Space and Public Trust	5-20
3. VIBRANT & CREATIVE CULTURAL ECOSYSTEMS			
3.1 Host Festivals and Cultural Events	5-10	3.7 Support Arts and Creative Culture	10-40
3.2 Support Arts and Creative Culture	10-30	3.8 Develop a Local Identity/Endorsement Campaign	5-10
3.3 Develop a Creative Planning Plan	10-30	3.9 Conduct Health Impact Assessments	5-25
3.4 Promote an Arts and Culture Program for Youth	10-30	3.10 Improve the Quality of Public Spaces	10-40
4. THRIVING & RESILIENT PLANNING			
4.1 Adopt Sustainable Planning	5-10	4. HEALTHY, RESILIENT & DIVERSE HOUSING	
4.2 Adopt Sustainable Planning	5-20	4.1 Design and implement a Housing Needs Assessment	10-30
4.3 Develop a Sustainable Planning Process	5-20	4.2 Create Sustainable and Affordable Housing Policies	10-30
4.4 Adopt a Sustainable Planning Process	5-20	4.3 Develop a Sustainable and Affordable Housing Plan	5-10
4.5 Inventory and Assess Housing Resources	5-40	4.4 Promote Sustainable and Affordable Housing for Municipal Employees	5-10
4.6 Develop a Sustainable Planning Process for Small Business	10-20	5. INCLUSIVE & EQUITABLE COMMUNITY IMPACTS	
4.7 Develop a Sustainable Planning Process	5-20	5.1 Promote the Equity	10-30
5. CLEAN & DIVERSE TRANSPORTATION SYSTEMS			
5.1 Implement Complete Streets	5-10	5.2 Support Community Health Fund Project and Data Engagement	5-20
5.2 Promote Effective Planning Management	10-40		

Simsbury is an influencer.... The committee has been selected, in an advisory capacity, to review the proposed changes for the 2021 certification requirements.



Simsbury is a leader in sustainability...



The Simsbury Sustainability Committee going forward....

- Committee meetings resumed in July
- Meetings held via Zoom and streamed live on SCTV
- Focus on manageable short term goals for '20-'21



Simsbury is a leader in sustainability...



The Simsbury Sustainability Committee going forward....

Formation of a Student Sustainability Sub-Committee/Club

- Grades 7-12
- Current Resident or Current Student of Simsbury
- Includes all public and private schools in Simsbury
- Plan a '21 Earth Day Celebration as an annual event for Simsbury
- Fundraising for Earth Day Celebration - reusable straws
- Community Match Fund

Group Leader: Tim Walczak - Science teacher at HJMS, Member of the Clean Energy Task Force, the Open Space Commission, the Sustainability Committee, and SHS Swim Team Coach.

Simsbury is a leader in sustainability...



The Simsbury Sustainability Committee going forward....

Water Conservation Initiative

- Specific goal of reduction
- Potential Collaboration with
Simsbury DPW, Tariffville Water Authority,
Aquarion, FRWA, Avon Water
- Education & Workshops
- Possible... Rain Gardens, Downspout Kits, Signage, etc.

Led by Mike Tanca -

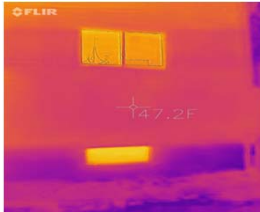
Board Member of the Tariffville Water Commission
Member of the Clean Energy Task Force
Member of the Sustainability Committee
Professional engineer
Resident of Tariffville

Simsbury is a leader in sustainability...



The Simsbury Sustainability Committee going forward....

Energy Plan Outreach



Led by Mark Scully -

Energy Efficiency Education & Campaign
 -Home Energy Solutions Webinars
 Town Energy Benchmarking
 Greenhouse Gas Inventory -BoS support for staff resources
 Explore development of shared 1 MW Solar on landfill
 Advocate for an Energy Manager Consultant

Chairperson of Clean Energy Task Force
 Vice Chairperson of the Sustainability Committee
 President of PACE
 Lifelong resident of Simsbury



Simsbury is a leader in sustainability...



The Simsbury Sustainability Committee going forward....

Collaborate with Simsbury Public Schools Facilities & Enrollment Task Force

Vision of the Graduate - Adopted goals in June 2019
 Exceptional Education in a Safe Environment

To be a resource for energy and sustainable best practices:

Advise on renewable energy opportunities
 Provide benchmarking information on energy savings and cost analysis
 Explore food composting for cafeterias
 Explore opportunities to bring sustainability into the classroom
 Information on electric school bus program - Volkswagen settlement fund

Led by Jeff Tindall -

Member of the BoE
 Chairperson of the Facilities and Enrollment Task Force
 Member of the Sustainability Committee

Simsbury is a leader in sustainability...



The Simsbury Sustainability Committee going forward....

Well Stewarded Land, Natural Resources and Wildlife Dynamic and Resilient Planning

To be a resource
Promote bio-diverse forests and prevent deforestation
Low Impact Development
Invasive Species
Pollinator Pathways
Inventory

Led by Sarah Cramer - Member of the Culture, Parks and Rec Commission
Rich Cortes - Member of the Planning Commission

Simsbury is a leader in sustainability...



The Simsbury Sustainability Committee going forward....

Recycling Committee

- Swap Shop is open
 - Seeking additional helpers
 - Supervised students
- Continue to donate items to Habitat for Humanity
- Composting program for schools and local farm partnerships
- Explore a possible Textile Recycling Program
- Fill It Program - on hold due to coronavirus

Led by Mary Turner: Chairperson of the Recycling Committee
Member of the Sustainability Committee

Simsbury is a leader in sustainability...



The Simsbury Sustainability Committee going forward....

Economic Development

- Support local businesses during Covid-19
- Promotion of businesses
- Support the food bank - more valuable now than ever.
 - Increased participation, operation is open every 3 weeks vs 1x per month
- Focus on the entrepreneur
- Collaboration with Main Street Partnership and the Chamber of Commerce

Led by Bob Crowther: Chairperson of the Economic Development Commission
Member of the Sustainability Committee

Simsbury is a leader in sustainability...



The Simsbury Sustainability Committee going forward....

Promotion and Education

- Educational webinars in collaboration with SCTV and
- Promote with the library, and show on YouTube
- Promote information on social media
 - Town website, DPW FB page and Eric Wellman's FB page
- Feedback from town - Survey Monkey
- Fundraising - Community Match Fund

Led by Cheri Calnan: Member of the Clean Energy Task Force
Chairperson of the Sustainability Committee

Simsbury benefits from sustainability...



In 2018 Simsbury, entered into two Solar Power Purchase Agreements using the State Z-REC Program

- ✓ 223 kWh-Array at Simsbury Farms Ice Rink
- ✓ 3 x 28 kWh-Arrays at DPW Complex

The arrays at DPW Complex have generated 113,00 kWh of energy per year and account for 84% of the facility's energy usage

-Saving the Town **\$12,000** annually

The array at the Simsbury Farms Ice Rink has generated 200,000 kWh per year and accounts for 65% of that facility's energy usage

- Saving the town **\$22,000** annually

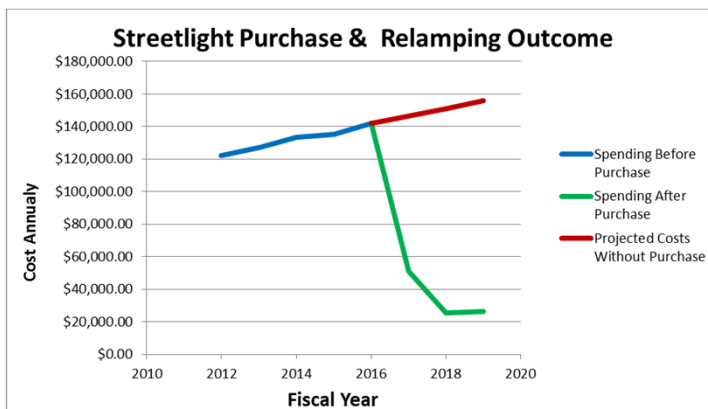
All at NO COST to the Town!



Simsbury benefits from sustainability...



In 2017, Simsbury undertook to purchase and upgrade the town's streetlights
-The Town spent \$865,000 for the purchase and upgrades



The project was estimated to save \$100,00 dollars a year

To date, the Town has saved \$115,000 annually, with savings that increase over time as energy costs rise

Customer service is now under Town control and much faster than when Eversource was in charge

The new LED lighting fixtures use 68% less energy than traditional lighting

Simsbury benefits from sustainability...



Simsbury is currently working on several lighting retrofit projects at:

- ✓ Simsbury Farms Ice Rink and tennis courts
- ✓ Public Library
- ✓ Town Hall

Project involves replacing all of the existing fixtures with energy efficient LED lighting

All project costs will be paid using the project savings via on-bill financing program

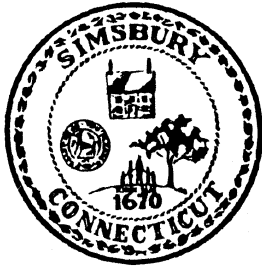
	Project Value	Annual Savings	Payback Period
Simsbury Farms	\$ 52,358.00	\$ 9,061.25	2.6 years
Library	\$ 111,444.00	\$ 20,235.00	2.8 years
Town Hall	\$ 105,894.00	\$ 13,615.38	5.8 years



Simsbury is a leader in sustainability...

The Simsbury Sustainability Committee going forward....

Next certification August 2022



Town of Simsbury

66 TOWN FOREST ROAD, WEST SIMSBURY, CONNECTICUT 06092

~ Department of Public Works ~

Memorandum: Solar Panel Arrays at DPW Facilities and Simsbury Farms Ice Rink

To: Maria Capriola, Town Manager
CC: Board of Selectmen
From: Thomas J. Roy, P.E., Director of Public Works
Date: September 11, 2020

In our continuing effort to support our community, reduce operating costs, and reduce our impact on the environment, we entered into PPA agreements to install solar panel arrays at the DPW Facilities in December of 2018, as well as at the Simsbury Farms Ice Rink in September of 2019. The two systems have been online for a period of 18 months and 10 months respectively and we can now analyze the actual production and benefits we are achieving for the Town of Simsbury. It is important to note, that both of these systems were constructed at no cost to the Town.

Both systems are performing within the expected range and in the time the two systems have been online, the Town has saved over \$34,000 and produced more than 313,000 KWh of energy. This reduced the Town's Green House Gas emissions by an estimated 287,000 lbs. This represents a reduction of 71% of the total energy used by these facilities.

A summary of each project is provided below:

DPW Campus:

The three arrays at the DPW campus, each capable of outputting 28 kW, are performing well and are producing over 113,000 kWh of energy each year, which accounts for approximately 84% of the usage for the DPW campus. These arrays are providing the Town over \$12,000 a year in savings.



Simsbury Farms Ice Rink:

The 223kW Solar panel array at the Simsbury Farms Ice Rink is on pace to produce over 200,000 kWh in their first year of production. This accounts for about 65% of the energy used by the ice rink. The cost savings are expected to be over \$22,000 over the previous 12 months.



Both arrays are performing well and supporting the Town's efforts to use clean, renewable energy while being fiscally responsible. Public Works staff will continue to look for more opportunities to use solar energy to support our operations.



Town of Simsbury

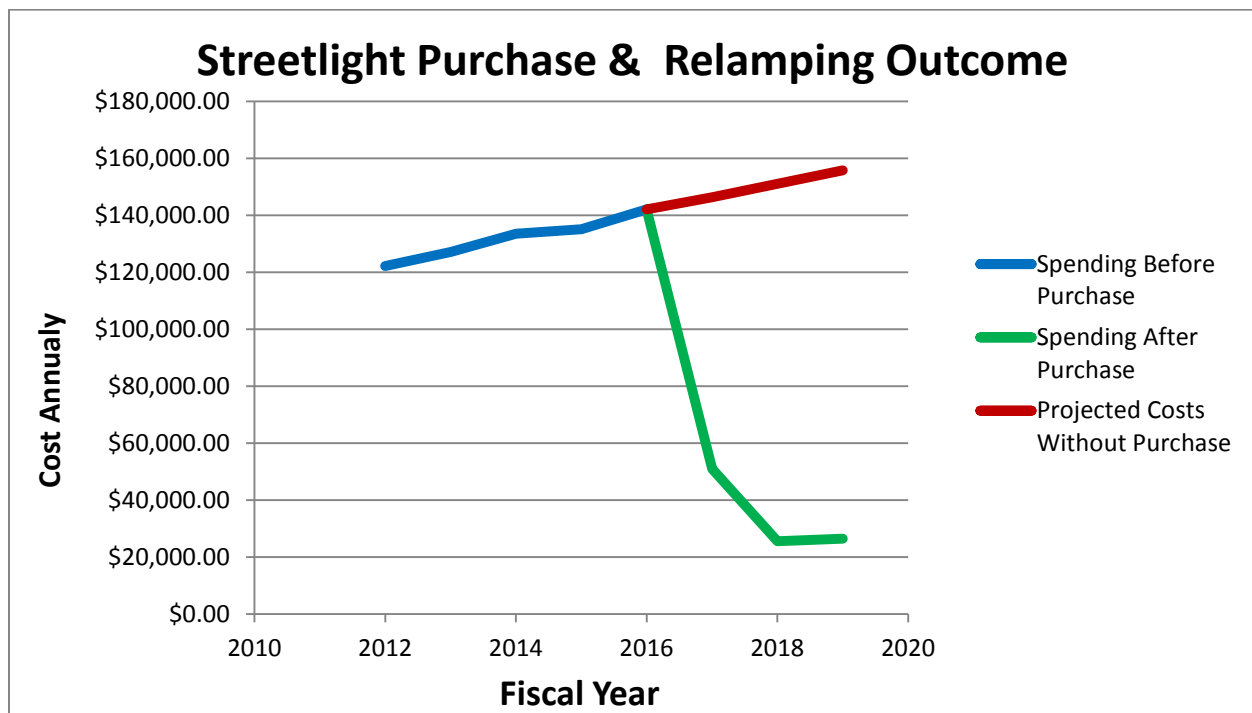
66 TOWN FOREST ROAD, WEST SIMSBURY, CONNECTICUT 06092

~ Department of Public Works ~

Memorandum: Street Light Purchase & Relamping Outcome

To: Maria Capriola, Town Manager
CC: Board of Selectmen
From: Thomas J. Roy, P.E., Director of Public Works
Date: September 11, 2020

In 2017, the Town took over the ownership and operation of the street lights in town. Implementing this program had a number of benefits, including a significant reduction in operating cost for our street lights, reduced electrical usage with new LED light fixtures, and giving the Town direct control over the maintenance of our street lights, allowing us to be more responsive to resident calls regarding street light outages. The original projections showed us saving \$100,000 in operating costs annually.



After completion of the project, we have seen the Town's operating cost went from over \$142,000 a year, with costs steadily increasing, to around \$27,000 a year. This shows a savings of \$115,000 a year. These results are better than were estimated and should continue to improve, given the projected increased electrical costs over time. [see chart above] Also, by using the more efficient LED light fixtures, we have significantly decreased the total wattage used to 22,623 watts, which is a sizeable decrease of 50,310 watts from the previous fixtures, which totaled 72,913 watts.



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Road Acceptance for Murphy's Turn
2. **Date of Board Meeting:** September 14, 2020
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Jeff Shea PE, Town Engineer; Thomas Roy PE, Director of Public Works; Mike Glidden, Director of Planning and Community Development
Maria E. Capriola
4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports accepting the Murphy's Turn roadway the following motion is in order:

Move, effective September 14, 2020 to accept Murphy's Turn roadway and related public improvements as a town accepted roadway.
5. **Summary of Submission:**
In 2013, the Planning Commission approved the subdivision at 46 Hildurcrest Drive. This approval was extended by the Planning Commission in December of 2018. The subdivision plan called for the construction of five single family residences that would be served by a public road. Three out of the five homes have been constructed to date.

The developer has completed public improvements associated with the roadway and utilities. The roadway and associated improvements have been reviewed by town staff. After careful consideration, it is staff's recommendation that the roadway is ready for acceptance by the Town of Simsbury.

The Board of Selectmen at their July 13, 2020 meeting referred the acceptance of Murphy's Turn roadway to the Planning Commission pursuant to CGS 8-24.

The Planning Commission at their July 28, 2020 meeting recommended that the Board of Selectmen accept the roadway.

The Town Attorney has reviewed the deeds and other pertinent legal documents for the roadway and utilities and in his opinion they are in order for roadway acceptance.
6. **Financial Impact:**
None

7. Description of Documents Included with Submission:

- a) Letter from Town Engineer to Town Manager, dated September 14, 2020
- b) Letter from Michael Glidden re: Planning Commission referral, dated September 9, 2020
- c) Map of Subdivision, dated December 28, 2018



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

Jerome F. Shea - Town Engineer

September 14, 2020

Maria E. Capriola
Town Manager
Town of Simsbury

Subject: Acceptance of Public Improvements - Murphy's Turn Subdivision.

A final inspection of the above road and related public improvements and a review of the documentation required by Section 1.11 of the Town of Simsbury Highway Design and Construction Standards have been completed.

Therefore, based on review of the work, I recommend approval and acceptance of dedication of Murphy's Turn as a Town highway. Murphy's Turn is 561 foot long roadway that starts at Hildurcrest Road and ends at a cul-de-sac. The street will serve five (5) residential lots in the subdivision.

Acceptance of the roads would be effective upon:

- Final review and recording of road deeds, utility, drainage and sewer easements, and open space deeds.
- Submission of an electronic file with roadway and lot geometry.
- Posting 1 year Maintenance Bond in the amount of \$17,000.00.

The Planning Commission approved construction and recommended acceptance of the road at their meeting on July 28, 2020.

Sincerely,

Jerome F. Shea, P.E.
Town Engineer

cc: Robert Decrescenzo, Town Attorney
Tom Roy, P.E., Director of Public Works
Michael Glidden, Director of Community Development and Planning
Paul Meehan, Meehan Development Group, LLC

Telephone (860) 658-3260

jshea@simsbury-ct.gov
www.simsbury-ct.gov

An Equal Opportunity Employer
8:30 - 7:00 Monday
8:30 - 4:30 Tuesday through Thursday
8:30 - 4:30 Friday



Town of Simsbury

933 HOPMEADOW STREET
06070

P.O. BOX 495

SIMSBURY, CONNECTICUT

Date: September 9, 2020

To: Jeff Shea PE, Town Engineer

From:

Michael Glidden CFM CZE
Director of Planning and Community Development

Re: Acceptance of Murphys Turn Roadway

The Planning Commission reviewed the referral concerning the acceptance of Murphys Turn roadway at their 07/28/20 meeting.

The Commission recommended accepting Murphy's Turn as a public road.

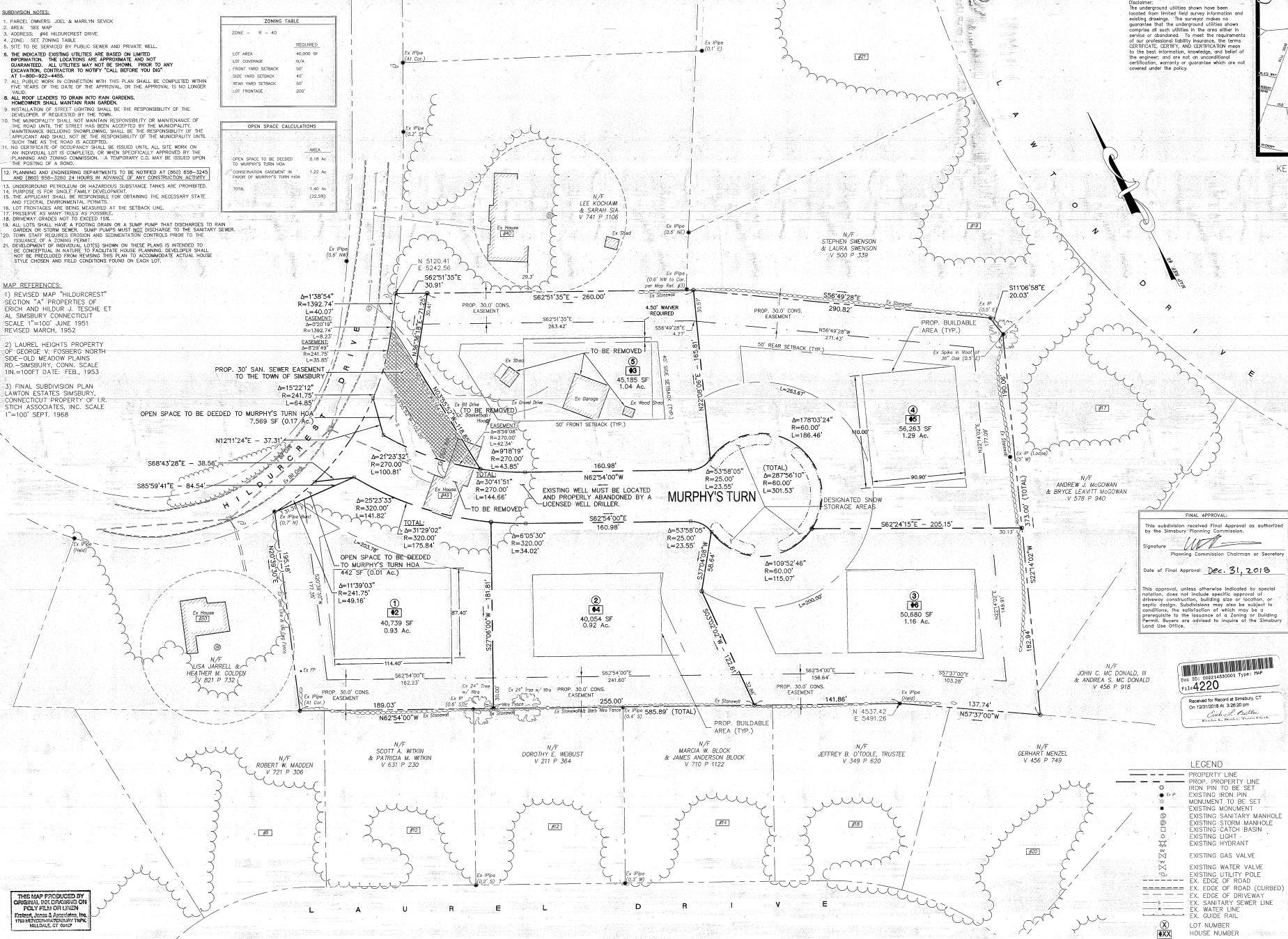
- SUBDIVISION NOTES:**
1. PARCEL OWNERS: JOEL & MARLIN SEWICK
 2. AREA: SEE MAP
 3. ADDRESS: #46 HILDURCREST DRIVE
 4. ZONE: SEE ZONING TABLE
 5. SITE TO BE SERVED BY PUBLIC SEWER AND PRIVATE WELL
 6. THE INDICATED EXISTING UTILITIES ARE BASED ON LIMITED INFORMATION. THE LOCATIONS ARE APPROXIMATE AND NOT GUARANTEED. ALL UTILITIES MAY NOT BE SHOWN. PRIOR TO ANY EXCAVATION, CONTRACTOR TO NOTIFY "CALL BEFORE YOU DIG" AT 1-800-922-4465
 7. ALL PUBLIC WORK IN CONNECTION WITH THIS PLAN SHALL BE COMPLETED WITHIN FIVE YEARS OF THE DATE OF THE APPROVAL. IF NO LONGER VALID
 8. ALL ROOF LEADERS TO DRAIN INTO RAIN GARDENS. HOMEOWNER SHALL MAINTAIN RAIN GARDENS
 9. INSTALLATION OF STREET LIGHTING SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, IF REQUESTED BY THE TOWN
 10. THE MUNICIPALITY SHALL NOT MAINTAIN RESPONSIBILITY OR MAINTENANCE OF THE ROAD UNTIL THE STREET HAS BEEN ACCEPTED BY THE MUNICIPALITY. MAINTENANCE INCLUDING SLOWDOWNES SHALL BE THE RESPONSIBILITY OF THE APPLICANT AND SHALL NOT BE THE RESPONSIBILITY OF THE MUNICIPALITY UNTIL SUCH TIME AS THE ROAD IS ACCEPTED
 11. NO CERTIFICATE OF OCCUPANCY SHALL BE ISSUED UNTIL ALL SITE WORK ON AN INDIVIDUAL LOT IS COMPLETED, OF WHICH SPECIFICALLY APPROVED BY THE PLANNING AND ZONING COMMISSION. A TEMPORARY C.O. MAY BE ISSUED UPON THE POSTING OF A BOND.
 12. PLANNING AND ENGINEERING DEPARTMENTS TO BE NOTIFIED AT (860) 558-3245 AND (860) 558-3250 24 HOURS IN ADVANCE OF ANY CONSTRUCTION ACTIVITY
 13. UNDERGROUND PETROLEUM OR HAZARDOUS SUBSTANCE TANKS ARE PROHIBITED
 14. PURPOSE IS FOR SINGLE FAMILY DEVELOPMENT
 15. THE APPLICANT SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY STATE AND FEDERAL ENVIRONMENTAL PERMITS
 16. LOT FRONTAGES ARE BEING MEASURED AT THE SETBACK LINE
 17. PRESERVE AS MANY TREES AS POSSIBLE
 18. DRIVEWAY GRACES NOT TO EXCEED 105'
 19. ALL LOTS SHALL HAVE A FOOTING OR A SUMP PUMP THAT DISCHARGES TO RAIN GARDENS OR STORM SEWER. SUMP PUMPS MUST NOT DISCHARGE TO THE SANITARY SEWER
 20. TOWN STAFF REQUESTS EROSION AND SEDIMENTATION CONTROLS PRIOR TO THE BEGINNING OF A CONSTRUCTION PERMIT
 21. DEVELOPMENT OF INDIVIDUAL LOTS SHOWN ON THESE PLANS IS INTENDED TO BE CONCEPTUAL IN NATURE TO FACILITATE HOUSE PLANNING. DEVELOPER SHALL NOT BE HELD Liable FROM REVIEWING THIS PLAN TO ACCURATE ACTUAL HOUSE STYLE CHOSEN AND FIELD CONDITIONS FOUND ON EACH LOT

ZONING TABLE	
ZONE - R - 40	REQUIRED
LOT AREA	45,000 SF
LOT COVERAGE	N/A
FRONT YARD SETBACK	50'
SIDE YARD SETBACK	40'
REAR YARD SETBACK	50'
LOT FRONTAGE	200'

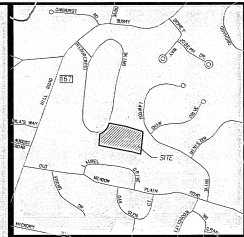
OPEN SPACE CALCULATIONS	
OPEN SPACE TO BE DEED TO MURPHY'S TURN HOA	0.18 AC.
CONSERVATION EASEMENT IN FAVOR OF MURPHY'S TURN HOA	1.22 AC.
TOTAL	1.40 AC. (22.95%)

- MAP REFERENCES:**
- 1) REVISED MAP "HILDURCREST" SECTION "A" PROPERTIES OF ERICH & HILDIR J. TESCHE ET AL. SIMSBURY CONNECTICUT SCALE 1"=100' JUNE 1951 REVISED MARCH, 1952
 - 2) LAUREL HEIGHTS PROPERTY OF GEORGE V. FOSBERG NORTH SIDE-OLD MEADOW PLANS RD - SIMSBURY, CONN. SCALE 1"=100' DATE: FEB. 1953
 - 3) FINAL SUBDIVISION PLAN LANTON ESTATES SIMSBURY, CONNECTICUT PROPERTY OF L.R. STICH ASSOCIATES, INC. SCALE 1"=100' SEPT. 1968

THIS MAP PRODUCED BY ORIGINAL SURVEYOR ON POLY FILM OR LITHO
Kratzert, Jones & Associates, Inc.
1750 MORDEN-WATERSBURY RD.
MILLSVILLE, CT 06029



Disclaimer:
The underground utilities shown have been located from limited field survey information and existing drawings. The engineer makes no guarantee that the underground utilities shown are complete or that the location, depth, or service of abandoned. To meet the requirements of our professional liability insurance, the terms CERTIFICATE, CERTIFY, AND CERTIFICATION mean to the best information, knowledge, and belief of the engineer, and are not an unconditional certification, warranty or guarantee which are not covered under the policy.



REVISIONS TO THESE PLANS BY ANYONE OTHER THAN KJA SHALL MAKE THESE PLANS NULL AND VOID. KJA SHALL TAKE NO RESPONSIBILITY FOR SAID REVISIONS.

REVISION	DATE	BY	DESCRIPTION
REVISION-1			
REVISION-2			
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REVISION-100			

FINAL APPROVAL
This subdivision received Final Approval as authorized by the Simsbury Planning Commission.
Signature: *[Signature]*
Planning Commission Chairman or Secretary
Date of Final Approval: **Dec. 31, 2018**
This approval, unless otherwise indicated by special notation, does not include specific approval of driveway construction, building size or location, or specific design. Subdivisions may also be subject to conditions, the satisfaction of which may be a prerequisite to the issuance of a Zoning or Building Permit. Buyers are advised to inquire of the Simsbury Land Use Office.

4220
Received for Record at Simsbury, CT
On 12/31/2018 At 3:26:26 pm
Caleb A. Smith
Caleb A. Smith & Associates, Inc.

- LEGEND**
- PROPERTY LINE
 - IRON PIN TO BE SET
 - EXISTING IRON PIN
 - MONUMENT TO BE SET
 - EXISTING MONUMENT
 - EXISTING SANITARY MANHOLE
 - EXISTING STORM MANHOLE
 - EXISTING CATCH BASIN
 - EXISTING LIGHT
 - EXISTING HYDRANT
 - EXISTING GAS VALVE
 - EXISTING WATER VALVE
 - EXISTING UTILITY POLE
 - EX. EDGE OF ROAD
 - EX. EDGE OF ROAD (CURBED)
 - EX. EDGE OF DRIVEWAY
 - EX. SANITARY SEWER LINE
 - EX. WATER LINE
 - EX. GUIDE RAIL
 - LOT NUMBER
 - HOUSE NUMBER

kratzert, jones & associates, inc.
CIVIL ENGINEERS • LAND SURVEYORS
SITE PLANNERS • BUILDING ENGINEERS
1750 MORDEN-WATERSBURY RD.
MILLSVILLE, CT 06029-0337
PHONE: (860) 421-8658
FAX: (860) 421-6600
EMAIL: INFO@KRATZERTJONES.COM

SUBDIVISION PLAN

for
MURPHY'S TURN

#46 HILDURCREST DRIVE
SIMSBURY, CT

SCALE: 1"=40'
DATE: MARCH 19, 2013

REVISIONS TO THESE PLANS BY ANYONE OTHER THAN KJA SHALL MAKE THESE PLANS NULL AND VOID. KJA SHALL TAKE NO RESPONSIBILITY FOR SAID REVISIONS.

KJA FILE NO.: 213-008
DRAWING NO.: S-1

4220



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Updates to Teen Services Librarian Classification
2. **Date of Board Meeting:** September 14, 2020
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Lisa Karim, Library Director; Eric Gomes, HR Coordinator *Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports the proposed updates to the Teen Services Librarian classification, the following motion is in order:

Move, effective September 14, 2020, to approve the proposed changes to the job description and pay grade for the Teen Services Librarian classification as presented.

5. **Summary of Submission:**

The Teen Services Librarian position at the Library is currently vacant due to a resignation. This position was originally created as ½ Teen Services and ½ Adult Services in 2014. Over time, the duties of the position have shifted to a larger percentage of the individual's time being dedicated towards teen services responsibilities. Attached please find a proposed revised job description for the Teen Services Librarian.

The position is represented by the CSEA Administrative and Professionals unit and is currently classified at grade "A2" on that employees' pay plan. Since that time the Teen Services responsibilities have expanded exponentially which requires a higher level of independent or self-directed work. As a result, it is being recommended to reclassify this position from an A2 to an A3 pay grade due to increased scope and responsibilities of the position. The position is classified as non-exempt and is regularly scheduled for 35 hours per week.

Management is proposing this position be changed from pay grade A2 to A3 and to update the job description. The work hours and FLSA status would remain the same.

The Library Director, Management Specialist, Employee Benefits and Human Resources Coordinator and Town Manager were involved in preparing the job description.

Chapter 9, Section 902 of the Charter requires that I prepare and submit proposed changes to job descriptions to the Board of Selectmen for review and approval.

Excerpted Charter language reads:

“...the Town Manager shall cause to have prepared a statement of the duties and responsibilities of each position in the Town service and of the minimum qualifications for appointment to such position. The statement so prepared shall become effective upon the approval by resolution of the Board of Selectmen and may be amended, upon recommendation of the Town Manager, by resolution of the Board.”

The Union agreed to the changes in an email correspondence to Management on September 2nd.

The Personnel Sub-Committee reviewed and approved the proposed updates at their July 9, 2020 meeting.

6. Financial Impact:

If approved, the Teen Services Librarian position “A3” rate of pay would be higher than the current “A2” rate. The proposed “A3” annual range for this position would be \$65,794 through \$78,631, which is \$4,160 to \$4,975 higher than it currently is on the “A2” pay range. Based on the budgeted salary in FY 20/21 for the former incumbent, the pay grade change is not expected to have a budgetary impact for the current year.

7. Description of Documents Included with Submission:

a) Proposed Job Description – Teen Services Librarian

Position Definition

Under the ~~direct supervision~~ ~~general direction~~ of the ~~Head of Adult Services and the general supervision of the Library Director~~ **Library Director**, the Teen Services Librarian is responsible for planning, directing, implementing and evaluating all the Library's teen **programs, services and material**. Additionally, the Teen Services Librarian conducts outreach to build knowledge and understanding of the breadth and scope of Library teen offerings, as well as to expand the use of the Library by teens and their families. ~~The Teen Services Librarian will also perform those duties for all library patrons as outlined in the Reference Librarian job description.~~

Essential Duties

- Designs, implements and evaluates programs and activities, both in the Library and in the community, for teens based on the needs and interests of this age group.
- Coordinates events and activities both in the Library and in the community involving teen volunteers.
- Creates an environment that is attractive, inviting and safe for teens.
- Encourages teen creativity and critical thinking skills by integrating elements of the Maker Culture into Teen Services
- Involves teens in planning and implementation of services for their age group
- ~~Plans and implements recognition and awards programs for teen volunteers.~~
- ~~Prepares promotional material, publicity, including press releases and displays to encourage the use of the Library by teens~~
- Promotes Library programs, services and material to target populations, as well as the community as a whole, through a wide variety of means
- Conducts outreach, including making presentations, and acts as a liaison with parents, schools, businesses and community groups and organizations to promote the Library and its teen offerings and encourage support for them, as well as to advocate for teens
- Trains and supports other staff members in providing services for teens, as appropriate
- Recruits teen volunteers and coordinates their service with other Library departments
- Provides general supervision to Pages and volunteers
- Develops goals and is instrumental in developing policies and procedures related to teens
- Educates and assists teens in the use of the Library and its resources
- Develops budget and rationale for teen collection, equipment, programs and services and oversees the teen programming and resources budget allocation
- Selects evaluates, maintains and discards teen material based on professional judgment, preferences of teens and acknowledged review sources
- ~~Coordinates purchasing of teen materials with the Adult and Children's Departments~~
- Contributes information relevant to teens to be included on the Library's web site
- Collaborates with all Library departments and staff in order to provide the best possible service for the community.
- Identifies, collects, interprets and presents statistics as needed
- ~~Performs opening and closing procedures in the Adult Services Department~~
- Keeps informed of current Library policies, procedures and practices and interprets them to the public in a pleasant effective manner
- Generally works a specified number of hours each week at the public information service desk and assists in other public service areas as needed

Additional Duties

- Seeks grant opportunities, completes funding applications and administers grants to support teen services, programs and materials.
- Participates in the cataloging, processing, data entry, organizing and maintenance of Library material, especially teen collections.
- ~~Assists in the preparation of the Library's annual budget request for Teen Services~~
- Attends professional meetings and participates in the activities of professional library associations.
- Assists in other departments as needed, including technology management and instruction
- May perform opening & closing procedures in the Adult Department
- ~~May be assigned to work in the Children's Room as necessary.~~

Required Knowledge, Skills and Abilities

- Broad knowledge of the intellectual, emotional, psychological and physical development of adolescents is essential
- Demonstrates a keen affinity to teens
- Ability to work with teens of varied backgrounds, ages and abilities, as well as handling a sizable number of teens simultaneously, with skill
- Ability to translate teen needs and interests into effective Library services and programs
- Strong technology skills, including effective communication through social media
- Thorough and demonstrated knowledge of Library policies, practices and procedures
- Knowledge of current trends in library services teens, and teen literature and materials for children
- Ability to create long-range and short-term goals and objectives
- Ability to maintain a calm atmosphere, assure safety and respond to emergencies
- Ability to persuade, negotiate and resolve conflict

Required Physical and Mental Effort and Environmental Conditions

- Ability to lift books and other materials, weighing up to twenty-five (25) pounds, from shelves ranging from 6" to 8' from the floor and return them to their proper place(s)
- Ability to stand and walk for extended periods of time; move throughout the Library; bend, reach and crouch to shelve and retrieve materials; push and pull carts loaded with materials
- Ability to use a PC terminal, laptop or tablet for extended periods of time
- Ability to carry supplies and equipment in excess of twenty-five (25) pounds
- Ability to move throughout the Library and other Town sites
- Ability to read fine print materials
- Ability to work in office and public settings subject to continuous interruptions and background noises
- Ability to be flexible and adapt in a fast paced, complex and changing environment
- Ability to represent the Library in the community and at public gatherings and speak to public groups
- Ability to work evenings and weekends

Required Minimum Qualifications

MLIS, or ~~75% of coursework completed~~ completion of an MLIS or comparable degree within one year of hire, from an ALA accredited library school. Proficiency with current technology and

applications. A genuine respect and consideration for teens and the ability to establish a positive rapport with them are essential, as are strong overall customer service skills. Public library experience with teens is ~~required~~ ~~desirable~~.

License or Certificate

Motor Vehicle Operator's License

NOTE: The above description is illustrative of tasks and responsibilities. It is not meant to be all inclusive of every task or responsibility.

 = closely mirrors or is identical to Business Resource Center Coordinator job description

Town of Simsbury

TITLE:	Teen Services Librarian	GRADE:	A3
DEPARTMENT:	Library	DATE:	August XX, 2020
FLSA STATUS:	Non-Exempt		

POSITION DESCRIPTION:

Under the general direction of the Library Director, the Teen Services Librarian is responsible for planning, directing, implementing and evaluating all the Library's teen programs, services and material. Additionally, the Teen Services Librarian conducts outreach to build knowledge and understanding of the breadth and scope of Library teen offerings, as well as to expand the use of the Library by teens and their families.

ESSENTIAL JOB FUNCTIONS:

- Designs, implements and evaluates programs and activities, both in the Library and in the community, for teens based on the needs and interests of this age group.
- Coordinates events and activities both in the Library and in the community involving teen volunteers.
- Creates an environment that is attractive, inviting and safe for teens.
- Encourages teen creativity and critical thinking skills by integrating elements of the Maker Culture into Teen Services.
- Involves teens in planning and implementation of services for their age group.
- Promotes Library programs, services and material to target populations, as well as the community as a whole, through a wide variety of means.
- Conducts outreach, including making presentations, and acts as a liaison with parents, schools, businesses and community groups and organizations to promote the Library and its teen offerings and encourage support for them, as well as to advocate for teens.
- Trains and supports other staff members in providing services for teens, as appropriate.
- Recruits teen volunteers and coordinates their service with other Library departments.
- Provides general supervision to Pages and volunteers.
- Develops goals and is instrumental in developing policies and procedures related to teens.
- Educates and assists teens in the use of the Library and its resources.
- Develops budget and rationale for teen collection, equipment, programs and services and oversees the teen programming and resources budget allocation.
- Selects evaluates, maintains and discards teen material based on professional judgment, preferences of teens and acknowledged review sources.
- Contributes information relevant to teens to be included on the Library's web site [and social media](#).
- Collaborates with all Library departments and staff in order to provide the best possible service for the community.
- Identifies, collects, interprets and presents statistics as needed.

- Keeps informed of current Library policies, procedures and practices and interprets them to the public in a pleasant effective manner
- Generally works a specified number of hours each week at the public information service desk and assists in other public service areas as needed

Additional Duties

- Seeks grant opportunities, completes funding applications and administers grants to support teen services, programs and materials.
- Participates in the cataloging, processing, data entry, organizing and maintenance of Library material, especially teen collections.
- Attends professional meetings and participates in the activities of professional library associations.
- Assists in other departments as needed, including technology management and instruction.
- May perform opening & closing procedures in the Adult Department

Required Knowledge, Skills and Abilities

- Broad knowledge of the intellectual, emotional, psychological and physical development of adolescents is essential.
- Demonstrates a keen affinity to teens.
- Ability to work with teens of varied backgrounds, ages and abilities, as well as handling a sizable number of teens simultaneously, with skill.
- Ability to translate teen needs and interests into effective Library services and programs.
- Strong technology skills, including effective communication through social media.
- Thorough and demonstrated knowledge of Library policies, practices and procedures.
- Knowledge of current trends in library services teens, and teen literature and materials for children.
- Ability to create long-range and short-term goals and objectives.
- Ability to maintain a calm atmosphere, assure safety and respond to emergencies.
- Ability to persuade, negotiate and resolve conflict.

Required Physical and Mental Effort and Environmental Conditions

- Ability to lift books and other materials, weighing up to twenty-five (25) pounds, from shelves ranging from 6" to 8' from the floor and return them to their proper place(s)
- Ability to stand and walk for extended periods of time; move throughout the Library; bend, reach and crouch to shelve and retrieve materials; push and pull carts loaded with materials
- Ability to use a PC terminal, laptop or tablet for extended periods of time
- Ability to carry supplies and equipment in excess of twenty-five (25) pounds
- Ability to move throughout the Library and other Town sites
- Ability to read fine print materials
- Ability to work in office and public settings subject to continuous interruptions and background noises

- Ability to be flexible and adapt in a fast paced, complex and changing environment
- Ability to represent the Library in the community and at public gatherings and speak to public groups
- Ability to work evenings and weekends

REQUIRED EQUIPMENT OPERATIONS:

- Operates standard office equipment, including but not limited to a personal computer, fax, copier and telephone.

REQUIRED MINIMUM QUALIFICATIONS:

MLIS, or completion of an MLIS or comparable degree within one year of hire, from an ALA accredited school. Proficiency with current technology and applications. A genuine respect and consideration for teens and the ability to establish a positive rapport with them are essential, as are strong overall customer service skills. Public library experience with teens is required.

SPECIAL REQUIREMENTS:

Must possess a valid driver's license.

Note: The above description is illustrative of tasks and responsibilities. It is not meant to be all-inclusive of every task or responsibility.



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Tax Refund Requests
2. **Date of Board Meeting:** September 14, 2020
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 14, 2020 to approve the presented tax refunds in the amount of \$22,291.45, 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 \$22,291.45. The attachment dated September 14, 2020 has a detailed listing of all requested tax refunds.
7. **Description of Documents Included with Submission:**
 - a) Requested Tax Refunds, dated September 14, 2020

REQUESTED TAX REFUNDS
SEPTEMBER

	BILL NUMBER	TAX	INTEREST	TOTAL
List 2017				
Saki Mura of Simsbury	17-02-40673	\$20.64		\$20.64
Total 2017		\$20.64	\$0.00	\$20.64
List 2018				
Sheehan Hale	18-03-66907	\$143.80		\$143.80
Zietz Elizabeth	18-03-70704	\$151.60		\$151.60
McNamara Tessman	18-03-70955	\$8.21		\$8.21
Meegan, Scott	18-03-62256	\$144.13		\$144.13
Stone Noubar A	18-03-67927	\$94.04		\$94.04
Total 2018		\$541.78	\$0.00	\$541.78
List 2019				
Houliahn Charles D	19-01-03676	\$7,011.66		\$7,011.66
Lindberg Margaret H Trst	19-01-04673	\$248.98		\$248.98
Abrbieri Law (Goethie)	19-01-04967	\$3,395.68		\$3,395.68
Webber & Meyers (5 Dogwood)	19-01-06610	\$244.34		\$244.34
S-Bnk Simsbury LLC	19-01-07147	\$735.19		\$735.19
Hassett & George (Duvvuri)	19-01-08078	\$4,058.01		\$4,058.01
Steves Sewer & Drain Svc	19-02-40825	\$40.19		\$40.19
ACAR Leasing Ltd	19-03-50036	\$57.97		\$57.97
Angelillo Michael J	19-03-50514	\$26.23		\$26.23
Angelillo Michael J	19-03-50516	\$25.23		\$25.23
Armstrong, Michael L	19-03-50661			\$0.00
Bettera Mark	19-03-51475	\$13.79		\$13.79
Bazzano Richard	19-03-51176	\$29.86		\$29.86
Braverman Maria G	19-03-51979	\$42.73		\$42.73
Burrous Dal W	19-03-52350	\$8.76		\$8.76
CAB East LLC	19-03-52470	\$98.68		\$98.68
Calkins Fred	19-03-52579	\$6.90		\$6.90
Crimmins Michael C	19-03-53986	\$19.66		\$19.66
Cruse Carol	19-03-54046	\$18.21		\$18.21
Daimler Trust	19-03-54213	\$465.11		\$465.11
Daimler Trust	19-03-54225	\$379.24		\$379.24
Desmond Giles W	19-03-54657	\$20.95		\$20.95
Ferraresso Judith	19-03-55804	\$52.33		\$52.33
Glissman David	19-03-56906	\$22.10		\$22.10
Gugliotti Michael P	19-03-57439	\$178.59		\$178.59
Gugliotti Michael P	19-03-57441	\$18.66		\$18.66
Haidara Mohamed	19-03-57556	\$41.54		\$41.54
Honda Lease Trust	19-03-58333	\$139.16		\$139.16
Honda Lease Trust	19-03-58353	\$209.26		\$209.26
Honda Lease Trust	19-03-58391	\$316.89		\$316.89
Honda Lease Trust	19-03-58415	\$367.64		\$367.64
Laasko Andrew T	19-03-60361	\$66.20		\$66.20
Laasko Andrew T	19-03-60362	\$109.86		\$109.86

REQUESTED TAX REFUNDS
SEPTEMBER

Metzger Rodger K	19-03-62580	\$16.87		\$16.87
Nickles John B	19-03-63519	\$19.07		\$19.07
Nisssan Infiniti LT	19-03-63651	\$70.07		\$70.07
Niake Maryellen P	19-03-63736	\$13.79		\$13.79
Moore William J	19-03-63942	\$41.24		\$41.24
Ostern Fred S	19-03-64108	\$147.51		\$147.51
Palmer Curtis R	19-03-64227	\$41.21		\$41.21
Patterson Marion B	19-03-64454	\$18.66		\$18.66
Rangoon Richard R	19-03-64526	\$371.69		\$371.69
Phinney Jessica E	19-03-64820	\$88.76		\$88.76
Pinson John A	19-03-64901	\$124.60		\$124.60
Pinson John A	19-03-64902	\$90.73		\$90.73
Plaut Anne M	19-03-64943	\$17.03		\$17.03
Pozzato Joseph J 3rd	19-03-65152	\$16.99		\$16.99
Rotblatt Martin D	19-03-66132	\$5.00		\$5.00
Salisbury Lisa A	19-03-66414	\$14.69		\$14.69
Scudder Holly L	19-03-66861	\$10.27		\$10.27
Soltis Thomas J	19-03-67688	\$16.47		\$16.47
Stern Christopher L	19-03-67976	\$20.77		\$20.77
Summa Gregory	19-03-68205	\$503.84		\$503.84
The Rashida Living Rev Trust	19-03-68564	\$7.20		\$7.20
Toyota Lease Trust	19-03-68825	\$41.50		\$41.50
Toyota Lease Trust	19-03-68917	\$184.70		\$184.70
Toyota Lease Trust	19-03-68923	\$184.70		\$184.70
Vargas Canciano E	19-03-69455	\$65.65		\$65.65
Vault Trust	19-03-69489	\$259.11		\$259.11
VW Credit Leasing LTD	19-03-69796	\$224.62		\$224.62
VW Credit Leasing Ltd	19-03-69809	\$391.45		\$391.45
Womens Hlth Care Assc	19-03-70567	\$47.69		\$47.69
Zietz Elizabeth	19-03-70879	\$203.55		\$203.55
Total 2019		\$21,729.03	\$0.00	\$21,729.03
TOTAL 2017		\$20.64	\$0.00	\$20.64
TOTAL 2018		\$541.78	\$0.00	\$541.78
TOTAL 2019		\$21,729.03	\$0.00	\$21,729.03
TOTAL ALL YEARS		\$22,291.45	\$0.00	\$22,291.45



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Public Gathering Permit – Simsbury Performing Arts Center – 2020 Mellon Farmers Free Concert
2. **Date of Board Meeting:** September 14, 2020
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Mike Glidden, Director of Planning and Community Development; Tom Hazel, Code Compliance Officer
Maria E. Capriola
4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports approving the public gathering permit application as presented, the following motion is in order:

Move, effective September 14, 2020, to approve the public gathering application for the 2020 Mellon Farmers free concert and to authorize the issuance of the public gathering permit for the event.
5. **Summary of Submission:**
The Public Gathering Committee has approved the application for the Mellon Farmers free concert. The event will be held on September 27, 2020 at the Simsbury Performing Arts Center.

The Farmington Valley Health District has reviewed and approved the application, including for COVID-19 precautions.
6. **Financial Impact:**
None
7. **Description of Documents Included with Submission:**
 - a) Application, Map and Summary of Event



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

PUBLIC GATHERING PERMIT APPLICATION

A Public Gathering Permit (PGP) is required when a proposal is made for a gathering of a number of people on Town property which may cause questions or raise concerns regarding traffic circulation and access issues involving local or state roadways, public safety, or issues regarding a required Special Exception permit from the Zoning Commission.

Application should be completed in full, including original signatures, before submitting to the Zoning Enforcement Officer at the Simsbury Town Offices, Planning & Zoning Department, 933 Hopmeadow Street, Simsbury, Connecticut 06070. The application must be received in office at least **6 WEEKS** prior to the date of the proposed event. The Board of Selectmen has the final authority to approve or deny public gathering permit applications. The Town reserves the right to cancel an event that does not obtain complete approval, as specified herein.

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

Applicant's Name: Missy DiNunno - Executive Director

Mailing Address: 22 Iron Horse Blvd (PO Box 245) Simsbury, CT 06070

Phone: 860-651-4052 Email: missy@simsburymeadowsmusic.com

Event Location: Simsbury Meadows Performing Arts Center

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

Exact Time(s)/Date Begin: Sunday, September 27, 2020 (1p) End: Sunday, September 27 2020 (8p)

*times above include setup/breakdown - see attached event outline
Number of people expected to be present for the event (incl. staff, volunteers, attendees): 150 max

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

A Certificate of Insurance made out to the Applicant AND Town of Simsbury, evidencing coverage of \$1,000,000 in force for the duration of the event, must be submitted with this application. This Certificate of Insurance must include a hold harmless agreement for the Town.

TOWN OF SIMSBURY USE ONLY:

Fee Received:	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Insurance Received:	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A <input type="checkbox"/>
Request Approved:	YES <input type="checkbox"/>	NO <input type="checkbox"/>	MORE INFO: _____

Signature: _____ Date: _____

EVENT INFO

Description of Event: The Melon Farmers will play a FREE concert at SMPAC.
Guests must register to attend and are welcome to bring their own picnic
blankets, chairs, etc. and enjoy the concert from socially distant 8' diameter
circles on the field.

<https://www.eventbrite.com/e/the-melon-farmers-at-simsbury-meadows-performing-arts-center-tickets-119077334513>

Please indicate whether you will be bringing:

Additional trash and recycling receptacles: YES ☒ NO ☐ NUMBER: 8T/8R

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

Portable toilets: YES ☒ NO ☐ NUMBER: 5

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

Tent: YES ☐ NO ☒ SIZE: _____
OPEN SIDES ☒ ENCLOSED ☐

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

Lighting and/or sound equipment: YES ☒ NO ☐

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

Does your event require electrical access? YES ☒ NO ☐

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

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

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

Will alcohol be served at your event? YES ☐ NO ☒

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

Will road closure(s) be necessary? YES ☐ NO ☒

- Details of proposed traffic circulation and closings must be presented to the Chief of Police prior to his signing of the PGP application. If State roads are proposed for closing, a permit from the CT DOT may be necessary.*

PLANNING & ZONING DEPARTMENT

933 HOPMEADOW STREET, SIMSBURY, CT 06070

860-658-3245

Alcohol

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

Signage

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

Attachments:☒ **Site Map**

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

FARMINGTON VALLEY HEALTH DISTRICT

95 RIVER ROAD, CANTON, CT 06019

www.fvhd.org

860-352-2333

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

Has a Temporary Food Permit been secured? YES ☐ NO ☒<http://www.fvhd.org/food-protection1.html>

BUILDING DEPARTMENT

933 HOPMEADOW STREET, SIMSBURY, CT 06070

860-658-3234

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

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

Does your event require electrical access?

YES ☒ NO ☐

- Will you be utilizing portable generators?

YES ☐ NO ☒

FIRE MARSHAL

871 HOPMEADOW STREET, SIMSBURY, CT 06070

860-658-1973

DEPARTMENT OF PUBLIC WORKS (DPW)
66 TOWN FOREST ROAD, SIMSBURY, CT 06070

860-658-3222

Will barricades/signage be required:

- For the day of the event?
- In advance?

YES ☐ NO ☒

DATES: _____

Are DPW trucks required for use as barricades?

YES ☐ NO ☒

QUANTITY: 0

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

TOTAL FEE DUE: \$250 + (_____ hours x \$50/\$75) = \$ N/A
Fee is payable by check made out to the Town of Simsbury

Please note:

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

POLICE DEPARTMENT
933 HOPMEADOW STREET, SIMSBURY, CT 06070

860-658-3100

Is this event a concert and/or festival?

YES ☐ NO ☒

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

Will on-site private security be provided?

YES ☐ NO ☒

NUMBER: _____

Will on-site emergency medical services be provided?

YES ☐ NO ☒

NUMBER: _____

- Where will they be located? _____

SIMSBURY VOLUNTEER AMBULANCE ASSOCIATION

64 WEST STREET, SIMSBURY, CT 06070

860-658-7213

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

Will the attendance be equal to or greater than 5000? YES ☐ NO ☒ NUMBER: 150

Attendance will be:

STAGGERED OVER COURSE OF EVENT ☐ AT A SPECIFIC TIME ☒ TIME: 2p - 7p

CULTURE, PARKS & RECREATION

100 OLD FARMS ROAD, SIMSBURY, CT 06070

860-658-3836

Are you serving food? YES ☐ NO ☒

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

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

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

Will athletic field lighting be necessary? YES ☐ NO ☒

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

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

- ATTENDANCE: see attached / 50 = PORTABLE TOILETS REQUIRED

**Public Gathering Permit
Required Declaration**

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

Applicant's Name (Printed): Missy DiNunno

Applicant's Signature: 

Date Signed: 9-1-20

REQUIRED SIGN OFFS (in order required)

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

EVENT SUMMARY

The Melon Farmers – FREE CONCERT

Sunday, September 27, 2020

Public Gathering Permit Application Submitted: 9/1/20

CONTACT INFORMATION:	
Organization	Simsbury Meadows Performing Arts Center
Event Contact	Cathy Barnard (SMPAC Board Member) and Jim Barnard Cathy Cell: 860-306-2147 cathy@acmelightning.com **This is a SMPAC sponsored event
SMPAC Contact	Missy DiNunno, Executive Director Office: 860-651-4052 Cell: 203-305-1847 Email: missy@simsburymeadowsmusic.com

TIMELINE:

Sunday, September 27, 2020		
12:00p – 1:00p	Load-in	Stage / Field
1:00p	Gates Open	Field
2:00p – 7:00p	The Melon Farmers	Stage / Field
7:00p – 8:00p	Load-out	Stage / Field

EVENT DETAILS:

Description
<p>The Melon Farmers are a lively quartet consisting of 2 guitars, bass, drums and a singing percussionist. The band covers everyone's favorite classic rock and roll songs with a funny and energetic attitude. The Melon's have been around for 15 years and have played all across our fair state.</p> <p>Free event open to the public. Guests must register to attend. Guests are welcome to bring a blanket, chairs, and picnic and enjoy the concert from their own socially distant 8' diameter circle.</p>

Ticketing Information
https://www.eventbrite.com/e/the-melon-farmers-at-simsbury-meadows-performing-arts-center-tickets-119077334513

Parking	
Advanced Preparation	N/A
Management	N/A
On-site Parking Fee	N/A

Expected Attendance	
	150 max

Stage Requirements	
Lights	N/A
Sound	The Melon Farmers provide their own PA
Setup	Band handles their own setup

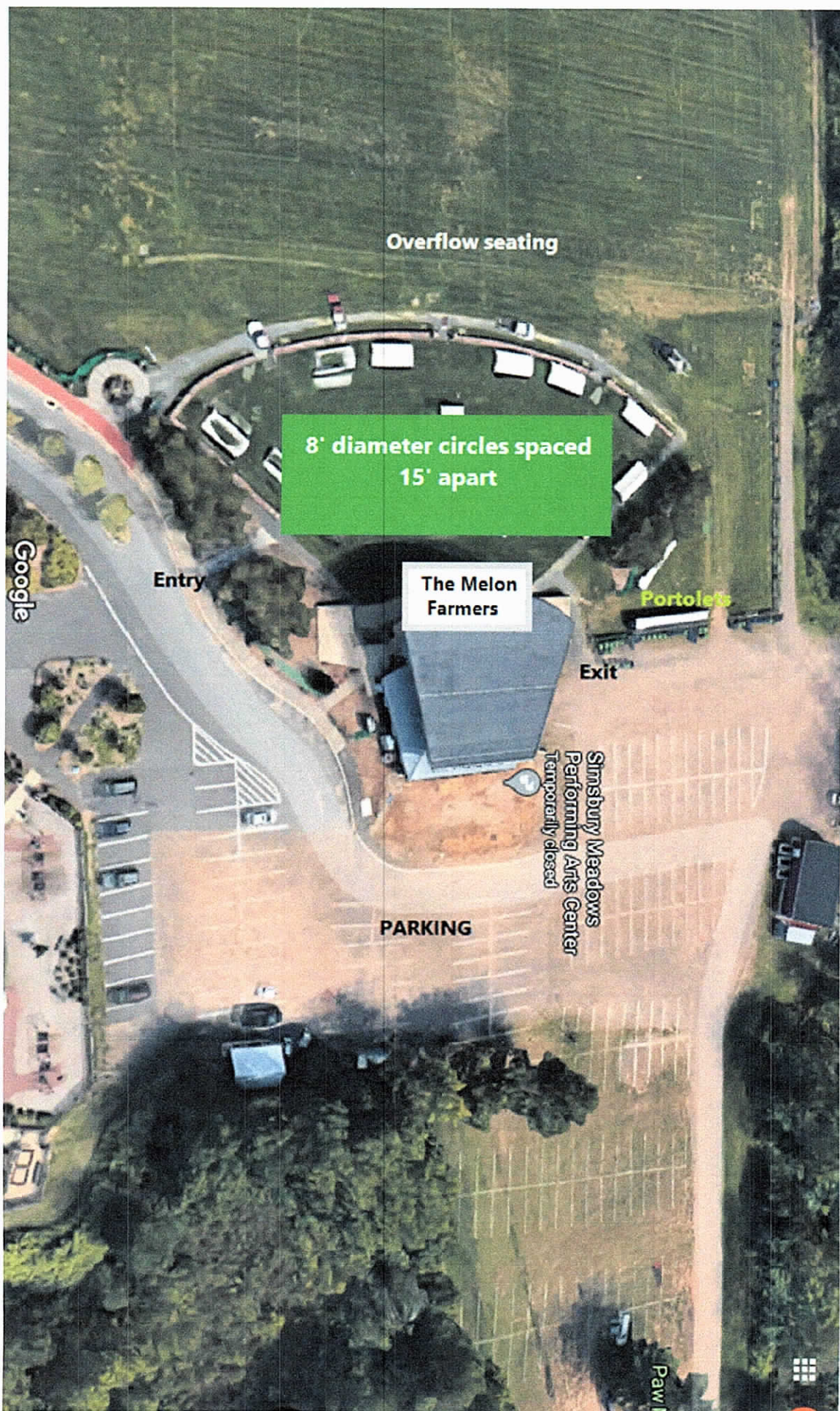
Vendor Information	
Merchandise Sales Vendors	N/A
Food Vendors	N/A
Services/Activities	N/A

Public Restrooms	
Coordinated by	SMPAC
Units	Standard – 3 2 Station Sinks - 1 Accessible - 1 TOTAL – 5
Location	Southeast corner adjacent to parking

Security	
Stage Security (USA)	N/A
Field Security (USA)	N/A
Overnight Security	N/A
Security Notes	N/A

Public Safety	
Police	N/A
Fire	N/A
EMS	N/A
DPW Trucks	N/A

Tents		
10x10	Number: 0	Sides: No
12x12	Number: 0	Sides: No
9x20	Number: 0	Sides: No
20x20	Number: 0	Sides: No
30x30	Number: 0	Sides: No



Overflow seating

8' diameter circles spaced
15' apart

Google

Entry

The Melon
Farmers

Portole's

Exit

Simsbury Meadows
Performing Arts Center
Temporarily closed

PARKING

Paw



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Extension of Temporary Suspension of Acceptance of Cash Payments
2. **Date of Board Meeting:** September 14, 2020
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 extending the temporary suspension of accepting cash payments, the following motions are in order:

Move, effective September 14, 2020 to extend the suspension of acceptance of cash payments through January 1, 2021. Exceptions may be authorized by the Town Manager or Finance Director.

Further move to waive transactions of \$5 or less through January 1, 2021 if check or electronic payment is not practicable. Aquatics fees, food concession transactions and all golf course fees and purchases valued at \$5 or less should not be waived.

This shall remain in effect unless revised or rescinded.

5. **Summary of Submission:**
In an effort to keep residents and staff safe during the COVID-19 Pandemic the Board of Selectmen at their May 27, 2020 meeting stopped taking cash payments as a method to curtail the amount of contact between individuals. Notably July tax bills were collected without accepting cash payments and no issues were noted¹.

I recommend an extension on the suspension of cash payments through January 1st, 2021; this could be revised or rescinded as needed. I also continue to recommend that exceptions for exigent circumstances could be authorized by the Town Manager or Finance Director upon the recommendation of staff. I think the number of exigent instances will be minimal, and none occurred during the initial period. Additionally, I also recommend temporarily waiving transactions of \$5 or less if check or electronic payment is not practicable. However, staff proposes that aquatics fees, food concession transactions, and all golf course fees and purchases valued at \$5 or less not be waived. The Golf Pro Shop² will be permitted to accept small amounts of cash for incidentals to promote customer satisfaction.

¹ Only one complaint was received regarding not accepting cash to pay tax bills.

² The Golf Pro Shop is currently leased to a vendor.

Payments can be made by check, debit card, or credit card. Checks may be mailed or left at a secure drop box at Town Hall. This will help cut down on any possible transmission of the COVID-19 virus between residents and staff.

This concept has been reviewed by the Leadership team and there was general consensus in support of this extension. The Town Attorney reviewed the matter and recommended that the Board of Selectmen formally vote on whether or not to temporarily suspend the acceptance of cash payments.

6. Financial Impact:

The financial impact of temporarily waiving transactions of \$5 or less when check or electronic payment is not practicable is negligible if aquatics fees, food concession transactions, and all golf course fees and purchases are not included in the waiver.

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:** FY 2019/2020 Year End Financial Results
2. **Date of Board Meeting:** September 14, 2020
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Amy Meriwether, Finance Director
Maria E. Capriola
4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports the provided schedule of year-end budget transfers, the following motion is in order:

Move, effective September 15, 2020, to approve the schedule of year-end budget transfers as presented.

5. **Summary of Submission:**

General Fund Overview

Fiscal year 2019/2020 general fund revenues were budgeted at \$101,334,832. Actual receipts thru June 30, 2020 totaled \$102,755,744, an increase of \$1,420,912. The major drivers are as follows:

Finance Department \$1,293,010 – The Town received an unbudgeted bond premium in the amount of \$1,021,940 and \$254,355 of investment income in excess of budgetary estimates.

Tax Department \$615,261 – The Town's tax collection rate is consistently 99.5%. However, budgetary estimates for collections are set at 98.5% therefore generating excess revenues.

Town Clerk's Office \$123,985 – Conveyance tax receipts and recording fees exceeded budgetary estimates by \$98,078 and \$29,853, respectively. The impact from COVID-19 significantly decreased interest rates which led to homeowners refinancing their mortgages. There was also an increase in the housing market which attributed to the increase as well.

Building Department \$97,568 – The Town received \$114,119 in unbudgeted permit fees.

Education \$106,767 – The Education Cost Sharing (ECS) Grant and tuition came in higher than anticipated by \$65,834 and \$19,009 respectively.

Transfer In – Designated Fund Balance (\$850,000) – Fund balance appropriations were not utilized due to the excess revenues noted above.

General fund expenditures were budgeted at \$101,334,832. Actual expenditures thru June 30, 2020 totaled \$99,759,100, savings to the Town of \$1,575,732. This savings was made up of various budget line item variances but the major drivers were as follows:

Board of Education \$266,308.32 – Savings related to the closing of schools in March due to the pandemic.

Salaries & Benefits \$1,089,978 – There were several departments with staff savings during the fiscal year: Police, Planning, Engineering, Library, Dispatch, Assessor, Finance, Buildings & Maintenance and Elections. There were various contributing factors that led to these savings including retirements, staffing transitions, lags in hiring due to the pandemic, cancellation of the annual referendum, a mild winter limiting the amount of overtime needed and unsettled union contracts.

Teacher's Pension \$304,466 – During the FY19/20 budget process it was anticipated that the State of CT would pass along teacher pension costs to each of the towns. This did not come to fruition.

Town Pension Contribution \$108,293 – Pension valuations came in favorable compared to estimates provided by actuaries early in the budget process.

Labor Relations Legal Services (\$139,659) – Deficit related to contract negotiations and employee terminations.

Included with this submission is a schedule of "Year-End Budget Transfers" which aligns the General Fund budget to actual results and requires the formal approval of the Board of Finance.

Capital Funds Overview

A summary of all capital projects is included with this submission.

Simsbury Farms Fund

Simsbury Farms fund expenditures exceeded revenues by \$8,137 as of June 30, 2020. Fund balance decreased from \$53,201 to \$45,064.

Deficit breakdown by program:

Recreational Programs - \$61,928 Surplus

Simsbury Farms Complex – (\$115,774) Deficit

Golf Course - \$79,657 Surplus

Simsbury Farms Administration – (\$33,947) Deficit

Health Insurance Fund

The Health Insurance Fund revenues exceeded expenditures by \$2,161,083 as of June 30, 2020. Fund balance increased from \$1,567,407 to \$3,643,490. The increase to fund balance is mainly due to the following: Claims closed the year under budget by \$1,586,085, stop loss insurance premiums came in under budget by \$55,895 and stop loss insurance was utilized for high cost claims during the year resulting in refunds of \$256,740 towards those claims. Reserves as of June 30, 2020 totaled \$4,448,007 or 30% of expected claims. The recommended level of reserves is between 20 – 25% of expected claims.

Sewer Use Fund

The Sewer Use Fund revenues exceeded expenditures by \$462,276 as of June 30, 2020. Fund balance increased from \$6,406,424 to \$6,868,700. The majority of the surplus relates to various line item savings. See financial statement presentation for breakdown.

6. Financial Impact:

None

7. Description of Documents Included with Submission:

- a) General Fund Schedule of Revenue
- b) General Fund Statement of Expenditures
- c) General Fund Year End Budget Transfers – Budgetary Basis
- d) General Fund Schedule of Changes in Fund Balance
- e) Simsbury Farms Statement of Revenues, Expenditures and Changes in Fund Balance
- f) Health Insurance Fund Statement of Revenues, Expenditures and Changes in Fund Balance
- g) Residential Property Statement of Revenues, Expenditures and Changes in Fund Balance
- h) Sewer Use Fund Statement of Revenues, Expenditures and Changes in Fund Balance
- i) Sewer Assessment Fund
- j) Special Revenue Funds Statement of Revenues, Expenditures and Changes in Fund Balance
- k) Belden Trust Funds Statement of Revenues, Expenditures and Changes in Fund Balance
- l) Pension Trust Funds Statements of Revenues, Expenditures and Changes in Fund Balance
- m) Capital Projects Summary
- n) Capital Non-Recurring Fund Summary

Town of Simsbury
General Fund
Statement of Revenues
For the Period Ended June 30, 2020
With Comparative Totals For the Period Ended June 30, 2019

	2020 Budget	2020 Actual	Budget Variance	Percent of Budget	2019 Actuals	Variance
General Government						
Tax Department	\$ 91,358,661	\$ 91,973,922	\$ 615,261	101%	\$ 88,687,505	\$ 3,286,417
Building Department	651,000	748,568	97,568	115%	1,261,063	(512,495)
Finance Department	623,631	1,916,641	1,293,010	307%	2,317,805	(401,164)
Town Clerk	592,125	716,110	123,985	121%	551,206	164,903
Town Manager's Office	286,155	281,709	(4,446)	98%	115,653	166,056
Information Technology	170,262	169,830	(432)	100%	-	169,830
Land Use Commission	30,000	18,922	(11,078)	63%	28,407	(9,485)
Insurance Refunds	27,500	68,241	40,741	248%	51,646	16,595
Assessor's Office	7,000	5,736	(1,264)	82%	165,697	(159,960)
Total General Government	93,746,334	95,899,679	2,153,345	102%	93,178,982	2,720,697
Public Safety						
Police Department	177,863	173,751	(4,112)	98%	78,255	95,497
Animal Control	500	295	(205)	59%	375	(80)
Total Public Safety	178,363	174,046	(4,317)	98%	78,630	95,417
Public Works						
Engineering	20,050	20,161	111	101%	328	19,833
Eno Memorial Hall	15,000	8,250	(6,750)	55%	15,750	(7,500)
Highway Department	5,000	-	(5,000)	0%	4,263	(4,263)
Landfill	2,000	37,819	35,819	1891%	370	37,449
Total Public Works	42,050	66,230	24,180	158%	20,710	45,520
Health & Welfare						
Elderly/Handicapped Transport	40,050	40,739	689	102%	6,672	34,067
Total Health & Welfare	40,050	40,739	689	102%	6,672	34,067
Culture & Recreation						
Parks & Recreation	211,456	214,065	2,609	101%	245	213,820
Library	26,940	15,811	(11,129)	59%	31,748	(15,938)
Community Gardens	2,675	2,806	131	105%	2,425	381
Miscellaneous	2,500	100	(2,400)	4%	-	100
Memorial Pools & Fields	1,500	2,537	1,037	169%	1,875	662
Total Culture & Recreation	245,071	235,318	(9,753)	96%	36,293	199,025
Education						
Board of Education	6,225,964	6,332,731	106,767	102%	6,287,873	44,857
Total Education	6,225,964	6,332,731	106,767	102%	6,287,873	44,857
Intergovernmental						
Transfer In - Designated Fund Balance	850,000	-	(850,000)	0%	-	-
Transfer In - Belden Trust	7,000	7,000	-	100%	-	7,000
Transfer In - Capital Project Funds	-	-	-	#DIV/0!	321,358	(321,358)
Total Intergovernmental	857,000	7,000	(850,000)	1%	321,358	7,000
Total Revenues	\$ 101,334,832	\$ 102,755,744	\$ 1,420,912	101%	\$ 99,930,519	3,146,583

**Town of Simsbury
General Fund
Statement of Expenditures
For the Period Ended June 30, 2020
With Comparative Totals For the Period Ended June 30, 2019**

	2020 Budget	2020 Actual	Budget Variance	Percent of Budget	2019 Actual	Actuals Variance
General Government						
Town Manager's Office	\$ 467,648	\$ 465,165	\$ (2,483)	99%	\$ 451,414	\$ 13,751
Planning Department	374,593	268,202	(106,391)	72%	306,964	(38,762)
Finance Department	369,851	335,110	(34,741)	91%	315,322	19,788
Information Technology	330,380	307,707	(22,673)	93%	201,628	106,079
Building Department	278,894	268,709	(10,185)	96%	277,356	(8,647)
Assessor's Office	278,886	265,487	(13,399)	95%	252,487	13,000
Town Clerk	232,295	226,147	(6,148)	97%	221,618	4,529
Tax Department	179,310	179,160	(150)	100%	178,068	1,091
Legal Services	151,000	279,169	128,169	185%	150,411	128,758
Elections Administration	125,521	103,642	(21,879)	83%	111,523	(7,881)
Community Services	119,068	108,765	(10,303)	91%	104,351	4,414
Administrative Services	97,166	91,553	(5,613)	94%	87,020	4,533
Board of Finance	45,700	45,445	(255)	99%	43,240	2,205
Economic Development Commission	45,150	45,000	(150)	100%	45,000	-
Land Use Commission	23,500	11,016	(12,484)	47%	15,693	(4,677)
Regional Probate Court	9,501	9,502	1	100%	5,426	4,076
Public Buildings Commission	1,625	2,004	379	123%	1,206	798
Tourism Commission	500	129	(371)	26%	-	129
Historic District Commission	-	-	-	#DIV/0!	331	(331)
Total General Government	3,130,588	3,011,911	(118,677)	96%	2,769,058	242,854
Public Safety						
Police Department	4,640,132	4,465,232	(174,900)	96%	4,735,716	(270,484)
Dispatch	556,770	519,134	(37,636)	93%	-	519,134
Animal Control	71,176	67,518	(3,658)	95%	67,608	(89)
Emergency Management	6,685	6,931	246	104%	4,853	2,078
Total Public Safety	5,274,763	5,058,816	(215,947)	96%	4,808,177	250,639
Public Works						
Highway Department	3,006,827	2,938,488	(68,339)	98%	2,685,964	252,524
Buildings & Maintenance	496,035	464,265	(31,770)	94%	470,924	(6,658)
Engineering	283,274	218,086	(65,188)	77%	246,119	(28,032)
Public Works Administration	277,074	281,652	4,578	102%	246,529	35,122
Town Office Buildings	150,855	124,338	(26,517)	82%	147,271	(22,932)
Library	131,350	141,024	9,674	107%	144,356	(3,332)
Eno Memorial Hall	76,675	57,166	(19,509)	75%	77,022	(19,856)
Landfill	69,000	57,625	(11,375)	84%	86,635	(29,010)
Other Buildings	30,863	22,473	(8,390)	73%	20,253	2,219
Total Public Works	4,521,953	4,305,118	(216,835)	95%	4,125,073	180,045
Health & Welfare						
Social Service Administration	297,749	283,802	(13,947)	95%	273,313	10,489
Transportation Services	166,150	154,769	(11,381)	93%	126,613	28,155
Senior Center Services	153,567	146,740	(6,827)	96%	149,659	(2,920)
Health Department	150,960	150,960	-	100%	134,239	16,721
Total Health & Welfare	768,426	736,270	(32,156)	96%	683,825	52,446
Culture & Recreation						
Library	1,484,705	1,378,973	(105,732)	93%	1,447,567	(68,594)
Parks & Open Space	815,135	789,676	(25,459)	97%	658,480	131,196
Memorial Pool	55,458	63,776	8,318	115%	53,846	9,930
Recreation Administration	53,422	52,193	(1,229)	98%	50,356	1,838
Memorial Field	28,364	25,353	(3,011)	89%	19,008	6,345
Beautification Committee	4,800	4,980	180	104%	5,345	(366)
Total Culture & Recreation	2,441,884	2,314,951	(126,933)	95%	2,234,602	80,349

Town of Simsbury
General Fund
Statement of Expenditures
For the Period Ended June 30, 2020
With Comparative Totals For the Period Ended June 30, 2019

	<u>2020 Budget</u>	<u>2020 Actual</u>	<u>Budget Variance</u>	<u>Percent of Budget</u>	<u>2019 Actual</u>	<u>Actuals Variance</u>
Education						
Board of Education	71,427,410	71,161,102	(266,308)	100%	69,687,701	1,473,401
Total Education	<u>71,427,410</u>	<u>71,161,102</u>	<u>(266,308)</u>	<u>100%</u>	<u>69,687,701</u>	<u>1,473,401</u>
Intergovernmental						
Employee Benefits	5,616,733	5,348,600	(268,133)	95%	6,314,411	(965,811)
Liability Insurance	464,726	442,109	(22,617)	95%	498,119	(56,010)
Transfer Out - Capital Projects	710,000	710,000	-	100%	2,111,500	(1,401,500)
Transfer Out - Health Insurance Fund	850,000	850,000	-	100%	-	850,000
Transfer Out - Capital Reserve	-	-	-	-	1,000,000	(1,000,000)
Transfer Out - Simsbury Farms	180,000	180,000	-	100%	616,668	(436,668)
Transfer Out - Special Revenue Fund	-	18,000	18,000	#DIV/0!	40,633	(22,633)
Contingency Reserve	194,675	-	(194,675)	0%	-	-
Transfer Out - CNR 2015	-	-	-	0%	83,250	(83,250)
Transfer Out - CNR 2016	83,250	83,250	-	100%	83,250	-
Transfer Out - CNR 2019	83,250	83,250	-	100%	83,250	-
Transfer Out - CNR 2020	208,340	208,340	-	100%	-	208,340
Transfer Out - CNR 2018	83,250	83,250	-	100%	83,250	-
Transfer Out - CNR 2017	68,300	68,300	-	100%	68,300	-
Total Intergovernmental	<u>8,542,524</u>	<u>8,075,099</u>	<u>(467,425)</u>	<u>95%</u>	<u>10,982,630</u>	<u>(2,907,532)</u>
Debt Service						
Principal	4,126,359	4,135,000	8,641	100%	3,365,000	770,000
Interest	1,100,925	960,833	(140,092)	87%	698,100	262,733
Total Debt Service	<u>5,227,284</u>	<u>5,095,833</u>	<u>(131,451)</u>	<u>97%</u>	<u>4,063,100</u>	<u>1,032,733</u>
Total Expenditures	\$ <u>101,334,832</u>	\$ <u>99,759,100</u>	\$ <u>(1,575,732)</u>	98%	\$ <u>99,354,165</u>	\$ <u>404,935</u>

**Town of Simsbury
General Fund
Year End Budget Transfers - Budgetary Basis
For the Year Ended June 30, 2020**

	Final Budget	Additional Appropriation	Budget Reduction	Adjusted Budget	Balance
General Government					
Town Manager's Office	\$ 467,648	\$ -	\$ (2,483)	\$ 465,165	\$ -
Planning Department	374,593	-	(106,391)	268,202	-
Finance Department	369,851	-	(34,741)	335,110	-
Information Technology	330,380	-	(22,673)	307,707	-
Building Department	278,894	-	(10,185)	268,709	-
Assessor's Office	278,886	-	(13,399)	265,487	-
Town Clerk	232,295	-	(6,148)	226,147	-
Tax Department	179,310	-	(150)	179,160	-
Legal Services	151,000	128,169	-	279,169	-
Elections Administration	125,521	-	(21,879)	103,642	-
Community Services	119,068	-	(10,303)	108,765	-
Administrative Services	97,166	-	(5,613)	91,553	-
Board of Finance	45,700	-	(255)	45,445	-
Economic Development Commission	45,150	-	(150)	45,000	-
Land Use Commission	23,500	-	(12,484)	11,016	-
Regional Probate Court	9,501	1	-	9,502	-
Public Buildings Commission	1,625	379	-	2,004	-
Tourism Commission	500	-	(371)	129	-
Historic District Commission	-	-	-	-	-
Total General Government	<u>3,130,588</u>	<u>128,549</u>	<u>(247,226)</u>	<u>3,011,911</u>	<u>-</u>
Public Safety					
Police Department	4,640,132	-	(174,900)	4,465,232	-
Dispatch	556,770	-	(37,636)	519,134	-
Animal Control	71,176	-	(3,658)	67,518	-
Emergency Management	6,685	246	-	6,931	-
Total Public Safety	<u>5,274,763</u>	<u>246</u>	<u>(216,194)</u>	<u>5,058,816</u>	<u>-</u>
Public Works					
Highway Department	3,006,827	-	(68,339)	2,938,488	-
Buildings & Maintenance	496,035	-	(31,770)	464,265	-
Engineering	283,274	-	(65,188)	218,086	-
Public Works Administration	277,074	4,578	-	281,652	-
Town Office Buildings	150,855	-	(26,517)	124,338	-
Library	131,350	9,674	-	141,024	-
Eno Memorial Hall	76,675	-	(19,509)	57,166	-
Landfill	69,000	-	(11,375)	57,625	-
Other Buildings	30,863	-	(8,390)	22,473	-
Total Public Works	<u>4,521,953</u>	<u>14,252</u>	<u>(231,087)</u>	<u>4,305,118</u>	<u>-</u>
Health & Welfare					
Social Service Administration	297,749	-	(13,947)	283,802	-
Transportation Services	166,150	-	(11,381)	154,769	-
Senior Center Services	153,567	-	(6,827)	146,740	-
Health Department	150,960	-	-	150,960	-
Total Health & Welfare	<u>\$ 768,426</u>	<u>\$ -</u>	<u>\$ (32,156)</u>	<u>\$ 736,270</u>	<u>\$ -</u>

**Town of Simsbury
General Fund
Year End Budget Transfers - Budgetary Basis**

For the Year Ended June 30, 2020

	Final Budget	Additional Appopiation	Budget Reduction	Adjusted Budget	Balance
Culture & Recreation					
Library	\$ 1,484,705	\$ -	\$ (105,732)	\$ 1,378,973	\$ -
Parks & Open Space	815,135	-	(25,459)	789,676	-
Memorial Pool	55,458	8,318	-	63,776	-
Recreation Administration	53,422	-	(1,229)	52,193	-
Memorial Field	28,364	-	(3,011)	25,353	-
Beautification Committee	4,800	180	-	4,980	-
Total Culture & Recreation	<u>2,441,884</u>	<u>8,497</u>	<u>(135,431)</u>	<u>2,314,951</u>	<u>-</u>
Education					
Board of Education	71,427,410	-	-	71,161,102	266,308
Non-Public Schools	-	-	-	-	-
Total Education	<u>71,427,410</u>	<u>-</u>	<u>-</u>	<u>71,161,102</u>	<u>266,308</u>
Intergovernmental					
Employee Benefits	5,616,733	-	(268,133)	5,348,600	-
Transfer Out - Capital Projects	710,000	-	-	710,000	-
Transfer Out - Health Insurance Fund	850,000	-	-	850,000	-
Liability Insurance	464,726	-	(22,617)	442,109	-
Transfer Out - Simsbury Farms	180,000	-	-	180,000	-
Transfer Out - 350th Special Revenue Fund	-	18,000	-	18,000	-
Contingency Reserve	194,675	1,114,749	-	-	1,309,424
Transfer Out - CNR 2015	-	-	-	-	-
Transfer Out - CNR 2016	83,250	-	-	83,250	-
Transfer Out - CNR 2019	83,250	-	-	83,250	-
Transfer Out - CNR 2020	208,340	-	-	208,340	-
Transfer Out - CNR 2018	83,250	-	-	83,250	-
Transfer Out - CNR 2017	68,300	-	-	68,300	-
Total Intergovernmental	<u>8,542,524</u>	<u>1,132,749</u>	<u>(290,750)</u>	<u>8,075,099</u>	<u>1,309,424</u>
Debt Service					
Principal	4,126,359	8,641	-	4,135,000	-
Interest	1,100,925	-	(140,092)	960,833	-
Total Debt Service	<u>5,227,284</u>	<u>8,641</u>	<u>(140,092)</u>	<u>5,095,833</u>	<u>-</u>
Total Expenditures	\$ <u>101,334,832</u>	\$ <u>1,292,935</u>	\$ <u>(1,292,934)</u>	\$ <u>99,759,100</u>	\$ <u>1,575,732</u>

**Town of Simsbury
General Fund
Schedule of Changes in Fund Balance - Budgetary Basis
For the Year Ended June 30, 2020**

Fund Balance, July 1, 2018

					\$ 16,524,807
	<u>Original Budget</u>	<u>Final Budget</u>	<u>Preliminary Actual</u>	<u>Budget Variance</u>	
Total Revenues and Transfers In	\$ 100,484,832	\$ 100,484,832	\$ 102,755,744	\$ 2,270,912	
Less: Appropriation of Fund Balance	<u>850,000</u>	<u>850,000</u>	<u>-</u>	<u>(850,000)</u>	
Total Revenues Less Appr. of Fund Balance	101,334,832	101,334,832	102,755,744	1,420,912	
Total Expenditures and Transfers Out	101,334,832	101,334,832	99,759,100	(1,575,732)	
Net Increase to Fund Balance	\$ <u>-</u>	\$ <u>-</u>	\$ <u>2,996,644</u>	\$ <u>2,996,644</u>	<u>2,996,644</u>

Fund Balance, June 30, 2019

\$ 19,521,451

Fund Balance Breakdown Preceding Transfers:

	% of FY20 Expenditures	Balance
Non-Spendable Fund Balance	0.10%	\$ 104,649
Assigned Fund Balance	0.22%	216,635
Unassigned Fund Balance	<u>19.25%</u>	<u>19,200,166</u>
Total Fund Balance, June 30, 2020	<u>19.57%</u>	<u>\$ 19,521,451</u>

Town of Simsbury
Simsbury Farms
Statement of Revenues, Expenditures and Changes in Fund Balance
For the Period Ended June 30, 2020
With Comparative Totals for the Period Ended June 30, 2019

	2020 Budget	2020 Actual	2019 Actual	Actuals Variance
Revenues				
Recreation Programs				
Special Programs	\$ 325,000	\$ 220,455	\$ 188,494	\$ 31,960
Day Camps	148,000	129,064	51,072	77,991
Miscellaneous	-	18	-	18
Total Recreation Programs	<u>473,000</u>	<u>349,536</u>	<u>239,567</u>	<u>109,969</u>
Simsbury Farms Complex				
Skating	202,466	213,259	226,831	(13,572)
Simsbury Farms Pools	183,000	138,229	160,311	(22,083)
Vending	23,500	17,792	21,380	(3,588)
Court Rental	23,000	21,315	25,262	(3,947)
Apple Barn Rental	4,000	5,254	2,588	2,666
Miscellaneous	1,000	90	(511)	600
Total Simsbury Farms Complex	<u>436,966</u>	<u>395,938</u>	<u>435,861</u>	<u>(39,923)</u>
Golf Course				
Golf Course Fees	890,587	939,533	745,144	194,389
Golf Surcharge	46,104	65,607	45,984	19,623
Restaurant	-	18,550	26,500	(7,950)
Donations	-	8,460	-	8,460
Miscellaneous	26,500	270	-	270
Total Golf Course	<u>963,191</u>	<u>1,032,420</u>	<u>817,628</u>	<u>214,792</u>
Intergovernmental				
Transfer In - General Fund	180,000	180,000	616,668	(436,668)
Total Intergovernmental	<u>180,000</u>	<u>180,000</u>	<u>616,668</u>	<u>(436,668)</u>
Total Revenues	<u>2,053,157</u>	<u>1,957,894</u>	<u>2,109,723</u>	<u>(151,830)</u>
Expenditures				
Golf Course	946,365	952,763	893,349	59,414
Simsbury Farms Complex	498,634	511,712	518,735	(7,023)
Special Programs	373,201	287,608	458,847	(171,239)
Simsbury Farms Administration	234,081	213,947	217,416	(3,470)
Total Expenditures	<u>2,052,281</u>	<u>1,966,030</u>	<u>2,088,348</u>	<u>(122,317)</u>
Net Change in Fund Balance	876	(8,137)	21,376	
Fund Balance - 7/1	<u>53,201</u>	<u>53,201</u>	<u>31,825</u>	
Fund Balance - 6/30	<u>\$ 54,077</u>	<u>\$ 45,064</u>	<u>\$ 53,201</u>	
Fund Balance Breakdown:				
Designated for Golf		60,692	53,201	
Unassigned		(15,629)	0	

Town of Simsbury
Health Insurance Fund
Statement of Revenues, Expenditures and Changes in Fund Balance
For the Period Ended June 30, 2020
With Comparative Totals For the Period Ended June 30, 2019

	2020 Budget	2020 Actual	Budget Variance	2019 Actual	Actuals Variance
Revenues					
Premiums	\$ 15,332,739	\$ 14,700,874	\$ (631,865)	\$ 12,953,866	\$ 1,747,008
H.S.A Funding	569,000	610,097	41,097	544,666	65,431
Rx Reimbursement	484,243	499,869	15,626	438,630	61,239
Insurance Refunds	-	256,740	256,740	44,656	212,084
Miscellaneous	-	19,261	19,261	-	19,261
Total Revenues	16,385,982	16,086,841	(299,141)	13,981,818	2,105,023
Expenditures					
Claims	14,822,691	13,236,606	(1,586,085)	12,241,061	995,545
H.S.A Funding	569,000	610,097	41,097	557,067	53,030
ASO Fees/Admin Fees	454,316	444,975	(9,341)	438,306	6,669
Stop Loss Insurance	539,975	484,080	(55,895)	540,283	(56,203)
Total Expenditures	16,385,982	14,775,758	(1,610,224)	13,776,716	999,042
Operating Transfers					
Transfer In	850,000	850,000	-	1,400,000	(550,000)
Total Operating Transfers	850,000	850,000	-	1,400,000	(550,000)
Net Change in Fund Balance	850,000	2,161,083	1,311,083	1,605,102	555,981
Fund Balance - 7/1	1,482,407	1,482,407		(122,695)	
Fund Balance - 6/30	\$ 2,332,407	\$ 3,643,490		\$ 1,482,407	
IBNR Liability Balance	719,517	649,000		719,517	
Fund Balance	2,332,407	3,643,490		1,482,407	
Total Reserve	3,051,924	4,292,490		2,201,924	

Town of Simsbury
Residential Rental Property Fund
Statement of Revenues, Expenditures and Changes in Fund Balance
For the Period Ended June 30, 2020
With Comparative Totals For the Period Ended June 30, 2019

	<u>2020 Budget</u>	<u>2020 Actual</u>	<u>Budget Variance</u>	<u>2019 Actual</u>	<u>Actuals Variance</u>
Revenues					
Rental Income	\$ 64,638	\$ 68,370	\$ 3,732	\$ 78,531	\$ (10,161)
Interest Income	-	5,398	5,398	-	5,398
Total Revenues	64,638	73,768	9,130	78,531	(4,763)
Expenditures					
Operating					
Contractual Services	15,450	21,299	5,849	10,250	11,049
Facilities Maintenance	5,500	(210)	(5,710)	16,262	(16,472)
Building Improvements	2,500	17,000	14,500	2,950	14,050
Water Charges	1,350	1,448	98	1,415	33
Sewer Use Fees	1,300	968	(332)	1,143	(175)
Equipment Maintenance	1,250	-	(1,250)	210	(210)
Electric	1,000	-	(1,000)	-	-
Building Supplies	500	740	240	-	740
Total Operating	28,850	41,245	12,395	32,230	9,014
Debt Service					
Principal	8,111	8,091	(20)	8,010	80
Interest	411	538	127	618	(80)
Total Debt Service	8,522	8,629	107	8,629	0
Total Expenditures	37,372	49,873	12,501	40,859	9,014
Operating Transfers					
Transfer Out - Open Space	-	(7,152)	(7,152)	-	(7,152)
Total Operating Transfers	-	(7,152)	(7,152)	-	(7,152)
Net Change in Fund Balance	27,266	16,743	(10,523)	37,672	(20,929)
Fund Balance - 7/1	340,995	340,995		303,322	
Fund Balance - 6/30	\$ 368,261	\$ 357,738		\$ 340,995	

Town of Simsbury
Sewer Use Fund
Statement of Revenues, Expenditures and Changes in Fund Balance
For the Period Ended June 30, 2020
With Comparative Totals For the Period Ended June 30, 2019

	2020 Budget	2020 Actual	Budget Variance	Percent of Budget	2019 Actual	Actuals Variance
Revenues						
Assessments	\$ 3,049,278	\$ 3,049,791	\$ 513	100%	\$ 2,600,259	\$ 449,532
WPCA Fees	479,623	687,025	207,402	143%	1,021,666	(334,641)
Intergovernmental Revenues	409,927	409,927	0	100%	409,927	-
Interest & Liens	25,000	22,016	(2,984)	88%	20,478	1,538
Miscellaneous Grant	10,000	50,325	40,325	503%	10,037	40,288
Interest on Investments	7,997	73,160	65,163	915%	15,545	57,615
Miscellaneous	-	294	294	0%	442	(148)
Total Revenues	3,981,825	4,292,538	310,713	108%	4,078,354	214,184
Expenditures						
Operating						
Salaries & Wages	894,568	806,057	(88,511)	90%	769,133	36,925
Benefits	433,735	413,067	(20,668)	95%	380,709	32,359
Utilities	512,770	481,548	(31,222)	94%	513,978	(32,430)
Supplies	132,290	109,759	(22,531)	83%	107,203	2,556
Public Agency Support	114,483	114,483	-	100%	110,917	3,566
Machinery & Equipment	88,500	65,844	(22,656)	74%	67,767	(1,922)
Program Services	69,026	48,753	(20,273)	71%	54,545	(5,792)
Consultant	48,000	16,954	(31,046)	35%	1,887	15,067
Sewer Extensions	32,000	39,692	7,692	124%	10,752	28,940
Equipment & Vehicle Maintenance	30,240	16,810	(13,430)	56%	22,992	(6,182)
Insurance	24,063	20,031	(4,032)	83%	21,876	(1,845)
Facilities Maintenance	17,400	14,863	(2,537)	85%	17,413	(2,550)
Travel & Conferences	5,565	1,457	(4,108)	26%	2,860	(1,404)
Dues & Subscriptions	1,500	736	(765)	49%	1,790	(1,055)
Total Operating	2,404,140	2,150,054	(254,086)	89%	2,083,822	66,233
Debt Service						
Principal	960,452	1,082,798	122,346	113%	1,061,375	21,423
Interest	304,755	182,409	(122,346)	60%	203,832	(21,423)
Total Debt Service	1,265,207	1,265,207	-	100%	1,265,207	0
Total Expenditures	3,669,347	3,415,262	(254,086)	93%	3,349,029	66,233
Operating Transfers						
Transfers In - Designated Fund Balance	30,000	-	(30,000)	-100%	1,213,097	(1,213,097)
Transfers Out	(450,000)	(415,000)	35,000	-8%	(474,187)	59,187
Total Operating Transfers	(420,000)	(415,000)	5,000	-1%	738,910	59,187
Net Change in Fund Balance	(107,522)	462,276	569,798		1,468,235	
Fund Balance - 7/1	6,406,424	6,406,424			4,938,189	
Fund Balance - 6/30	\$ 6,298,902	\$ 6,868,700			\$ 6,406,424	

Town of Simsbury
Sewer Assessment Fund
Statement of Revenues, Expenditures and Changes in Fund Balance
For the Period Ended June 30, 2020
With Comparative Totals for the Period Ended June 30, 2019

	<u>2020</u> <u>Actual</u>	<u>2019</u> <u>Actual</u>	<u>Variance</u>
Revenues			
Assessments	\$ 227,939	\$ 133,860	\$ (94,079)
Interest & Liens	20,905	13,043	(7,862)
Interest on Investments	<u>17,892</u>	<u>19,512</u>	<u>1,620</u>
Total Revenues	<u>266,736</u>	<u>166,416</u>	<u>(100,320)</u>
Expenditures			
Transfer Out	<u>-</u>	<u>521,337</u>	<u>521,337</u>
Total Expenditures	<u>-</u>	<u>521,337</u>	<u>521,337</u>
Net Change in Fund Balance	266,736	(354,921)	(621,657)
Fund Balance - 7/1	<u>1,146,957</u>	<u>1,501,879</u>	
Fund Balance - 6/30	<u><u>\$ 1,413,693</u></u>	<u><u>\$ 1,146,957</u></u>	

Town of Simsbury
Special Revenue Funds
Revenues, Expenditures and Changes in Fund Balance
For the Period Ended March 31, 2020

	Library Programs	Police Community Services	Police DUI Safety	Narcotics Task Force	D.A.R.E. Program	Police Block Grant
Revenues						
Grants	\$ 21,642	\$ 3,817	\$ -	\$ -	\$ -	\$ -
Donations	10,074	2,769	-	-	-	-
Intergovernmental Revenues	-	-	-	1,882	-	-
Charges for Services	-	-	-	-	-	-
Interest on Investments	-	-	-	-	-	-
Miscellaneous	-	-	-	-	-	-
Total Revenues	31,716	6,587	-	1,882	-	-
Expenditures						
Contractual Services	3,475	3,817	-	-	-	-
Supplies & Materials	43,576	10,078	-	6,385	-	-
Program Services	-	1,132	-	-	-	-
Facilities Maintenance	-	-	-	-	-	-
Utilities	-	-	-	-	-	-
Public Agency Support	-	1,037	-	-	-	-
Machinery & Equipment	-	-	-	-	-	-
Total Expenditures	47,051	16,065	-	6,385	-	-
Operating Transfers						
Transfers Out	-	-	(33,142)	-	-	-
Transfers In	-	33,142	-	-	-	-
Total Operating Transfers	-	33,142	(33,142)	-	-	-
Net Change in Fund Balance	(15,335)	23,664	(33,142)	(4,503)	-	-
Fund Balance - 7/1	90,283	21,003	33,142	20,740	1,243	9,704
Fund Balance - 6/30	\$ 74,948	\$ 44,667	\$ -	\$ 16,237	\$ 1,243	\$ 9,704

**Town of Simsbury
Special Revenue Funds
Revenues, Expenditures and Changes in Fund Balance
For the Period Ended March 31, 2020**

	Police Vehicles	Police Special Duty	Social Services Programs	Community Development Grant	Town Aid Road
Revenues					
Grants	\$ -	\$ -	\$ 1,269	\$ -	\$ 372,338
Donations	-	-	84,697	-	-
Intergovernmental Revenues	-	-	-	-	-
Charges for Services	-	569,915	-	-	-
Interest on Investments	-	-	-	-	-
Miscellaneous	20,000	-	-	1,000	-
Total Revenues	20,000	569,915	85,966	1,000	372,338
Expenditures					
Contractual Services	-	424,041	1,827	-	-
Supplies & Materials	-	-	-	-	-
Program Services	-	-	56,596	-	-
Facilities Maintenance	-	-	-	-	-
Utilities	-	-	-	-	-
Public Agency Support	-	-	-	-	-
Machinery & Equipment	-	-	-	-	16,368
Total Expenditures	-	424,041	58,423	-	16,368
Operating Transfers					
Transfers Out	-	(84,662)	-	-	(343,500)
Transfers In	-	33,142	-	-	-
Total Operating Transfers	-	(51,520)	-	-	(343,500)
Net Change in Fund Balance	20,000	94,354	27,543	1,000	12,470
Fund Balance - 7/1	44,632	309,555	126,331	233,142	841,063
Fund Balance - 6/30	\$ 64,632	\$ 403,909	\$ 153,874	\$ 234,142	\$ 853,533

Town of Simsbury
Special Revenue Funds
Revenues, Expenditures and Changes in Fund Balance
For the Period Ended March 31, 2020

	Preservation of Historic Documents	Eno Memorial Fund	Town Clerk LOCIP	Expanded Dial-A-Ride	Incentive Housing
Revenues					
Grants	\$ 7,500	\$ -	\$ -	\$ 7,738	\$ -
Donations	-	-	-	110	-
Intergovernmental Revenues	-	-	-	-	-
Charges for Services	31,840	-	7,683	3,144	-
Interest on Investments	-	692	-	-	-
Miscellaneous	-	-	-	-	-
Total Revenues	39,340	692	7,683	10,991	-
Expenditures					
Contractual Services	11,626	-	-	-	-
Supplies & Materials	3,514	-	-	-	-
Program Services	-	-	-	-	-
Facilities Maintenance	-	-	-	-	-
Utilities	-	-	-	-	-
Public Agency Support	20,488	-	-	-	-
Machinery & Equipment	-	-	-	-	-
Total Expenditures	35,628	-	-	-	-
Operating Transfers					
Transfers Out	-	-	(25,000)	-	-
Transfers In	-	-	-	-	-
Total Operating Transfers	-	-	(25,000)	-	-
Net Change in Fund Balance	3,712	692	(17,317)	10,991	-
Fund Balance - 7/1	10,686	128,148	68,753	76,588	8,826
Fund Balance - 6/30	\$ 14,399	\$ 128,841	\$ 51,436	\$ 87,579	\$ 8,826

**Town of Simsbury
Special Revenue Funds
Revenues, Expenditures and Changes in Fund Balance
For the Period Ended March 31, 2020**

	Dog Park	Regional Probate	Clean Energy Task Force	Simsbury Celebrates	Field Recreation
Revenues					
Grants	\$ -	\$ -	\$ -	\$ -	\$ -
Donations	1,015	-	-	20,933	-
Intergovernmental Revenues	-	24,736	-	-	-
Charges for Services	-	-	-	-	22,960
Interest on Investments	-	433	-	-	-
Miscellaneous	-	-	-	-	-
Total Revenues	1,015	25,169	-	20,933	22,960
Expenditures					
Contractual Services	330	6,652	-	15,466	-
Supplies & Materials	290	10,146	-	2,552	6,643
Program Services	-	-	-	807	560
Facilities Maintenance	-	-	-	-	-
Utilities	-	2,410	-	-	3,967
Public Agency Support	-	-	-	-	-
Machinery & Equipment	-	2,425	-	-	4,336
Total Expenditures	619	21,633	-	18,825	15,506
Operating Transfers					
Transfers Out	-	-	-	-	-
Transfers In	-	-	-	-	-
Total Operating Transfers	-	-	-	-	-
Net Change in Fund Balance	396	3,536	-	2,109	7,455
Fund Balance - 7/1	3,353	22,629	6,715	4,766	(443)
Fund Balance - 6/30	\$ 3,748	\$ 26,164	\$ 6,715	\$ 6,875	\$ 7,011

Town of Simsbury
Special Revenue Funds
Revenues, Expenditures and Changes in Fund Balance
For the Period Ended March 31, 2020

	Simsbury Try-Athlon	MSP Senior Center	Youth Service Bureau	Simsbury 350th
Revenues				
Grants	\$ -	\$ -	\$ 27,766	\$ -
Donations	250	48,049	-	63,153
Intergovernmental Revenues	-	-	-	-
Charges for Services	-	500	-	2,818
Interest on Investments	-	-	-	-
Miscellaneous	4,197	-	-	-
Total Revenues	4,447	48,549	27,766	65,971
Expenditures				
Contractual Services	300	38,739	-	14,895
Supplies & Materials	2,203	-	29,386	16,328
Program Services	2,486	-	-	-
Facilities Maintenance	-	-	-	-
Utilities	-	-	-	-
Public Agency Support	-	-	-	-
Machinery & Equipment	-	-	-	-
Total Expenditures	4,989	38,739	29,386	31,223
Operating Transfers				
Transfers Out	-	-	-	-
Transfers In	-	-	-	18,000
Total Operating Transfers	-	-	-	18,000
Net Change in Fund Balance	(542)	9,810	(1,619)	52,747
Fund Balance - 7/1	13,428	14,465	4,204	-
Fund Balance - 6/30	\$ 12,887	\$ 24,276	\$ 2,585	\$ 52,747

Town of Simsbury
Trust Funds
Statement of Revenues, Expenditures and Changes in Fund Balance
For the Period Ended June 30, 2020

	<u>Eno Wood Trust</u>	<u>Horace Belden Trust</u>	<u>Julia Darling Trust</u>	<u>Kate Southwell Trust</u>	<u>Ellsworth Trust</u>
Revenues					
Trust Distributions	\$ 31,942	\$ 63,053	\$ 27,884	\$ 15,194	\$ -
Interest Income	1,355	811	201	372	404
Total Revenues	33,297	63,864	28,085	15,566	404
Expenditures					
Salaries & Benefits	-	-	-	5,051	-
Program Services	-	200,107	43,235	838	-
Total Expenditures	-	200,107	43,235	5,888	-
Operating Transfers					
Transfers Out	(21,000)	-	-	-	-
Total Operating Transfers	(21,000)	-	-	-	-
Net Change in Fund Balance	12,297	(136,243)	(15,149)	9,678	404
Fund Balance - 7/1	103,630	135,497	27,723	24,675	23,040
Fund Balance - 6/30	\$ 115,927	\$ (746)	\$ 12,573	\$ 34,353	\$ 23,444

Town of Simsbury
Pension Trust Funds
Statement of Revenues, Expenditures and Changes in Fund Balance
For the Period Ended June 30, 2020

	<u>General Government</u>	<u>Police</u>	<u>Board of Education</u>	<u>OPEB</u>
Revenues				
Contributions	\$ 1,357,619	\$ 946,476	\$ 1,454,798	\$ 417,341
Interest & Dividends	598,720	431,107	581,816	400,423
Change in Market Value	188,044	144,440	192,376	1,036,954
Total Revenues	<u>2,144,383</u>	<u>1,522,023</u>	<u>2,228,990</u>	<u>1,854,717</u>
Expenditures				
Retiree Payments	2,104,246	1,110,746	1,551,554	-
Admin Expenses	49,745	34,126	26,153	46,149
Custodian Fees	31,241	28,080	28,870	-
Securities Purchased	-	-	-	799,854
Total Expenditures	<u>2,185,232</u>	<u>1,172,951</u>	<u>1,606,577</u>	<u>846,003</u>
Net Change in Fund Balance	(40,849)	349,072	622,413	1,008,714
Fund Balance - 7/1	<u>24,955,570</u>	<u>17,688,088</u>	<u>23,749,717</u>	<u>16,703,500</u>
Fund Balance - 6/30	<u>\$ 24,914,721</u>	<u>\$ 18,037,159</u>	<u>\$ 24,372,129</u>	<u>\$ 17,712,214</u>

Town of Simsbury
Capital Project Fund
Schedule of Expenditures Compared with Appropriations
For the Period Ended June 30, 2020

			Appropriations			Expenditures			Uncommitted
			Balance	Current	Balance	Balance	Current	Balance	Balance
Expected Completion			June 30, 2019	Year	Jun 30, 2020	June 30, 2019	Year	Jun 30, 2020	Jun 30, 2020
Project									
Sewer Fund Projects									
2021	Project 2010 - Woodland Street Upgrade		\$ 260,000.00	\$ -	\$ 260,000.00	\$ 238,810.11	\$ 5,000.00	\$ 243,810.11	\$ 16,189.89
2021	Sewer Main Ext - Woodland Street Upgrade		371,000.00		371,000.00	269,463.13	11,821.34	281,284.47	89,715.53
Complete	Hopmeadow/Center Area Sewer repairs		135,000.00		135,000.00	-	135,000.00	135,000.00	-
Complete	Portable Generator		80,000.00		80,000.00	60,663.06	19,670.59	80,333.65	(333.65)
Complete	Hopmeadow/Center Area Sewer Repairs		100,000.00		100,000.00	-	100,000.00	100,000.00	-
March 2021	36 Drake Hill Rd Dike Analysis		75,000.00		75,000.00	-	-	-	75,000.00
March 2021	Phosphorus Removal Analysis		150,000.00		150,000.00	-	-	-	150,000.00
Complete	Tariffville Area Sewer		100,000.00		100,000.00	-	100,000.00	100,000.00	-
March 2021	WPC Plan update		100,000.00		100,000.00	-	5,651.00	5,651.00	94,349.00
December 2020	Jet/Flush Truck		175,000.00		175,000.00	-	-	-	175,000.00
Complete	Tariffville Sewer		100,000.00		100,000.00	-	100,000.00	100,000.00	-
December 2020	Primary Clarifier		75,000.00		75,000.00	19,894.84	(1,848.81)	18,046.03	56,953.97
Complete	Plant H2O Sys Rehab		80,000.00		80,000.00	-	79,100.00	79,100.00	900.00
December 2020	Plan Logic Controllers		-	250,000.00	250,000.00	-	80,059.00	80,059.00	169,941.00
Town Projects									
On Going	Town Security Measures		77,600.00		77,600.00	52,908.51	-	52,908.51	24,691.49
June 2021	Open Space - Betty Hudson Property		275,000.00		275,000.00	247,816.12	6,092.70	253,908.82	21,091.18
Completed	Senior/Community Center Design		321,698.56		321,698.56	163,595.68	-	163,595.68	158,102.88
August 2020	Bridge Improvements (Design-FY15)		115,000.00		115,000.00	67,392.99	9,124.50	76,517.49	38,482.51
August 2020	Technology Infrastructure		635,395.17		635,395.17	495,359.12	49,424.40	544,783.52	90,611.65
July 2020	Weatogue Planning Route 10 and Code Prep		57,000.00		57,000.00	-	6,000.00	6,000.00	51,000.00
July 2020	Town Hall Site and Safety Improvements		45,000.00		45,000.00	13,620.31	-	13,620.31	31,379.69
July 2020	Portable Generator / Generator Infrastructure		80,000.00		80,000.00	79,417.67	-	79,417.67	582.33
June 2021	Project Planning Fund		28,000.00		28,000.00	9,800.00	6,300.00	16,100.00	11,900.00
December 2023	Multi-Use Connections & Master Plan Updates		1,160,000.00		1,160,000.00	129,328.56	39,587.46	168,916.02	991,083.98
July 2020	Open Space Planning Improvements		705,410.00		705,410.00	110,818.79	564,700.60	675,519.39	29,890.61
Completed	Street Lighting Purchase / Lighting Improvements		937,321.92		937,321.92	875,789.78	12,577.50	888,367.28	48,954.64
December 2020	Dam Evaluations and Repairs		220,000.00		220,000.00	108,104.83	34,751.84	142,856.67	77,143.33
Completed	Public Works Complex Infrastructure Improvements		700,000.00		700,000.00	184,092.87	486,961.28	671,054.15	28,945.85
December 2020	Town Hall Site and Safety Improvements		385,000.00		385,000.00	4,672.74	19,400.00	24,072.74	360,927.26
Completed	Portable Generator Infrastructure		175,000.00		175,000.00	74,772.78	40,961.82	115,734.60	59,265.40
December 2020	Land Use Studies		92,500.00		92,500.00	19,245.83	-	19,245.83	73,254.17
Completed	Storage Building		65,000.00		65,000.00	11,750.00	24,896.64	36,646.64	28,353.36
December 2020	Street Lighting Purchase / Lighting Improvements		400,000.00		400,000.00	4,854.79	12,974.32	17,829.11	382,170.89
Completed	Finance Security Upgrades		230,000.00		230,000.00	76,643.14	153,356.86	230,000.00	-
Completed	Eno Memorial Hall Renovations		300,000.00		300,000.00	261,348.21	30,663.48	292,011.69	7,988.31
Completed	Cold Storage Facility		380,000.00		380,000.00	4,612.06	380,000.00	384,612.06	(4,612.06)
June 2021	Town Facilities Master Plan		400,000.00		400,000.00	13,494.96	-	13,494.96	386,505.04
Completed	Library Interior/Parking Renovations		584,500.00		584,500.00	125,106.46	200,085.63	325,192.09	259,307.91
Completed	Library Lower Level Improvements		906,048.00		906,048.00	683,138.52	112,135.37	795,273.89	110,774.11
December 2020	Zoning Regulation Update		65,000.00		65,000.00	5,000.00	(2,500.00)	2,500.00	62,500.00
December 2021	Bridge Improvements		805,000.00		805,000.00	28,991.59	198,170.62	227,162.21	577,837.79
May 2020	Sidewalk Resurface		250,000.00		250,000.00	24,542.00	268,415.81	292,957.81	(42,957.81)
December 2021	Multi-Use Trail		1,020,000.00		1,020,000.00	-	-	-	1,020,000.00
July 2020	Highway Pavement Management		845,000.00		845,000.00	816,820.01	-	816,820.01	28,179.99
July 2020	Greenway Improvements		275,000.00	137,054.01	412,054.01	26,537.65	170,861.24	197,398.89	214,655.12
October 2020	Fencing at Bandsell (PAC)		100,000.00		100,000.00	-	-	-	100,000.00
On Going	Highway Pavement Management		-	1,245,000.00	1,245,000.00	-	1,535,395.15	1,535,395.15	(290,395.15)
On Going	Greenway Improvements		-	100,000.00	100,000.00	-	7,294.46	7,294.46	92,705.54

**Town of Simsbury
Capital Project Fund
Schedule of Expenditures Compared with Appropriations
For the Period Ended June 30, 2020**

Expected Completion	Project	Appropriations			Expenditures			Uncommitted Balance Jun 30, 2020
		Balance June 30, 2019	Current Year	Balance Jun 30, 2020	Balance June 30, 2019	Current Year	Balance Jun 30, 2020	
On Going	Sidewalk Reconstruction	-	200,000.00	200,000.00	-	198,206.75	198,206.75	1,793.25
June 2021	Accounting System	-	350,000.00	350,000.00	-	145,041.03	145,041.03	204,958.97
Education Projects								
Needs Audit	HJMS Phase 1A	1,255,000.00		1,255,000.00	1,168,299.83	150.00	1,168,449.83	86,550.17
Completed	SHS Turf Field Replacement	910,000.00		910,000.00	862,911.19	42,275.00	905,186.19	4,813.81
Needs Audit	Squadron Line Main Office Project	1,050,000.00		1,050,000.00	868,829.61	-	868,829.61	181,170.39
June 2021	Climate Control Phases 1 (FY16) & 2 (FY17)	3,100,000.00		3,100,000.00	2,248,988.14	198,078.95	2,447,067.09	652,932.91
Needs Audit	Central School Roof Replacement	770,000.00		770,000.00	620,602.49	300.00	620,902.49	149,097.51
Needs Audit	HJMS Renovation - Phase 2	1,950,000.00		1,950,000.00	1,751,859.38	550.00	1,752,409.38	197,590.62
June 2020	SHS Tennis Court Replacement	740,000.00		740,000.00	565,214.32	0.01	565,214.33	174,785.67
September 2020	Boiler Replacement Latimer	900,000.00		900,000.00	-	-	-	900,000.00
September 2020	School Security Improvements	850,000.00		850,000.00	480,154.90	328,405.70	808,560.60	41,439.40
December 2020	School Facility Master Plan	200,000.00		200,000.00	43,647.02	145,763.50	189,410.52	10,589.48
September 2020	District Network Infrastructure	400,000.00		400,000.00	150,656.81	84,508.49	235,165.30	164,834.70
June 2021	HJMS Renovation - Phase 3	23,965,620.00		23,965,620.00	1,437,414.31	15,093,359.50	16,530,773.81	7,434,846.19
June 2020	Underground Tank Replacement		325,000.00	325,000.00	-	335,226.17	335,226.17	(10,226.17)
December 2020	District Security Improvements		750,000.00	750,000.00	-	47,157.50	47,157.50	702,842.50
June 2021	SHS Partial Roof Replacement		2,600,000.00	2,600,000.00	-	49,597.46	49,597.46	2,550,402.54
		<u>\$ 50,527,093.65</u>	<u>\$ 5,957,054.01</u>	<u>\$ 56,484,147.66</u>	<u>\$ 15,506,985.11</u>	<u>\$ 21,670,704.86</u>	<u>\$ 37,177,689.97</u>	<u>\$ 19,306,457.69</u>

Town of Simsbury
Capital Non-Recurring Fund
Schedule of Expenditures Compared with Appropriations
For the Period Ended Jun 30, 2020

		Appropriations			Expenditures			Encumbrances Jun 30, 2020	Uncommitted Balance Jun 30, 2020
Project		Balance June 30, 2019	Current Year	Balance Mar 31, 2020	Balance June 30, 2019	Current Year	Balance Jun 30, 2020		
305	FY16 CNR Projects	1,225,013	-	1,225,013	1,210,324.30	-	1,210,324.30	-	14,688.70
300	FY17 CNR Projects	1,134,004	-	1,134,004	1,115,535.22	-	1,115,535.22	-	18,468.78
306	FY18 CNR Projects	1,126,121	-	1,126,121	1,014,217.59	87,921.08	1,102,138.67	-	23,982.33
307	FY19 CNR Projects	1,194,450	-	1,194,450	604,215.23	490,917.40	1,095,132.63	-	99,317.37
301	CNR Reserve (5 Year Payback)	1,900,000	-	1,900,000	-	-	-	-	1,900,000.00
30170006	CNR Assessor	61,500	60,000	121,500	-	-	-	-	121,500.00
30170005	Telephone System	-	40,000	40,000	-	39,855.00	39,855.00	-	145.00
30170007	Deep Water Wind	-	15,000	15,000	-	350.00	350.00	-	14,650.00
30170008	Automated Book Handler	-	73,640	73,640	-	66,409.30	66,409.30	-	7,230.70
30170009	Police Cruisers	-	130,000	130,000	-	129,999.99	129,999.99	-	0.01
30170010	Interview Rm Recording System	-	35,610	35,610	-	35,600.06	35,600.06	-	9.94
30170011	Radio Feasibility Study	-	35,000	35,000	-	-	-	-	35,000.00
30170012	Security Cameras	-	15,910	15,910	-	15,910.51	15,910.51	-	(0.51)
30170013	Ash Borer Tree Mitigation	-	36,500	36,500	-	37,600.00	37,600.00	-	(1,100.00)
30170014	Eno Clock Tower Repairs	-	21,000	21,000	-	-	-	-	21,000.00
30170015	PW Truck Replacement	-	180,000	180,000	-	163,285.71	163,285.71	-	16,714.29
30170016	PW PU Truck Replacement	-	35,000	35,000	-	61,544.18	61,544.18	-	(26,544.18)
30170017	Infrared Asphalt Trailer	-	37,000	37,000	-	-	-	-	37,000.00
30170018	Plow Blades	-	28,000	28,000	-	18,284.70	18,284.70	-	9,715.30
30170019	Sanitary Sewer Lining	-	100,000	100,000	-	-	-	-	100,000.00
30170020	CPR PU Truck Replacement	-	40,000	40,000	-	40,161.00	40,161.00	-	(161.00)
30170021	Ice Rink Condenser	-	109,200	109,200	-	9,521.51	9,521.51	-	99,678.49
30170022	Paddle Court Maintenance	-	12,000	12,000	-	9,540.00	9,540.00	-	2,460.00
30170023	SF Security Fencing	-	30,000	30,000	-	-	-	-	30,000.00
30170024	Ice Rink Roof Painting	-	50,000	50,000	-	-	-	-	50,000.00
30170025	Playscapes	-	25,000	25,000	-	-	-	-	25,000.00
30170026	Plow & Sander Replacement	-	15,000	15,000	-	14,983.70	14,983.70	-	16.30
30170029	PEGPETIA Tech Equipment	-	75,310	75,310	-	-	-	-	75,310.00
30180003	Buses/Vehicles/Equipment	-	382,000	382,000	-	266,089.08	266,089.08	-	115,910.92
30180004	Ceiling/Floor Replacement	-	50,000	50,000	-	-	-	-	50,000.00
30180005	Interior Improvements	-	70,500	70,500	-	-	-	-	70,500.00
30180006	Plumbing/Electric Modifications	-	10,000	10,000	-	-	-	-	10,000.00
30180007	Exterior Improvements	-	58,000	58,000	-	-	-	-	58,000.00
		<u>\$ 6,641,088</u>	<u>\$ 1,769,670</u>	<u>\$ 8,410,758</u>	<u>\$ 3,944,292</u>	<u>\$ 1,487,973</u>	<u>\$ 5,432,266</u>	<u>\$ -</u>	<u>\$ 2,978,492.44</u>



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed General Fund and Capital Transfers

2. **Date of Board Meeting:** September 14, 2020

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

Maria E. Capriola, Town Manager; Amy Meriwether, Finance Director

Maria E. Capriola

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

If the Board of Selectmen supports the general fund and capital transfer requests as presented, the following motion is in order:

Move, effective September 14, 2020, to approve the general fund and capital transfers request as presented.

5. **Summary of Submission:**

General Fund Transfers

The general fund ended FY19/20 with a net increase to fund balance of \$2,996,644. Staff is requesting the following year-end transfers to other funds:

- \$15,629 to the Parks & Recreation Special Revenue Fund to offset the year end deficit in the fund
- \$10,000 to the capital projects fund to install an irrigation system at Hopbrook Landing
- \$12,000 to the capital projects fund as a supplemental appropriation to the Ice Rink Condenser project. Bid results came in higher than anticipated.
- \$48,000 to the capital projects fund to as a supplemental appropriation to the Rink Control Panel project. Bid results came in higher than anticipated.
- \$46,000 to the capital non-recurring fund to purchase a utility van for the public works maintenance department
- \$40,000 to the capital non-recurring fund to purchase a maintenance truck for the public work department
- \$266,308 to the Board of Education non-lapsing fund to offset FY20/21 COVID related expenditures
- \$1,021,941 bond premium to the Capital Reserve Fund to be used in future years to offset debt service payments
- \$2,450,000 to the Capital Reserve Fund to be used in future budget years at the discretion of the Board of Finance.

Staff is requesting the following year-end transfers from the General Fund Unassigned Fund Balance to the General Fund Assigned Fund Balance:

- \$182,000 for wage increases related to unsettled union contracts
- \$1,370 for a Human Resources Certification Course
- \$5,000 for temporary help in the Assessor's office to perform data entry and entry level tasks

Capital Transfers

- \$900 from the capital projects fund to the sewer use fund to close the Plant H20 System Rehab capital project
- \$33,000 savings from the PAC fencing project to a rink fencing project for \$8,000 and playscape maintenance for \$25,000
- \$128,841 from the Eno Memorial Hall Special Revenue Fund to the capital projects fund to update the Eno Hall parking lot and entrances to be ADA compliant.
- \$4,814 from the capital projects fund to the capital reserve fund to close out the SHS Turf Field Replacement project
- \$249 from the capital projects fund to the capital reserve fund to close out the portable generator/generator infrastructure project
- \$40 from the capital non-recurring fund to the capital service to close out completed equipment purchases.

6. Financial Impact:

See "Fund Balance Summary" provided with the "General Fund – Close out Transfer Requests" and "Capital Reserve Summary" provided with the "Capital Transfer Requests."

7. Description of Documents Included with Submission:

- a) General Fund – Close out Transfer Requests
- b) Capital Transfer Requests

**Town of Simsbury
General Fund
Close Out Transfer Requests
For the Year Ended June 30, 2020**

Transfers from General Fund

Simsbury Farms	\$ (15,629)
Capital Fund - Hopbrook Landing Irrigation	(10,000)
Capital Fund - Ice Rink Condenser	(12,000)
Capital Fund - Rink Control Panel	(48,000)
Capital Fund - PW Utility Van	(46,000)
Capital Fund - PW Truck	(40,000)
Board of Education Non-Lapsing	(266,308)
Capital Reserve Fund (Bond Premium)	(1,021,941)
Capital Reserve Fund (Future Capital)	<u>(2,450,000)</u>
Total Transfers from General Fund	\$ (3,909,878)

Transfers to General Fund Assigned Fund Balance

Unsettled Union Contract Wage Increases	\$ 182,000.00
Human Resources Certification Course	1,370.00
Assessor Intern	<u>5,000.00</u>
Total Transfers to Assigned Fund Balance	\$ 188,370.00

Fund Balance Summary

Net Increase to Fund Balance Before Transfers	\$ 2,996,644
Transfers from General Fund	<u>(3,909,878)</u>
Net Decrease to Fund Balance After Transfers	<u>(913,234)</u>

Fund Balance Post Transfers

Fund Balance, July 1, 2019	16,524,807
Net Decrease to Fund Balance After Transfers	<u>(913,234)</u>
Fund Balance, June 30, 2020	<u>15,611,573</u>

Fund Balance Breakdown Post Transfers

Non-Spendable Fund Balance	0.10%	104,649
Assigned Fund Balance	0.41%	405,005
Unassigned Fund Balance	<u>15.14%</u>	<u>15,101,918</u>
Total Fund Balance	<u>15.65%</u>	<u>\$ 15,611,573</u>

Town of Simsbury
Capital Transfer Requests
For the Year Ended June 30, 2020

Transfers to Sewer Use Fund

Capital Fund - Plant H2O System Rehab	\$ 900.00
Total Transfers to Sewer Use Fund	<u>\$ 900.00</u>

Transfers between Capital Funds

Capital Fund - PAC Fencing	(33,000.00)
Capital Fund - Playscapes	25,000.00
Capital Fund - Rink Fencing	8,000.00

Transfers to Capital Reserve

General Fund Reserve	\$ 2,450,000
General Fund Bond Premium	1,021,941
Eno Memorial Hall Special Revenue Fund	128,841
Capital Fund - SHS Turf Field Replacement	4,814
Capital Fund - Portable Generator/Generator Infrastructure	249
Capital Non-Recurring	40
Total Transfers to Capital Reserve	<u>\$ 3,605,884</u>

Capital Reserve Summary

Capital Reserve @ 7/1/19	\$ 907,777
Transfers to Capital Reserve	<u>3,605,884</u>
Capital Reserve @ 6/30/20	<u><u>4,513,661</u></u>

Capital Reserve Breakdown

Assigned	2,058,559
Unassigned	<u>2,455,102</u>
Total Capital Reserve	<u>\$ 4,513,661</u>



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Police Private Duty Fund Transfers
2. **Date of Board Meeting:** September 14, 2020
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Amy Meriwether, Finance Director; Nick Boulter, Police Chief *Maria E. Capriola*

4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports the Police Private Duty transfer requests as presented, the following motion is in order:

Move, effective September 14, 2020, to approve the police private duty fund transfers request as presented.

5. **Summary of Submission:**

The State of CT Senate passed the Police Accountability bill on July 28, 2020. This bill, effective FY22, requires the use of body worn and dashboard cameras for police officers and vehicles engaging with the public. First year costs will be reimbursed by OPM at a rate of 50% for distressed municipalities and 30% for all others.

The State of CT has a current program for the reimbursement of body cameras at a rate of 50% that is available to all municipalities. This funding resource is first come first serve. Staff would like to take advantage of these additional reimbursement dollars by purchasing the body worn and dash cameras in this fiscal year.

Based on the most recent quotes obtained, the total cost of all the cameras would be \$114,580. The cost of only the body cameras totals \$78,237. Simsbury can expect 50% reimbursement of the body cameras resulting in a direct cost to the town of \$39,118. Ongoing maintenance, licensing and data storage fees are anticipated to be \$46,158. This will be 100% funded by the town.

Staff would also like to request the purchase of 3 admin police vehicles. As discussed at a prior Board of Finance meeting, these vehicles are at the end of

their useful life as police vehicles and had not been included in the capital plan submitted during the budget season. This will be rectified and included on a replacement schedule within the capital plan for the upcoming budget cycle. In an attempt to get "back on track" with the appropriate replacement of these vehicles staff would like to request the purchase of these replacement vehicles in the current fiscal year. The estimated cost of a new admin vehicle is \$46,000, therefore, staff is request funding in the amount of \$138,000.

Lastly, in accordance with previous discussion with the Board of Finance, staff would like to request the remaining balance available in the Police Private Duty Fund be transferred to the Capital Reserve fund and be assigned for future police use.

6. Financial Impact:

Private Duty Fund Balance @ 6/30/20	\$403,909
Cost of Admin Vehicles	(\$138,000)
Cost of Car and Body Cameras	(\$114,580)
Total Available Balance (to be transferred to Capital Reserve)	<u>\$151,329</u>

7. Description of Documents Included With Submission:

a) Axion body and dashboard camera quote breakdown

Axon Enterprises Quote Breakdown

Item #	Description	FY21 Year 1	FY22 Year 2	FY23 Year 3	FY24 Year 4
87063	Tech Plan for Cameras	14,784.00	10,560.00	10,560.00	10,560.00
87062	Tech Plan for Docking Stations	1,770.00	1,770.00	1,770.00	1,770.00
73202	Body Cameras	30,756.00	-	-	-
74210	Docking Stations	7,475.00	-	-	-
85144	Starter Service	2,500.00	-	-	-
73830	Storage	12,672.00	11,616.00	11,616.00	11,616.00
73841	Basic License	5,940.00	5,940.00	5,940.00	5,940.00
73837	Professional License	2,340.00	2,340.00	2,340.00	2,340.00
80217	Fleet Plan	13,932.00	13,932.00	13,932.00	13,932.00
11634	Cradlepoint Router	13,581.00	-	-	-
71200	Routher Antenna	2,430.00	-	-	-
74063	Fleet Installation Service	5,400.00	-	-	-
74066	Wifi Development Services	1,000.00	-	-	-
Total Cost		114,580.00	46,158.00	46,158.00	46,158.00

FY25

Year 5

10,560.00

1,770.00

-

-

-

11,616.00

5,940.00

2,340.00

13,932.00

-

-

-

-

46,158.00



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 C-Tec Solar
2. **Date of Board Meeting:** September 14, 2020
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 approving the settlement agreement for Docket HHB-CV-18-6049192-S, C-Tec PPA ISC, LLC v. Town of Simsbury, the following motion is in order:

Move, effective September 14, 2020 to approve the attached settlement agreement for the tax appeal on the personal property located at 1375 Hopmeadow Street as presented, and authorize Town Attorney Robert Decrescenzo to execute the agreement.

5. **Summary of Submission:**

The property at 1375 Hopmeadow Street is the site of the International Skating Center (ISC). C-Tec PPA ISC, LLC is the owner of a solar electrical generating system which includes photovoltaic panels and an inverter installed at the ISC and which supplies power to it.

As of October 1, 2013, the solar panels had been installed, but the inverter was not tested and made operational until November 2013. This fell within the period for which the tax can be abated but is not eligible for exemption. The actual assessment for the 10/1/2014 grand list and grand lists thereafter includes the portion of the cost attributable to the completion of the installation in October and November of 2013.

The main point of contention in this appeal is over the fact that C-Tec anticipated receiving a tax abatement according to CGS §12-81(57)(c). Panels that were installed between January 1, 2010 and December 31, 2013 are taxable, but are eligible for up to 100% abatement. Installations completed after January 1, 2014 are eligible for exemption. However, the abatement request was denied.

The proposed settlement includes the following provisions: the 2017 assessments do not include any assessment penalty for failure to file personal property declarations as required; the cost is re-stated based on the 2018 grand list Board of Assessment Appeals decision; and re-stated percent good for the 2019 and 2020 grand lists.

If approved, the stipulated agreement will not be executed until all back taxes are paid in full. The total amount of outstanding back taxes due through the end of September 2020 is \$71,363.68. The estimated net adjustment to this total, based on the stipulated agreement, would be a reduction of \$6,000.

This matter was discussed in executive session at your August 10, 2020 meeting.

6. Financial Impact:

The original assessment resulted in a tax payment of \$15,051 for 2017. The revised assessments of \$215,420 results in a tax payment of \$8,298 for the 2017 assessment year. The revised assessment for 2019 grand list results in a tax payment reduction of \$1,840 and an estimated reduction of \$1,600 for FY21/22.

7. Description of Documents Included with Submission:

a) Stipulated Agreement – C-Tec PPA ISC, LLC v. Town of Simsbury

DOCKET NO. HHB-CV-18-6049192-S

C-TEC PPA ISC, LLC

: SUPERIOR COURT

V.

: JUDICIAL DISTRICT OF NEW BRITAIN

TOWN OF SIMSBURY

: AUGUST __, 2020

MOTION FOR JUDGMENT

Plaintiff and Defendant hereby move for Judgment in the above-captioned municipal tax appeal in accordance with the attached stipulation.

PLAINTIFF,
C-TEC PPA ISC, LLC

DEFENDANT,
TOWN OF SIMSBURY

BY _____
LAURA A. CARDILLO, ESQ.
Pullman & Comley, LLC
90 State House Square
Hartford, CT 06103-3702
Tel. (860)424-4309 Fax (860)424-4370
Juris 409177

BY _____
ROBERT M. DeCRESCENZO, ESQ.
Updike, Kelly & Spellacy, P.C.
P.O. Box 231277, 100 Pearl Street
Hartford, CT 06123-1277
Tel. (860)548-2600 Fax (860)548-2680
Juris 065040

CERTIFICATION

This is to certify that a copy of the foregoing was mailed or electronically delivered on August __, 2020 to all counsel and self-represented parties of record and that written consent for electronic delivery was received from all counsel and self-represented parties of record who were electronically served.

Pullman & Comley, LLC
90 State House Square
Hartford, CT 06013-3702
lcardillo@pullcom.com

ROBERT M. DeCRESCENZO, ESQ.

DOCKET NO. HHB-CV-18-6049192-S

C-TEC PPA ISC, LLC : SUPERIOR COURT

V. : JUDICIAL DISTRICT OF NEW BRITAIN

TOWN OF SIMSBURY : AUGUST __, 2020

JOINT STIPULATION FOR JUDGMENT

The Plaintiff, C-TEC PPA ISC, LLC and the Defendant, Town of Simsbury, hereby stipulate and agree that judgment may enter in the above-entitled case in accordance with the following:

1. The Defendant, the Town of Simsbury agrees to reduce the true and actual value of Plaintiff's personal property located at 1375 Hopmeadow Road (Account #4258446 ;) (the "Personal Property") to the amounts listed below for the following Grand List years:

2017: From \$400,388 to \$215,420

2018: \$215,420

2019: From \$174,900 to \$170,000

2020: \$125,000

2. No costs shall be awarded to either party.

3. This stipulation is entered into for purposes of settling and compromising disputed claims and does not constitute or operate as an acknowledgement or admission of liability by either party.

4. Nothing in this agreement shall prohibit the assessor from exercising the authority granted by §§12-53a, 12-55, 12-60 or 12-6c(d) of the Connecticut General Statutes, provided further that the

assessor shall make no change in the valuation of the Personal Property pursuant to §12-55 of the Connecticut General Statutes unless there has been a physical change to the improvements by addition, demolition or damage or the finishing of previously unfinished space or the plaintiff from appealing any increase in assessment pursuant to General Statutes §§12-111, 12-117a or 12-119 as they may apply.

PLAINTIFF,
C-TEC PPA ISC, LLC

DEFENDANT,
TOWN OF SIMSBURY

BY _____
LAURA A. CARDILLO, ESQ.
Pullman & Comley, LLC
90 State House Square
Hartford, CT 06103-3702
Tel. (860)424-4309 Fax (860)424-4370
Juris 409177

BY _____
ROBERT M. DeCRESCENZO, ESQ.
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Pullman & Comley, LLC
90 State House Square
Hartford, CT 06013-3702
lcardillo@pullcom.com

ROBERT M. DeCRESCENZO, ESQ.



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 Willow Arms Apartments
2. **Date of Board Meeting:** September 14, 2020
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 approving the settlement agreement for Docket HHB-CV-18-6046767-S, Willow Arms Mutual Housing Association v. Town of Simsbury, the following motion is in order:

Move, effective September 14, 2020 to approve the attached settlement agreement for the tax appeal on the property located at 55 Elm Street as presented, and authorize Town Attorney Robert Decrescenzo to execute the agreement.

5. **Summary of Submission:**
The property at 55 Elm Street is an affordable housing complex of 81 units located in Tariffville. The complex is comprised of 7 apartment buildings built in 1972, a small office building of approximately 1,200 square feet and is situated on approximately 9.83 acres.

The revaluation resulted in a valuation of \$4,078,800 as of October 1, 2017. The property owner filed an appeal of that assessment, claiming a value of \$2,000,000. As a property subject to the provisions of CGS § 8-216a, it must be valued based upon its actual schedule of rents (rather than market rent) with a reasonable allowance for operating expenses and real estate taxes.

The main point of contention in this appeal is over the appropriate expense rate to be used for the valuation and below market rents should reflect the restricted nature of the property.

The proposed change for 55 Elm Street would reduce the estimated market value from \$4,078,800 to \$3,100,000. The corresponding assessment would be reduced from \$2,855,160 to \$2,170,000.

The proposed settlement applies the Town's October 1, 2017 assessment year, and reduces the assessment over the five-year revaluation cycle to achieve an assessment of \$3,100,000 over the five years.

This matter was discussed in executive session at your August 10, 2020 meeting.

6. Financial Impact:

The original assessment assigned at revaluation would have resulted in a tax payment of \$107,325. The revised assessment of \$2,170,000 results in a tax payment of \$81,570 for the 2017 assessment year. For the five-year revaluation cycle, the average tax payment is estimated at \$82,750 per year.

7. Description of Documents Included with Submission:

- a) Stipulated Agreement – Willow Arms Mutual Housing Association v. Town of Simsbury

DOCKET NO. HHB-CV-18-6046767-S

WILLOW ARMS MUTUAL HOUSING
ASSOCIATION

: SUPERIOR COURT

V.

: JUDICIAL DISTRICT OF NEW BRITAIN

TOWN OF SIMSBURY

: August __ 2020

MOTION FOR JUDGMENT

Plaintiff and Defendant hereby move for Judgment in the above-captioned municipal tax appeal in
accordance with the attached stipulation.

PLAINTIFF,
WILLOW ARMS MUTUAL HOUSING
ASSOCIATION

DEFENDANT,
TOWN OF SIMSBURY

BY _____
MICHAEL D. REINER, ESQ.
Greene Law
11 Talcott Notch Road
Farmington, CT 06032
Tel. (860)676-1336 Fax (860)676-2250
Juris 428354

BY _____
ROBERT M. DeCRESCENZO, ESQ.
Updike, Kelly & Spellacy, P.C.
P.O. Box 231277, 100 Pearl Street
Hartford, CT 06123-1277
Tel. (860)548-2600 Fax (860)548-2680
Juris 065040

CERTIFICATION

This is to certify that a copy of the foregoing was mailed or electronically delivered on August__, 2020 to all counsel and self-represented parties of record and that written consent for electronic delivery was received from all counsel and self-represented parties of record who were electronically served.

Michael D. Reiner, Esq.
Greene Law
11 Talcott Notch Road
Farmington, CT 06032

ROBERT M. DeCRESCENZO, ESQ.
Updike, Kelly & Spellacy, P.C.

DOCKET NO. HHB-CV-18-6046767-S

WILLOW ARMS MUTUAL HOUSING
ASSOCIATION

: SUPERIOR COURT

V.

: JUDICIAL DISTRICT OF NEW BRITAIN

TOWN OF SIMSBURY

: August __, 2020

JOINT STIPULATION FOR JUDGMENT

The Plaintiff, Willow Arms Mutual Housing Association and the Defendant, Town of Simsbury, hereby stipulate and agree that judgment may enter in the above-entitled case in accordance with the following:

1. The Defendant, the Town of Simsbury agrees to reduce the true and actual value of the Plaintiff's real estate known as 55 Elm Street, Simsbury, Connecticut, Map/Block/Lot K 04 127 016, Unique ID Number 30803600 (the "Property") from \$4,078,800 to \$3,100,000. The revised valuation of the Property for purposes of assessment at 70% of its true and actual value as of October 1, 2017 is \$2,170,000.

Subject to the provisions of paragraph 4 of this Stipulation, the Town agrees not to increase the valuation until the next town-wide revaluation, currently scheduled for the 2022 Grand List.

2. No costs shall be awarded to either party.

3. This stipulation is entered into for purposes of settling and compromising disputed claims and does not constitute or operate as an acknowledgement or admission of liability by either party.

4. Nothing in this agreement shall prohibit the assessor from exercising the authority granted by §§12-53a, 12-55, 12-60 or 12-63c(d) of the Connecticut General Statutes, provided further that the assessor shall make no change in the valuation of the Property pursuant to §12-55 of the Connecticut General Statutes unless there has been a physical change to the improvements by addition, demolition or damage or the finishing of previously unfinished space or the plaintiff from appealing any increase in assessment pursuant to General Statutes §§12-111, 12-117a or 12-119 as they may apply.

PLAINTIFF,
WILLOW ARMS MUTUAL HOUSING
ASSOCIATION

DEFENDANT,
TOWN OF SIMSBURY

BY _____
MICHAEL D. REINER, ESQ.
Greene Law
11 Talcott Notch Road
Farmington, CT 06032
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Michael D. Reiner, Esq.
Greene Law
11 Talcott Notch Road
Farmington, CT 06032

ROBERT M. DeCRESCENZO, ESQ.
Updike, Kelly & Spellacy, P.C.



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Amendments to the Tax Credit for Elderly and Disabled Homeowners Ordinance
2. **Date of Board Meeting:** September 14, 2020
3. **Individual or Entity making the submission:**
Maria E. Capriola, Town Manager; Francine Beland, Town Assessor
Maria E. Capriola
4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports forwarding the proposed amendments to the Tax Credit for Elderly and Disabled Homeowners Ordinance as presented to public hearing, the following motion is in order:

Move, to schedule a public hearing for 6:00PM at the Board of Selectmen's regular meeting on September 29, 2020 to solicit public comment regarding the proposed amendment to the Tax Credit for Elderly and Disabled Homeowners Ordinance.

5. **Summary of Submission:**
The primary objective of revisiting the Tax Credit for Elderly and Disabled Homeowners Ordinance is to ensure that the eligibility requirements outlined in the ordinance are consistent with changes in the State statute regarding this program. These changes became effective on October 1, 2019. An amendment to General Statutes Section 12-170aa changes the eligibility for the program such that any owner of real property held in trust is eligible for the program if the owner is the grantor and beneficiary of the trust. While trusts were previously ineligible for the tax reduction provided under the program, they are eligible if the property owner and the beneficiary of the trust are the same person.

A summary of the revisions is as follows:

- Amend Section 141-27 (Definitions): change the tax year to October 1-September 30 to coincide with the State program
- Amend Section 141-28 (Eligible persons and property): include language to allow qualified trusts to participate in the program
- Amend Section 141-30 (Application for, and granting of, real property tax credit relief): add language to allow Assessor to collect additional documentation to verify that a trust is qualified
- Amend Section 141-31 (Prorating of credit with sale or conveyance of property; limitation on amount of credit): edit to reflect the change in tax year to October 1-September 30

These revisions have been drafted by the Town Attorney, with input from the Town Assessor.

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

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

6. Financial Impact:

According to the statute, the change in the eligibility for the program is mandatory. Therefore, the Assessor implemented it for the October 1, 2019 Grand List taxes based on the statutory requirement while the ordinance is in the process of amendment. The financial impact of granting the previously denied exemption for FY20/21 is estimated at \$5,500. The estimated impact for FY 21/22 is \$10,000-\$20,000.

7. Description of Documents Included with Submission:

- a) Proposed Revisions to the Tax Credit for Elderly and Disabled Homeowners Ordinance (Chapter 141, Article VIII)

Town of Simsbury
Board of Selectmen

Proposed Amendment of Chapter 141, Article VIII of the Simsbury Code of Ordinances: Tax Credit for Elderly and Totally Disabled Homeowners

Draft Revisions Dated September 10, 2020

WHEREAS, Public Act 19-66 amended the enabling statute that permits towns to provide property tax credits for elderly and totally disabled taxpayers to permit eligibility for certain trusts, and

WHEREAS, The Simsbury Board of Selectmen believes that the ordinance creating the local tax credit program should match the eligibility requirements defined in the enabling state statute.

NOW, THEREFORE, BE IT RESOLVED, that Chapter 141, article VIII, Sections 141-27, 141-28, 141-30 and 141-31(A) of the Simsbury Code of Ordinances is hereby amended as follows (*amendments are indicted by underline*):

§141-27. Definitions.

Tax Year

For purposes of this article, the year beginning on the first day of ~~the Town's fiscal year~~ October, or if the due date of the first installment of tax in any fiscal year is later than the first day of ~~the Town's fiscal year~~ October, then beginning with that date, and ending 12 months later.

§141-28. Eligible persons and property.

Qualified residents shall be residents of the Town of Simsbury, with respect to real property owned and occupied by such residents as their principal residence, or unit owners of a cooperative as provided in Section 12-129n(g) of the Connecticut General Statutes, who are 65

years of age and over or whose spouses, living with them, are 65 years of age or over or 60 years of age or over and the surviving spouse of a taxpayer qualified in such municipality under this section at the time of his or her death or with respect to real property on which such residents or their spouses are liable for taxes under Section 12-48, or 2) under age 65 and eligible in accordance with applicable federal regulations to receive permanent total disability benefits under social security, or have not been engaged in employment covered by social security and accordingly have not qualified for benefits thereunder, but have become qualified for permanent total disability benefits under any federal, state or local government retirement or disability plan, including the Railroad Retirement Act and any government-related teacher's retirement plan, in which requirements with respect to qualifications for such permanent total disability benefits are comparable to such requirements under social security, provided such residents or their spouses under Subdivision s(1) or (2) above have been taxpayers of such municipality for one year immediately preceding their receipt of tax benefits under this section and meet the requirements which may be established by this article with respect to maximum income allowable during the calendar year preceding the year in which application is made for the tax relief provided in this section. Qualified residents shall include any owner of real property held in trust for such resident, provided such resident or such resident and such resident's spouse are the grantor and beneficiary of such trust and, provided further, that such resident otherwise meets the requirements of a qualified resident as provided herein.

§141-30 Application for, and granting of, real property tax credit relief.

A. Each applicant shall file an application for a tax credit under this article with the Town of Simsbury at any time during the period beginning on the first day of February and ending on the 15th day of May prior to the commencement of the tax year for which the tax

credit is sought, except that one who has applied and been granted a tax credit for one tax year shall be presumed to be qualified for the immediately following tax year without making a new application. Application shall be made in the form and manner prescribed and provided by the Assessor. [If the applicant is a trust, the Assessor will require additional documentation to verify that such trust meets the requisite qualifications.](#)

§141-31 Prorating of Credit with Sale or Conveyance of Property; Limitation on the Amount of the Credit

A. In any case where the real property for which a tax credit has been granted to a qualified resident is sold, assigned, granted, or conveyed in a tax year during which a tax credit is available, the amount of the tax credit shall be prorated by a fraction, the numerator of which shall be the number of full months from the first day of ~~July~~ [October](#) of the tax year [but prior to the first day of August in such assessment year](#) to which the tax credit is applied to the date of conveyance, and the denominator of which shall be 12.



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Disposition of a Portion of Open Space Located Along the Rear/Eastern Property Line for 133 Holcomb Street
2. **Date of Board Meeting:** September 14, 2020
3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Mike Glidden, Director of Planning and Community Development; Tom Tyburski, Director of Culture Parks and Recreation; Jeff Shea Town Engineer *Maria E. Capriola*
4. **Action Requested of the Board of Selectmen:**
The Board has two options concerning the proposed disposition:

Option A: A motion effective September 14, 2020 to approve the sale of a portion of open space located along the rear/eastern property line for 133 Holcomb Street and the Board authorizes the Town Manager to negotiate sale price with the property owner of 133 Holcomb Street. The Board should also note its desire, or not, to prohibit the erection of any structures on the parcel.

Option B: A motion to deny the request for a sale of the portion of open space located along the rear/eastern property line for 133 Holcomb Street.
5. **Summary of Submission:**
At your May 27, 2020 meeting, the Board of Selectmen scheduled a public hearing to receive public comment on the *Disposition of a portion of open space located along the rear/eastern property line for 133 Holcomb Street* for 6:00pm on Wednesday, May 27, 2020. This public hearing is a requirement of the Town Code. A second public hearing was held on August 10, 2020. The public hearing notice is attached. People wishing to participate in the public hearings were instructed to submit written comments to the Town Clerk; received comments were read into the record of each hearing. The Board received correspondence from residents both for and against the potential sale. Some members of the public suggested that the Board of Selectmen investigate whether the area in question could be leased to the abutting property owner instead of being sold.

Statute required that 2 public hearing notices were advertised in the newspaper along with the posting of an informational sign on the property. Both requirements have been met.

The sale was requested by the abutting property owner as part of discussions related to the potential purchase of an easement at the Old Well property off Tariffville Road for a multi-use path connecting downtown to Curtiss Park.

The subject property was part of a 3 lot subdivision. A condition of approval for the subdivision was that a portion of the rear of the original lot would be set aside as preserved open space deeded to the Town of Simsbury. The plan was approved and open space was deeded to the Town of Simsbury.

When the subdivision was approved in the 1990s, the subdivision regulations required that 20% of the land be set aside as open space. Since the approval, the subdivision regulations have been amended providing different options such as the applicant paying a fee in lieu of setting aside a portion of the property as open space.

This is the first parcel of open space which the Town has been requested to sell pursuant to the Town Code. Pursuant to the Town Code, the proposed sale was forwarded to the Planning Commission, Conservation Commission, and Open Space Committee by the Board of Selectmen.

Staff prepared a memorandum that outlines the findings/reports from the various commissions. It should be noted that the Planning Commission found that the sale is consistent with the goals and objectives of the Plan of Conservation and Development. The Open Space Committee recommended that if the parcel is sold, that deed restrictions be placed on the parcel that would prohibit structures from being built on the land.

If the parcel is sold, the additional acreage will not impact the zoning classification of the parcel. The properties are zoned single family and will remain. If the applicant wishes to use it for agricultural purposes, this would be considered consistent with the zoning regulations.

6. Financial Impact:

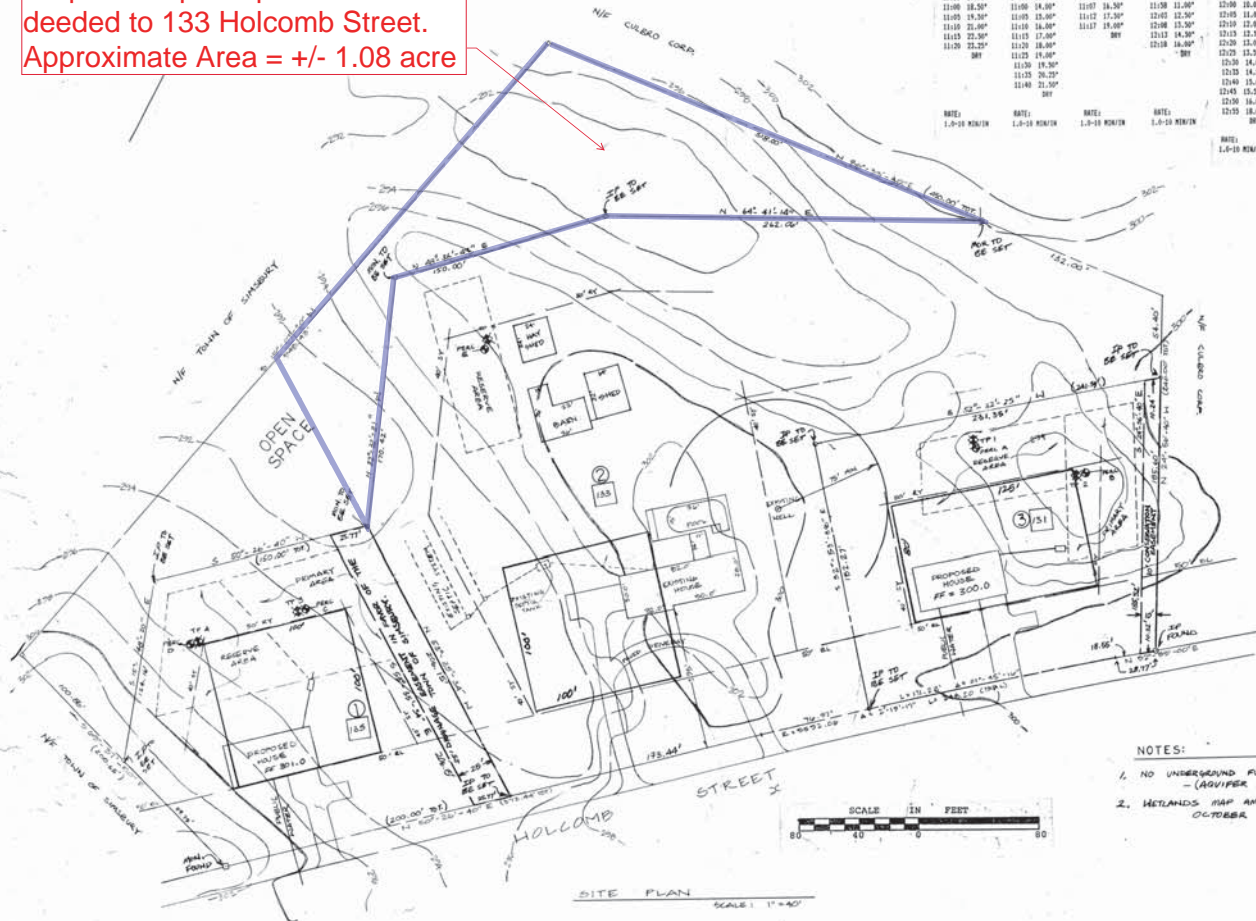
The abutting property owner is intending to purchase the portion of open space. The sale would result in payment made to the Town of Simsbury.

7. Description of Documents Included with Submission:

- a) Subdivision Map Illustrating Proposed Sale
- b) Aerial Photograph from GIS Documenting Existing Conditions
- c) Memorandum Summarizing Reports from Land Use Commissions

REFERENCES:
1. "ABRAMS", TOWN OF SIMSBURY, CONNECTICUT, TOPOGRAPHIC
MAP, SHEET NO. E-5, JUNE 1979.

Proposed Open Space to be
deeded to 133 Holcomb Street.
Approximate Area = +/- 1.08 acre



TEST PIT DATA
OBSERVED: 07/21/79
ORDERED BY: GAC/HC

TEST PIT 1

4-14" TOPSOIL
10-20" SANDY LOAM
20-100" COMBLES

NO NOTTLING
NO DISCONTINUITY
NO LEASE

TEST PIT 2

0-11" TOPSOIL
10-20" SANDY LOAM
20-100" COMBLES

NO NOTTLING
NO DISCONTINUITY
NO LEASE

TEST PIT 3

0-12" TOPSOIL
10-20" SANDY LOAM
20-100" COMBLES

NO NOTTLING
NO DISCONTINUITY
NO LEASE

TEST PIT 4

0-14" TOPSOIL
10-20" SANDY LOAM
20-100" COMBLES

NO NOTTLING
NO DISCONTINUITY
NO LEASE

TEST PIT 5

0-13" TOPSOIL
10-20" SANDY LOAM
20-100" COMBLES

NO NOTTLING
NO DISCONTINUITY
NO LEASE



ZONING REQUIREMENTS:

ZONE: R-40 (single family residence)
MINIMUM LOT AREA: 40,000 Sq. Ft.
LOT FRONTAGE: 200 ft.
FRONT YARD: 30 ft.
SIDE YARD: 40 ft.
REAR YARD: 50 ft.
MAXIMUM COVERAGE: N/A

LEGEND

EXISTING PROPERTY
PROPOSED SUBDIVISION
BUILDING UNIT
EXISTING ADJUTIVE
ADJUTIVE TO BE SET
TRAIL PAV. TO BE SET

NOTES:

1. NO UNDERGROUND FUEL TANKS ALLOWED
(AQUICLIP PROTECTION AREA)
2. WETLANDS MAP AMENDMENT APPROVED
OCTOBER 7, 1977.

AREA TABLE:

ZONE: R-40

TOTAL AREA:

LOT 1:

LOT 2:

LOT 3:

OPEN SPACE:

264,094 Sq. Ft. or 6.062 Ac.

40,000 Sq. Ft. or 0.918 Ac.

131,238 Sq. Ft. or 3.013 Ac.

40,001 Sq. Ft. or 0.918 Ac.

52,854 Sq. Ft. or 1.212 Ac.

OPEN SPACE REQUIREMENTS:

TOTAL AREA:

20% open space:

264,094 Sq. Ft. or 6.062 Ac.

52,819 Sq. Ft. or 1.212 Ac.

NOTES:

1. THIS MAP AND SURVEY WERE PREPARED IN ACCORDANCE
WITH THE MINIMUM STANDARDS OF ACCURACY, CONTENT
AND CERTIFICATION FOR SURVEYS AND MAPS PURSUANT
TO SEC. 20-300b-1 TO 20-300b-20 OF THE REGULATION
OF CONNECTICUT STATE AGENCIES.
2. THE BOUNDARY PORTION OF THIS SURVEY IS IN ACCORDANCE
WITH CLASS A-2 HORIZONTAL ACCURACY.
3. THE TOPOGRAPHIC PORTION OF THIS SURVEY IS IN ACCORDANCE
WITH CLASS T-0 VERTICAL ACCURACY.

"TO MY KNOWLEDGE AND BELIEF, THIS MAP IS
SUBSTANTIALLY CORRECT AS NOTED HEREON"

CLIFFORD A. WASHBURN JR., P.E., NO. 5730



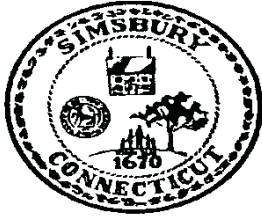
SUBDIVISION PLAN

PROPERTY OF:
MARILYN HOLCOMB STREET
SIMSBURY, CONNECTICUT
SCALE: AS SHOWN
JUNE 1996

OFFICE OF:
SANDERSON & WASHBURN
SIMSBURY, CONNECTICUT
R-40 ZONE
3388

CERTIFICATE OF APPROVAL
RECEIVED FOR THE PLANNING COMMISSION BY: Nancy Stevens
ON: 9-12-1994
WE HEREBY CERTIFY THAT ON Oct 28 1977 THE PLANNING COMMISSION
OF SIMSBURY, CONNECTICUT APPROVED THIS PLAN FOR THE PLANNING COMMISSION.
RECEIVED FOR FILING ON: _____ BY: _____ TOWN CLERK
IN ACCORDANCE WITH CONNECTICUT TECHNICAL STATUTES, SECTION 8-20, ALL WORK
IN CONNECTION WITH THIS SUBDIVISION MUST BE COMPLETED BY: 10-24-2000





Town Of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

Office of Planning and Community Development

Date: May 21, 2020

To: Maria Capriola MPA, Town Manager

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

Re: Referrals for sale of portion of open space adjacent to 133 Holcomb Street
--

The Open Space Committee, Planning and Conservation Commission discussed the referral concerning the sale of a portion of open space located at the rear of the above noted property.

Planning Commission

The Planning Commission discussed the referral pursuant to the Town Code and Connecticut General Statutes 8-24 at the February 11, 2020 meeting.

The Commission found that the sale was consistent with CGS 8-24 and supported the concept of selling a portion of the open space. In considering these findings, the commission discussed how there is no public access to this open space parcel and how the town is not maintaining the property.

Conservation Commission

The Conservation Commission discussed the referral at the February 18, 2020 meeting.

The Commission reviewed the sale along with the findings from the Planning Commission. In general, the Commission supported the sale with a consideration that a deed restriction be placed on the area that no new structures will be built in the area of open space.

Open Space Committee

The Open Space Committee discussed the referral at the March 4, 2020 meeting.

The Committee issued a favorable recommendation after a 4-2 vote. The positive referral was made with the consideration that a deed restriction be placed on the portion of open space to be sold that no new structures be built within the area.

Some members felt that instead of selling the property that the town should investigate a potential life use lease with the abutting property owner instead of selling the property.

Please consider this correspondence to serve as an official report from the Open Space Committee, Planning, and Conservation Commission.



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Resignation of Edward LaMontagne from the Aging and Disability Commission
2. **Date of Board Meeting:** September 14, 2020

3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Ericka L. Butler, Town Clerk
Maria E. Capriola

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

Move, effective September 14, 2020, to accept the resignation of Edward LaMontagne as a regular member and Chairman of the Aging & Disability Commission retroactive to August 14, 2020.

5. **Summary of Submission:**

The Town Clerk has received the resignation of Edward LaMontagne (U) as a regular member and Chairman of the Aging and Disability Commission after 26 years on the Commission. The Town is very grateful to Mr. LaMontagne for the time he put into this role over the last 26 years and wish him the best on his next endeavor!

Mr. LaMontagne's term was to expire January 1, 2023. Since Mr. LaMontagne is registered as unaffiliated, he may be replaced by a "U," or any member of any other political party.

6. **Financial Impact:**
None

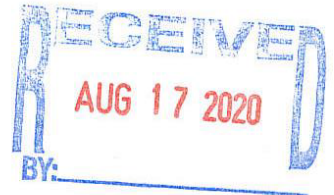
7. **Description of Documents Included with Submission:**
a) Edward LaMontagne's Resignation Letter, dated August 14, 2020

Edward J. LaMontagne

[REDACTED]
Simsbury, CT 06070

14 August 2020

Ericka Butler
Town of Simsbury
Town Clerk
933 Hopmeadow Street
Simsbury, CT 06070



Dear Ms. Butler and Board of Selectman:

After serving twenty six years on the Aging and Disability Commission, twelve as Chairman, I have decided to resign.

During this time, I have worked with an amazing group of individuals who have dedicated themselves to improving the programs and services of seniors and persons with disabilities in the Town of Simsbury.

I have thoroughly enjoyed my tenure as a member of this commission and I look forward to other opportunities to be of service to the Town of Simsbury.

Sincerely,


Edward J. LaMontagne



Town of Simsbury

933 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

BOARD OF SELECTMEN MEETING AGENDA SUBMISSION FORM

1. **Title of Submission:** Proposed Appointment of Travis Schweizer to the Police Commission

2. **Date of Board Meeting:** September 14, 2020

3. **Individual or Entity Making the Submission:**
Maria E. Capriola, Town Manager; Ericka L. Butler, Town Clerk
Maria E. Capriola

4. **Action Requested of the Board of Selectmen:**
If the Board of Selectmen supports the recommendation from the Republican Town Committee, the following motion is in order:

Move, effective September 14, 2020, to appoint Travis Schweizer (R) as a regular member to the Police Commission, with a term expiring on January 1, 2021.


5. **Summary of Submission:**
The Police Commission members are appointed by the Board of Selectmen to four year terms according to Section 614 of the Town Charter. No more than two of the five appointed members may be from the same political party. The vacant seat is from the resignation of Jim Fleming who was a Republican. Currently there is one Republican, one Unaffiliated and two Democrats serving on the Police Commission.

Mr. Schweizer was nominated by the Simsbury Republican Town Committee to fill Mr. Fleming's seat. Mr. Schweizer would serve the remainder of Mr. Fleming's term, which was set to expire on January 1, 2021.

6. **Financial Impact:**
None

7. **Description of Documents Included With Submission:**
a) Biography of Travis Schweizer

Travis Schweizer (CAPT, USN, Ret.)



Captain (ret) Travis Schweizer is a native of Mountain View, California. He was commissioned into the U.S. Navy in 1990. Over the course of a 25-year Navy career, Schweizer served at numerous SEAL Teams on both the west and east coast. He was the Commanding Officer of SEAL Team FOUR and the Commodore of Naval Special Warfare Group THREE; a 650-member major command that focused on clandestine operations globally.

His operational highlights include spending over two years in Iraq and over one year in Afghanistan conducting hundreds of combat operations in various leadership positions. Additionally, from 2012-2014, he was the senior SEAL on the Navy staff at the Pentagon, wherein he was able to plan and influence current operations and assist in the shaping of the Special Operations community for years to come.

Schweizer holds a master's degree in Information Systems and Operations from the Naval Post-Graduate School (NPS) in Monterey, CA and a master's degree in National Security & Strategy from the Naval War College in Newport, RI. His decorations include two Legions of Merit, four Bronze Stars (one with combat Valor device), the Defense Meritorious Service Medal, three Meritorious Service Medals, as well as various deployment, unit, and campaign medals.

In the fall of 2016, he retired from the Navy and moved to Connecticut. He supports Operations as part of the Amazon team in Windsor, Connecticut, and is the past President of the US Veterans Chamber of Commerce.

His wife and two children are the loves of his life. Together they are enjoying all that Connecticut and the northeast have to offer.

CALL TO ORDER

The Regular Meeting of the Board of Selectmen was called to order at 6:10 p.m. on Zoom due to COVID-19. Present were: First Selectman Eric Wellman; Deputy First Selectman Sean Askham; Board members Jackie Battos, Wendy Mackstutis, Chris Peterson, and Mike Paine. Others in attendance included: Town Manager Maria E. Capriola; Deputy Town Manager Melissa Appleby; Culture, Parks and Recreation Director Tom Tyburski; Planning and Community Development Director Mike Glidden; Director of Social Services Kristen Formanek; Town Engineer Jeff Shea Zoning Enforcement Officer Tom Hazel; Honor Lawler; President of the Performing Arts Center Board Linda Schofield; Management Specialist Tom Fitzgerald and other interested parties.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

Mr. Wellman reminded everyone if they want their comments read in Public Audience they should email Ebuter@simsbury-ct.gov.

PUBLIC HEARING

a) Disposition of a Portion of Open Space Located Along the Rear/Eastern Property Line for 133 Holcomb Street

Mr. Wellman said this Public Hearing is about the Town being approached by the property owner at 133 Holcomb Street who is interested in purchasing small piece of Town property on 133 Holcomb Street.

Mr. Wellman read the email from Steven Antonio, property owner of 133 Holcomb Street. He spoke about a small parcel of Town owned property on his property, which he feels is an orphaned piece of property. He said he spoke to property owners in the vicinity about purchasing this small strip of land and they were all fine with it. He said he is agreeable to placing a deed restriction on this parcel as well, guaranteeing the open space will remain from ever being developed. Mr. Antonio also noted that all other Boards he has presented to have approved this purchase.

Mr. Antonio responded to several assumptions alleged at the open forum on June 22, 2020. He would really like to purchase this orphaned piece of property and would like the Board to approve this purchase as well.

Mr. Askham read an email from Lisa Antonio who said their property was divided into smaller sections back in 1997 so they could purchase the land in stages, as they did. She called the piece a “crooked finger shaped orphaned parcel” that they are trying to purchase now. She said there is no public access without trespassing on her property, no benefits for preservation, no ability for taxes to be collected, no wildlife access, and the original fence is still there from 50 years ago.

Ms. Antonio is also asking the Board to vote to allow them to purchase this parcel with a deed restriction.

Mr. Wellman read emails from Caitlin Boyd, Traci Coiro Chris Rogers, Stacy Shure, Hayley Zemantic, Carole Pagani, Kris McCue, Jesse Mills, Jullie Incillo and Brenden Marcy, who were all in favor of the sale of the parcel on 133 Holcomb Street with a provision that the parcel will never be developed.

**TOWN OF SIMSBURY – BOARD OF SELECTMEN
REGULAR MEETING MINUTES – AUGUST 10, 2020
“ D r a f t ”**

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Mr. Askham read an email from Diane Nash, who is against the sale of this parcel. She gave some background on some “random” open space parcels. She feels a greedy homeowner, who sees an opportunity to purchase a parcel of land adjacent to his home for his own use, will be changing the landscape of Simsbury.

Mr. Askham made a motion to adjourn the Public Hearing at 6:24 p.m., after no further comments. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

PUBLIC AUDIENCE

Mr. Wellman read an email from Diane Nash who spoke about having Pubic Hearings during the COVID-19 pandemic and rushing to a decision on the sale of orphaned property. She also said no price has been revealed, and no real rational for this sale tied to the Old Well strip been revealed. She is strongly opposed to the sale as presented to the public.

Mr. Wellman read an email from Joan Coe, who spoke about a labor settlement, the Town Managers performance, , Code of Ethics for the Board of Selectmen, a sign at the Simsbury Farms Golf Course, the Police Department, the Plan of Development and other issues.

PRESENTATION

a) Women’s Club Proclamation

Mr. Wellman said the Woman’s Club has done over 50 years of service to the Town, but they had to disband in May. The Junior Women’s Club has taken over the Arts & Craft Festival now. He asked that the Board of Selectmen endorse this Proclamation, which he read, for the Woman’s Club.

Ms. Battos made a motion, effective August 10, 2020, to endorse the Women’s Club Proclamation as presented. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

FIRST SELECTMAN’S REPORT

Mr. Wellman, First Selectman, reviewed his First Selectman’s report.

TOWN MANAGER’S REPORT

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

SELECTMEN ACTION

a) Tax Refund Requests

Mr. Askham made a motion, effective August 10, 2020, to approve the presented tax refunds in the amount of \$171,127.27, and to authorize Town Manager, Maria E. Capriola, to execute the tax refunds. Mr. Peterson seconded the motion. All were in favor and the motion passed.

b) Proposed Public Gathering Permit – Simsbury Performing Arts Center – Dream Believe Achieve Dance

Mr. Wellman went through the public gathering permit process. Mr. Tyburski said they have made accommodations for social distancing and the Farmington Valley Health District is also part of the process.

Mr. Askham made a motion, effective August 10, 2020, to approve the public gathering application for the Dream Believe Achieve Dan Recital and to authorize the issuance of the public gathering permit for the event. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

c) Proposed Public Gathering Permit – Simsbury Performing Arts Center – The 100 Women of Color Award

Mr. Paine made a motion, effective August 10, 2020, to approve the public gathering application for the 100 Women of Color event and to authorize the issuance of the public gathering permit. Ms. Battos seconded the motion. All were in favor and the motion passed.

d) Proposed Public Gathering Permit – Simsbury Fly-In Club – Drive Thru Food Truck Event

Ms. Mackstutis noted that this event was advertised before the Boards approval. Ms. Capriola said they will remove the “fly-in” part of the advertising as it will not be like last year.

Mr. Paine made a motion, effective August 10, 2020, to approve the public gathering application on behalf of the Simsbury Airport and to authorize the issuance of the public gathering permit for a drive-thru food truck event, on the condition that all necessary food permits are obtained from the Farmington Valley Health District. Mr. Askham seconded the motion. All were in favor and the motion passed.

e) Simsbury-Granby Rotary Club Donation

Mr. Wellman said the Simsbury-Granby Rotary Club has donated \$4,500 to the Simsbury Food Closet to help keep the shelves stocked for our residents in need. It will be focused on providing “kid friendly” food items for the households with children during the summer months.

Mr. Peterson made a motion, effective August 10, 2020, to accept the Simsbury-Granby Rotary Club donation in the amount of \$4,500 for the purpose of supporting Simsbury Community and Social Services Department food programs that assist resident in need, with special focus on “kid friendly” food items for the summer months with our thanks. Ms. Battos seconded the motion. All were in favor and the motion passed.

f) Simsbury Women’s Club Donation

Mr. Wellman said the Simsbury Woman’s Club has recently disbanded and they have decided that the Simsbury Food Pantry would be their final donation.

Ms. Mackstutis made a motion, effective August 10, 2020, to accept the Simsbury Women’s Club donation in the amount of \$2,097.37 for the purpose of supporting Community & Social Services Department food programs that assist residents in need with our thanks. Mr. Peterson seconded the motion. All were in favor and the motion passed.

g) Federal FY 2020 State Homeland Security Grant Program

Mr. Wellman said the Federal FY 2020 State Homeland Security Grant Program provides funding to State administrative agencies to the Capitol Region for emergency preparedness and response activities.

Mr. Paine made a motion, effective August 10, 2020, to approve the Federal Fiscal Year 2020 State Homeland Security Grant Program Memorandum of Agreement, which makes the Town of Simsbury eligible for regional allocations made through the Region 3 Regional Emergency Planning Team. Further move, to approve the attached resolution that authorizes the Town Manager to execute all documents related to the grant award. Ms. Mackstutis seconded the motion. All were in favor and the motion passed.

h) STEAP Grant Application – Simsbury Meadows Performing Arts Center Site Accessibility and Safety Improvements

Mr. Wellman said the Performing Arts Center at Simsbury Meadows doesn't meet current American Disabilities Act standards with respect to accommodations for the patrons that attend events at the facilities. This STEAP Grant would hopefully fully fund the project at the Performing Arts Center.

Mr. Askham made a motion, effective August 10, 2020, to authorize Maria E. Capriola, Town Manager, to submit a 2020 Small Town Assistance (STEAP) grant application for the Simsbury Meadows Performing Arts Center Accessibility and Safety Improvements.

RESOLVED, that Town Manager, Mari E. Capriola be and hereby is, authorized to accept on behalf of the Town of Simsbury, a 2020 Connecticut STEAP Grant in the amount of \$128,000 for Performing Arts Center Accessibility and Safety Improvements an

FURTHER RESOLVED, that Town Manager Maria E. Capriola is hereby authorized to enter into and execute any and all agreements, contracts and documents necessary to obtain said 2020 STEAP Grant with the State of Connecticut.

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

i) Review of Commission Referrals for Meadowood Purchase

Mr. Wellman said this is about the construction of about 300 residential homes, some with affordability component. The Board of Selectmen has received responses from the Open Space Committee, Parks and Recreation, Zoning, Planning, Conservation and the Historic District Commission on this project.

Mr. Wellman went through the draft timeline for this acquisition.

After discussion, Mr. Askham made a motion, effective August 10, 2020, to support the purchase of the Meadowood project provided that Environmental Review are completed by a licensed environmental professional and that said review certifies that there are no outstanding environmental issues with the subject properties. Mr. Peterson seconded the motion. Mr. Wellman, Mr. Askham, Mr. Paine and Mr. Peterson were in favor and Ms. Battos and Ms. Mackstutis were not in favor. Therefore, the motion passed.

j) Ice Rink and Paddle Tennis Court Fees

Mr. Wellman said the Culture, Parks and Recreation Commission agreed with the staff recommendations of increasing fees for public skating due to increased staffing costs. They agreed not to increase the rink rental or paddle tennis fees.

Ms. Mackstutis made a motion, effective August 10, 2020, to approve the fee schedule for the Simsbury Farms Ice Rink and Paddle Tennis Courts as presented. Mr. Askham seconded the motion. All were in favor and the motion passed.

k) 2020-2021 Board of Selectman Goals

Mr. Wellman said the Selectmen were asked to prioritize goals of most importance to them from a list developed in November 2019.

Mr. Paine made a motion, effective August, 10, 2020, to adopt the 2020-2021 Board of Selectmen goals as presented. Mr. Askham seconded the motion. All were in favor and the motion passed.

APPOINTMENTS AND RESIGNATIONS

a) Resignation of Kevin McCusker from the Conservation Commission

Mr. Askham made a motion, effective August 10 2020, to accept the resignation of Kevin McCusker (R) from the Conservation Commission retroactive to July 24, 2020 with our thanks. Ms. Battos seconded the motion. All were in favor and the motion passed.

REVIEW OF MINUTES

a) Regular Meeting of July 13, 2020

There were no changes to the Regular Meeting Minutes of July 13, 2020, and, therefore, the minutes were adopted.

SELECTMEN LIAISON AND SUB-COMMITTEE REPORTS

- a) Personnel** – no report at this time.
- b) Finance** – no report at this time.
- c) Welfare** – no report at this time.
- d) Public Safety** – Mr. Askham and the Board thanked the EOC team for getting the Town through the last storm disaster. He said the issues with Eversource will be discussed further, but feels the team did a great job.
- e) Board of Education** – Ms. Mackstutis said the Board of Education hired a new Assistant Principal and they will be starting school on a hybrid plan at this time.

COMMUNICATIONS

- a) **Letter of Support for State Per Capita Funding for Local Health Departments, from Farmington Valley Health District and West Hartford-Bloomfield Health District, dated July 14, 2020**
- b) **Letter to Governor and Other State Officials regarding State funding for Connecticut Health Districts from Simsbury Board of Selectmen and Town Manager M. Capriola, dated July 13, 2020**
- c) **Letter to Governor, DEEP, and other State Officials re: Wildlife concerns from Simsbury Board of Selectmen, dated July 13, 2020**
- d) **“Connecticut reports ‘unprecedented numbers’ of black bear complaints; cases of bears entering homes on tract to triple”, dated July 14, 2020**
- e) **Revised Paving Memo from T. Roy, re: Revised Paving Schedule 2020, dated July 9, 2020**
- f) **Memo from K. Formanek Re: Diversity/Inclusivity Banner, dated August 6, 2020**
- g) **Memo from E. Wellman Re: Public Gathering Permits & the Performing Arts Center, dated August 10, 2020** There was some discussion on how to handle Public Gathering Permit Applications during this time of COVID-19. It was noted that the Farmington Valley Health District is also part of the application process. Ms. Schofield said if there were any issues at events they could just shut the event down.

EXECUTIVE SESSION

- a) **Executive Session for purposes of discussion of strategy and negotiation regarding the pending litigation listed below, FOIA section 1-200(6)(B): Proposed Settlement of Pending Tax Appeal for C-Tec Solar**
- b) **Executive Session for purposes of discussion of strategy and negotiation regarding the pending litigation listed below, FOIA section 1-200(6)(B): Proposed Settlement of Pending Tax Appeal for Willow Arms Apartments**
- c) **Executive Session for purposes of discussion of strategy and negotiation regarding the pending litigation listed below, FOIA section 1-200(6)(B): Proposed Settlement of Pending Tax Appeal for Simsbury Commons Shopping Center.**

Mr. Askham made a motion to adjourn Executive Session at 8:15 p.m. and to include Town Manager Maria E. Capriola; Deputy Town Manager Melissa Appleby; Attorney Bob DeCrescenzo; Town Assessor Francine Beland; and Finance Director Amy Meriwether. Mr. Paine seconded the motion. All were in favor and the motion passed.

ADJOURN

Mr. Askham made a motion to adjourn at 8:42 p.m. Mr. Paine 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 28, 2020**

“Draft”

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CALL TO ORDER

The Special Meeting of the Board of Selectmen was called to order at 8:15 a.m. on ZOOM due to COVID-19. Present were: First Selectman Eric Wellman; Deputy First Selectman Sean Askham; Board members Jackie Battos, Wendy Mackstutis, Chris Peterson and Mike Paine. Others in attendance included: Deputy Town Manager Melissa Appleby; Management Specialist Tom Fitzgerald; Code Compliance Officer Tom Hazel; Executive Director of the Performing Arts Center Missy DiNunno; and Culture, Parks & Recreation Director Tom Tyburski.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

PUBLIC AUDIENCE

There was no public audience.

SELECTMEN ACTION

a) Proposed Public Gathering Permit – Simsbury Performing Arts Center – Labor Day Soiree

Mr. Wellman asked Ms. DiNunno to provide an overview of the event. Ms. DiNunno said that this event will be a five-hour jazz festival. Sales will be capped at 500, and attendees will bring their own food and beverages. Attendees will be properly distanced, per public health regulations. Ms. Mackstutis inquired about mask requirements; Ms. DiNunno said that attendees will be held accountable for compliance.

Ms. Mackstutis made a motion, effective August 28, 2020, to approve the public gathering application for the Labor Day Soiree event and to authorize the issuance of the public gathering permit. Ms. Battos seconded the motion. All were in favor and it passed unanimously.

b) Proposed Public Gathering Permit – Simsbury Performing Arts Center – Hartt School Orientation

Mr. Wellman asked Ms. DiNunno to provide an overview of the event. Ms. DiNunno said that this event provides an opportunity for school-aged students in the orchestra programs to meet their instructors in person. There will be nine sessions, lasting approximately 15 minutes each. Attendees will be properly distanced, per public health regulations. Parents will drop off and pick up the students.

Ms. Battos made a motion, effective August 28, 2020, to approve the public gathering application for the Hartt School Orientation and to authorize the issuance of the public gathering permit for the event. Ms. Mackstutis seconded the motion. All were in favor and it passed unanimously.

ADJOURN

Mr. Askham made a motion to adjourn at 8:21 a.m. Mr. Paine seconded the motion. All were in favor and the motion passed.

Respectfully submitted,
Melissa Appleby
Deputy Town Manager

**TOWN OF SIMSBURY – BOARD OF SELECTMEN
SPECIAL MEETING MINUTES – SEPTEMBER 3, 2020**

“ D r a f t ”

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CALL TO ORDER

The Special Meeting of the Board of Selectmen was called to order at 8:31 a.m. on ZOOM due to COVID-19. Present were: First Selectman Eric Wellman; Deputy First Selectman Sean Askham; Board members Jackie Battos, and Mike Paine. Others in attendance included: Town Manager Maria Capriola; Deputy Town Manager Melissa Appleby; Management Specialist Tom Fitzgerald; Police Chief Nick Boulter; and Police Sergeant Matthew Christian.

PLEDGE OF ALLEGIANCE

Everyone stood for the Pledge of Allegiance.

PUBLIC AUDIENCE

There was no public audience.

SELECTMEN ACTION

a) 2021 Distracted Driving High Visibility Enforcement Grant

Sgt. Christian said the State of Connecticut DOT has given the Police Department the opportunity to participate in a grant program that will allow for a 100% reimbursement of overtime and fringe benefits to conduct dedicated distracted driving enforcement patrols in October 2020 and April 2021.

Mr. Askham made a motion, effective September 3, 2020 to submit the 2021 Distracted Driving High Visibility Enforcement Grant application and to authorize Maria E. Capriola, Town Manager, to execute the grant application. Ms. Battos seconded the motion. All were in favor and the motion passed.

Mr. Askham made a motion to accept the 2021 Distracted Driving High Visibility Enforcement Grant application and to authorize Maria E. Capriola, Town Manager, to execute all documents related to the grant award. Ms. Battos seconded the motion. All were in favor and the motion passed.

ADJOURN

Mr. Askham made a motion to adjourn at 8:35 a.m. Mr. Paine seconded the motion. All were in favor and the motion passed.

Respectfully submitted,
Thomas Fitzgerald
Management Specialist



Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

Maria E. Capriola - Town Manager

August 10, 2020

Re: Temporary Traffic Calming Measures - Intersection of Notch and West Mountain Roads

The Town of Simsbury has received a number of complaints in recent years regarding the safety and speed of cars traveling on Notch Road. This busy roadway has seen more and more traffic as time passes and the average speed is typically in excess of the posted speed limit. After reviewing the traffic patterns, volume and speeds, the Town will be installing a temporary "Traffic Calming" technique to slow the traffic down and increase safety.

Traffic calming is a method of reconfiguring a roadway to intentionally reduce the speeds of cars and trucks. This temporary measure will be installed later this month and will be evaluated throughout the fall. This is only a temporary measure to enable the Town to assess the effectiveness of this approach and will be removed before winter.

We invite you, as residents of the area, to review the effectiveness of this installation once it is in place and comment on this approach. We want to know if you "feel" traffic is, in fact, being slowed and if you believe the intersection is safer. Please be assured that, if we are to move forward with a permanent reconfiguration of the intersection, we would be utilizing different materials that would look appropriate for Simsbury (the temporary measures will be high visibility traffic cones, etc.).

You can send comments via e-mail to townmanager@simsbury-ct.gov.

Thank You,

Maria E. Capriola, MPA
Town Manager

Thomas J. Roy, PE
Director of Public Works



SIMSBURY FIRE DISTRICT
OFFICE OF EMERGENCY MANAGEMENT
871 HOPMEADOW ST
SIMSBURY, CT. 06070



Michael B. Berry

Emergency Management Director

Tel 860-658-1971

Fax 860-658-5611

Email: mberry@simsburyfd.org

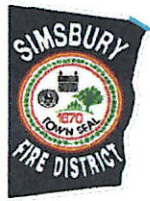
To All,

My name is Michael B. Berry and I am the Emergency Management Director for the Town of Simsbury, CT. I have been in Emergency Management since 2006 and was hired as the Assistant Emergency Manager in Simsbury in 2015. Prior to being employed in Simsbury I was the Deputy Director of Emergency Management in New Britain; CT. Tropical Storm Isaias was not my first emergency management event.

In the days leading up to the arrival of the Tropical Storm Isaias the Town of Simsbury took notice and planned for the event. Emergency Management checked in with Regional Authorities, made contact with the town liaison from Eversource, watched the forecasts and made contact with the Unified Command should it be needed. All departments pulled out their checklists and reported in. Emergency Management went to social media and told the residents to prepare for the storm.

We were ready.

The day of the storm the Town of Simsbury braced for the unknown. The heavy rains that were predicted did not materialize but the predicted winds arrived in the afternoon. The key word was predicted. This was not a surprise. Soon trees were being blown over, branches were falling, telephone poles snapped and power, cable and telephone wires came down. 911 calls started flooding in. The Simsbury Fire District normally has one dispatcher on duty. This day they mustered up three and all were busy. There was a complete breakdown of the reporting system that Eversource provides emergency services to use to report electrical emergencies. Dispatchers who were swamped with incoming calls were experiencing constant busy signals and disconnects when trying to report these emergencies to Eversource; basically, the system completely failed. An all-volunteer fire department (Simsbury Volunteer Fire Company) stepped up and started responding to the calls along with the Department of Public Works and the Simsbury Police Department. The fire department averages about 700 calls a year and on this day, they responded to over 100 calls. They had manned their stations prior to the storm, and they had checked their equipment to be in the best position possible. Every available responder and vehicle were on the road. The Simsbury Police Department logged over 150 911 calls and responded to many more calls for assistance



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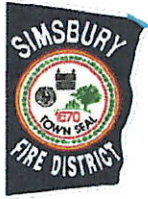
We were ready.

Unified Command was established and zoom meetings were held to make a game plan. Damage assessments were performed, lists were made, WEBEOC was logged into and updated, and information was sent to Eversource with the forms they requested, although this was the first time I had seen the forms. Major and minor roads were impassable and the town came to a slow halt. The residents hunkered down for the night. They had been through this before and were prepared. Areas were blocked off with fire line and police line tape everywhere. Residents were informed to stay away from downed wires, trees, poles and transformers. Repeated requests for a MAKE SAFE CREW the evening of the storm went unanswered, however without notice, Eversource appeared to clear Rte. 315 at Winthrop, Rte. 10 at Canal, and Rte. 10 at 570 Hopmeadow St. They didn't remain in town but left. There was no communication between the town and them.

We were ready.

August 5 dawned and the town took a look at what had happened. The Department of Public Works were ready to go and cleared downed trees and branches that did not involve wires. Contact was made with residents who were trapped in their neighborhoods and could not get out due to blocked roads. Major roads in and out of town were impassable. Contact was made with the Eversource liaison and all information was passed on to him. Multiple requests for a make safe crew were made but it never arrived. Eversource had no answers. The Public Works Department held over crews on overtime when Eversource told us there was a chance we may get a make safe crew but that hope faded as the evening went on. This was money in overtime spent for no reason. A priority list for restoration was made as we had the McLean Home without line power and on generator. The generator supplied basic needs but was not meant to power everything. As a result of previous Eversource storm response failures, Eversource had proactively worked with the town to create a Priority Circuit List which included critical infrastructure circuits that needed to be restored as soon as possible. This included the circuit that McLean Home is on. Obviously, their own response planning was ignored. Zoom meetings were held with Unified Command and incident action plans were developed. There were many areas of town where emergency vehicles could not access. This was a true-life safety issue.

We were ready. Where was Eversource...



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August 6 arrived and calls to Eversource pleading for a make safe crew were made. The liaison had no answers and was only able to provide statistics about the storm. Calls to higher up personnel in Eversource indicated that there was little to no information about the Town of Simsbury and our needs in the system. I called our liaison and insisted they get a make safe crew in town now. Scouts were all over the town looking for any sign of Eversource vehicles. None were found. Finally, after almost 48 hours one make safe crew arrived and our Department of Public Works hooked up with them. They directed them to the priority areas and made progress opening up impassable roads. The crews worked very well together up until they had to break for the night. No crew replaced them. It has been proven that when Eversource provides just ONE make safe crew (Line and Tree Resource) that making safe goes quickly, takes care of areas in a priority that the Town directs based on its knowledge of the impact of damage, and can avoid inefficiencies that are common when working in an area that the crew is not familiar with. A dedicated crew assigned prior to or immediately following the storm would have had a more significant positive impact. Residents pleaded to have neighborhoods opened up. There were medical needs, employment needs, food requirements and residents were running out of fuel for generators. Police, fire and EMS units needed to get access before a disaster occurred. The town was rolling the dice and tempting fate. Again, Eversource had no answers. Request after request was made. Regional authorities were contacted and requests were made with them also.

We were ready. Again, no communication or support was provided.....

August 7 arrived and still no make safe crews were in town. Eversource was contacted and they had no idea if or when we would get crews. A report of a restoration crew in town was made and I met with them personally. They were going off of a list from Eversource but the area to be restored was not a priority to us. A make safe crew arrived late morning and the Public Works hooked up with them and again they worked great together. They followed our priority list of streets to get cleared. Eversource still could not say when more crews would arrive. Both crews left the town when their time ran out but could not tell us when more would arrive. Zoom Unified Command meetings were held and all lists were updated and submitted to Eversource. Still no timeline was given for more support. Pleas were made to get the convalescent home on the priority to get their power back. Those pleas went unfulfilled.

We were ready, Eversource was not....



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August 8 arrived and we were told an army of crews were coming to town to clear roads and start restoring power. We asked if we could have the crews meet our Public Works to continue with our list. That request was denied. They wanted to work independent with their priority list and not ours. Still the convalescent home was on generator and hoping it would hold out. Patience had now run out and residents were reporting that multiple calls to Eversource were being ignored and there was no estimated time or restoration. Roads in town were still impassable. Residents were now driving under, over and moving live wires because they had given up on Eversource. This was a true-life safety issue. Still about 20 percent of the town was still without power. In some areas, residents were told their power could not be restored until other companies replaced damaged poles that were not owned by Eversource. More lack of communication. How is a resident supposed to know who owns the pole in front of their house that is snapped in half?

August 9 arrived and more crews were rolling into town with little to no communication or coordination with our departments. Power was restored to the convalescent home in the morning. 4+ days after the storm and that was our number 1 priority but Eversource had other plans. There was no holding back the anger now and people wanted answers that we could not supply. The numbers of residents without power slowly came down but patience was gone. Our crews were chasing restoration crews around town to keep tabs on them. There was no rhyme or reason to their pattern of restoration and Regional Authorities were called again and updated.

It took until August 11 to get all of our residents up with full power. This time frame was totally unacceptable and could have been reduced if Eversource was willing to work with our town departments and to work with us on our priority lists. Again, we were ready. Why wasn't Eversource?

This was a complete failure of Eversource to:

Provide adequate communication, not just a liaison saying I don't know and having no internal power.



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Provide a make safe crew, even just one, ready to report to the town and work with the local authorities who know the town.

Maintain a robust emergency reporting system that does not break down during peak usage.

Ensure that crews that eventually did arrive in town work with the priority lists of the town and be part of the Emergency Planning.

Provide enough crews ready to go to open roads and restore power in a timely manner.

Respectfully,

Michael B. Berry



Town of Simsbury

933 HOPMEADOW STREET ~ SIMSBURY, CONNECTICUT 06070

Maria E. Capriola - Town Manager

MEMORANDUM

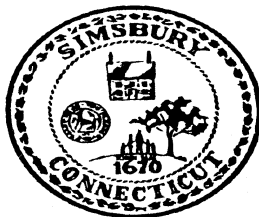
To: Board of Selectmen
From: Maria Capriola, Town Manager
Cc: Mike Glidden, Director of Planning and Community Development; Tom Tyburski, Director of Culture, Parks and Recreation; Nick Boulter, Chief of Police
Date: September 2, 2020
Subject: Administrative Approvals of Public Gathering Permits

This memo is to inform the Board of Selectmen of the public gathering permits that I have approved for the Performing Arts Center (PAC) via an administrative approval.

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

Name of Event	Date	Type
Movies in the park, Indiana Jones, Raiders of the Lost Ark	September 26, 2020	Entertainment Event
Movies in the park, Jurassic Park	September 12, 2020	Entertainment Event

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



Town Of Simsbury

33 HOPMEADOW STREET

SIMSBURY, CONNECTICUT 06070

Office of Planning and Community Development

Date: September 9, 2020

To: Board of Selectmen

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

Re: Affordable Housing Plan - Planning Commission
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Each community throughout Connecticut is required to develop an affordable housing plan pursuant to Connecticut General Statute 8-30j. The plans are required to demonstrate specifically how a community intends to increase the number of affordable housing units.

The Planning Commission has undertaken the task of developing Simsbury's first affordable housing plan.

The commission will be scheduling a public informational meeting to discuss a draft plan in October. At this meeting, the commission will present a draft plan and seek input from the community.

As part of the process of developing the plan, the commission is seeking guidance from the Board of Selectmen. The commission would like to know if there are specific goals/objectives that the Board of Selectmen would like to see in an affordable housing plan for Simsbury. Any goals/objectives need to follow the requirement of 8-30j, meaning these actions need to result in an increase of affordable housing units in Simsbury.